SUMMARY MINUTES

SPECIAL COUNCIL MEETING

2ND BUDGET HEARING

SEPTEMBER 22, 2014

A

SUMMARY MINUTES

SPECIAL MEETING
2nd BUDGET HEARING

September 22, 2014

A special budget meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday September 22, 2014, beginning at 6:00 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found on the website at:
http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx

ROLL CALL

Acting Mayor Bien-Aime	Here
Councilwoman Steril	Here
Councilwoman Keys	Here
Councilman Galvin	Here

PLEDGE OF ALLEGIANCE

- Chief Larry Burgess, City of North Miami Police Department

INVOCATION

- Mike McDearmaid, President of the Central Homeowners Association

TAB A - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING A FINAL MILLAGE RATE OF 7.9336 MILLS FOR FISCAL YEAR 2014-2015; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0** by roll call vote.

TAB B - PROPOSED ORDINANCE (SECOND READING) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING AND APPROVING THE BUDGET OF THE CITY OF NORTH MIAMI FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015; AUTHORIZING THE AMOUNT TO BE RAISED BY TAXATION FOR THE OPERATION OF THE CITY FOR THE 2014-2015 FISCAL YEAR; AUTHORIZING THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING A "RETURN ON INVESTMENT" TRANSFER FROM THE WATER & SEWER UTILITY FUND TO THE GENERAL FUND; AUTHORIZING THE CITY MANAGER TO IMPLEMENT BUDGET AMENDMENTS (REVENUE AND/OR EXPENDITURE) TO APPROPRIATE OR UNAPPROPRIATE FUNDS AS REQUIRED DURING THE FISCAL YEAR, AND TO AMEND THE PRIOR FISCAL YEAR BUDGET TO FACILITATE THE YEAR-END CLOSING PROCESS; PROVIDING FOR REPEAL, SEVERABILITY, AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. Arthur Sorey, Budget Director, gave an update on the amendments to Council. Public discussion. Council discussion. Moved for approval by Councilman Galvin with approved amendments and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0** by a roll call vote.

ADJOURNMENT

Meeting adjourned at 6:56 pm.

SUMMARY MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 23, 2014

SUMMARY MINUTES

REGULAR COUNCIL MEETING

September 23, 2014

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday September 23, 2014, beginning at 6:00 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

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ROLL CALL

Acting Mayor Bien-Aime	Here
Councilman Galvin	Here
Councilwoman Keys	Here
Councilwoman Steril	Here

PLEDGE OF ALLEGIANCE

- Leslie Gonzalez, Student Government Association Governmental Relations Director, Miami-Dade College-North Campus

INVOCATION

- Pastor Barbara Boyce, New Life Ministries

ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

Aleem Ghany, City Manager, removed Tab G for consideration at the next Council Meeting. Council discussion.

SPECIAL PRESENTATION(s)

- Consent Decree presentation by Carlos Hernandez, Miami-Dade County

CITY EVENTS – ANNOUNCEMENT

Pam Solomon, Public Information Manager, announced upcoming events for the City of North Miami. Ms. Solomon advised all City events can be found on the website at: www.northmiamifl.gov/celebrate.

CITY PROJECTS UPDATE - (NONE)

HURRICANE PREPAREDNESS

Dr. Lumane Pluviose-Claude, Deputy City Manager, gave a report.

CONSENT AGENDA

TABS A THROUGH B

TAB A - APPROVAL OF MINUTES

- Regular Council Meeting – September 9, 2014
- 1st Budget Hearing -- September 10, 2014

TAB B - AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND TO BE UTILIZED FOR TRAINING, TOWER FEES FOR RADIOS USED BY CODE ENFORCEMENT AND RENTAL VEHICLES TO BE USED BY THE CRIME SUPPRESSION / SPECIAL INVESTIGATIONS UNIT AND ADMINISTRATION.

Councilman Galvin moved to approve the consent agenda, Tab A through Tab B, seconded by Acting Mayor Bien-Aime; **passed unanimously.**

PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

RESOLUTIONS

TAB C - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING AN AMENDMENT TO THE FISCAL YEAR 2013-14 AMENDED REVENUE AND EXPENSE BUDGET TO INCLUDE THE RECEIPT AND APPROPRIATION FOR A PUBLIC LIBRARY CONSTRUCTION GRANT FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES, IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS ($500,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Council discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Keys. Council voted; **passed 4-0.**

TAB D - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NO. 06-2219-000-1620, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT "A", AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record and identified the Rucks site as 13780 NE 5th Avenue, North Miami, FL 33161. No public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Keys. Council voted; **passed 4-0**.

TAB E - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S SELECTION OF THE FAMILY RANCH INC., TO PROVIDE THE LABOR, SUPERVISION, MATERIALS, EQUIPMENT, TOOLS, MACHINERY, EXPERTISE, AND OTHER SERVICES NECESSARY FOR COMPREHENSIVE EQUINE MANAGEMENT SERVICES AT THE ENCHANTED FOREST ELAINE GORDON PARK EQUESTRIAN CENTER, IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL NO. 45-13-14A; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE FAMILY RANCH INC., IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE PROVISION OF SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. Public discussion. Council discussion. Reporting by staff. Motion to reject proposal and reopen RFP. Moved for approval by Acting Mayor Bien-Aime and seconded by Councilman Galvin. Council voted; **passed 4-0** by roll call vote.

TAB F - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND ADOPTING THE ATTACHED POLICY FOR PERMITTING COMMERCIAL USE OF DEDICATED CITY PARKLANDS AND FACILITIES FOR PERSONAL TRAINING AND OTHER OUTDOOR PRIVATE PROFESSIONAL SERVICES, TO BE IMPLEMENTED AND ENFORCED BY

THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. Public hearing. No motion. No vote. **Item failed.**

TAB G - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AUTHORIZING NEW RECREATION PROGRAMS, ACTIVITIES AND RENTAL FEES FOR THE PARKS AND RECREATION DEPARTMENT FOR FISCAL YEAR 2014-2015; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Tab removed from the agenda for consideration at the next Council Meeting.

TAB H - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF BROWN & BROWN OF FLORIDA, INC., FOR THE PROVISION OF INSURANCE COVERAGE AS REQUIRED BY LAW, AND IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL NO. 51-13-14 EXCESS WORKERS' COMPENSATION INSURANCE COVERAGE SERVICES; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE INSURANCE COVERAGE PERIOD COMMENCING OCTOBER 1, 2014 THROUGH OCTOBER 1, 2015, AT A COST NOT TO EXCEED ONE HUNDRED TWENTY THOUSAND NINE HUNDRED THREE DOLLARS ($120,903.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Keys and seconded by Councilwoman Galvin. Council voted; **passed 4-0.**

TAB I - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CREATING A COMMITTEE KNOWN AS "~~INTERIM BOARD MEMBERS OF MOCA~~" TO SUPPORT THE TRANSITION AND NEW DIRECTION OF THE MUSEUM OF CONTEMPORARY ART IN NORTH MIAMI, (MOCA, NORTH MIAMI), PURSUANT TO THE PENDING FINALIZATION OF A SETTLEMENT AGREEMENT IN THE CASE STYLED AS MUSEUM OF CONTEMPORARY ART, INC., V. CITY OF NORTH MIAMI, ET AL.; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Council discussion. Moved for approval by Councilman Keys and seconded by Acting Mayor Bien-Aime with amendments to the committee name as "MOCA STEERING COMMITTEE". Council voted; **passed 4-0** by roll call vote.

TAB J - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A SETTLEMENT AGREEMENT IN THE LITIGATION MATTER OF COASTLAND CONSTRUCTION, INC. V. CITY OF NORTH MIAMI, CASE NO. 13-12127 CA 01, UPON THE EXECUTION OF A GENERAL RELEASE, DISCHARGING THE CITY OF NORTH MIAMI, ITS OFFICERS, AGENTS AND SERVANTS AGAINST ANY AND ALL CLAIMS AND DEMANDS IN CONNECTION WITH THIS ACTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. Public discussion. Moved for approval by Councilman Keys and seconded by Acting Mayor Bien-Aime. Council voted; **passed 3-1** by roll call vote. Councilman Galvin voted no.

LEGISLATIVE MATTERS – [NONE]

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB K - PROPOSED ORDINANCE *(SECOND READING)* OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, DELETING ALL REFERENCES TO THE PROHIBITION AND VIOLATION OF THE SELLING, PURCHASING, ACQUIRING OR MAINTAINING PIT BULLS WITHIN THE BORDERS OF THE CITY OF NORTH MIAMI AND THEREBY REPEALING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "ANIMAL CONTROL," AT ARTICLE II, ENTITLED "DOG CONTROL" SPECIFICALLY AT SECTION 4-27, ENTITLED "PIT BULL DOGS PROHIBITED"; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilwoman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0** by roll call vote.

TAB L - PROPOSED ORDINANCE *(SECOND READING)* OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RELOCATING ARTICLE V, ENTITLED

"BURGLAR ALARMS" FROM CHAPTER 12 OF THE CODE OF ORDINANCES TO CHAPTER 13, ENTITLED "OFFENSES"; PROVIDING FOR REPEAL, CONFLICTS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Keys. Council voted; **passed 4-0.**

ORDINANCES – FIRST READING

TAB M - PROPOSED ORDINANCE *(FIRST READING)* OF THE OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED "BUILDING STANDARDS AND REGULATIONS" TO INCLUDE PROVISIONS FOR MAINTENANCE OF PROPERTY, LANDSCAPING, WALLS, FENCES, AND EXTERIOR PROPERTY AREAS AND PROVIDING FOR THE RELOCATION OF ARTICLE VII ENTITLED "ABANDONED REAL PROPERTY REGISTRATION" TO CHAPTER 12 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Keys. Council voted; **passed 4-0** by roll call vote.

TAB N - PROPOSED ORDINANCE *(FIRST READING)* OF THE OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE III, DIVISION 2, ENTITLED "GENERAL DEVELOPMENT REVIEW PROCEDURES", SPECIFICALLY AT SECTION 3-210, ENTITLED "CERTIFICATE OF RE-OCCUPANCY" REQUIRING A CERTIFICATE OF RE-OCCUPANCY EACH TIME THERE IS A TRANSFER OF TITLE OF REAL PROPERTY TO ENSURE COMPLIANCE WITH THE ZONING DISTRICT REQUIREMENTS SET FORTH IN THE LAND DEVELOPMENT REGULATIONS, AND ALLOWING FOR THE ISSUANCE OF CONDITIONAL CERTIFICATES OF RE-OCCUPANCY WHERE LIFE SAFETY VIOLATIONS EXIST; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Council discussion. Staff report. Moved for approval by Councilwoman Keys and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0** by roll call vote.

QUASI-JUDICIAL ITEM(s) - (NONE)

REQUESTS – PETITIONS – COMMUNICATIONS

TAB O - DISCUSSION REGARDING THE RE-ESTABLISHMENT OF THE CODE ENFORCEMENT BOARD.

Council agreed to host a workshop open to the public.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT – Gave a report

CITY ATTORNEY'S REPORT – (NONE)

CITY MANAGER'S REPORT – (NONE)

ADJOURNMENT

Meeting adjourned at 9:47 pm.