

SUMMARY MINUTES

REGULAR COUNCIL MEETING

April 23, 2013

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, April 23, 2013, beginning at 7:00 p.m.

(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 at: www.northmiamifl.gov

Flag salute led by Officer Pedro Lao

Inspirational Message

- ◆ Pastor Doctor Enoch Milien

ROLL CALL

Vice Mayor Steril	Here
Councilman Galvin	Here
Mayor Pierre	Here
Councilman Marcellus	Here
Councilman Blynn	Here

Additions, Deletions or Withdrawals

Tab F, moved after the Consent Agenda and Tab O
Tab O, moved after the Consent Agenda

SPECIAL PRESENTATION(s)

- ◆ First Generation Scholarship presentation by *Dr. Lumane Pluviose-Claude, Deputy City Manager*

Mayor Pierre recognized Dr. Lumane Pluviose-Claude, Deputy City Manager; and Natasha Colebrook Williams, Governmental Affairs Manager; giving a brief presentation to Council regarding the First Generation

Scholarship Program, recognizing everyone involved in making the program a success.

- ◆ City of North Miami wins ‘*Drinking Water Taste Test*’ at the *Florida Section of the American Water Works Association (FSAWWA) Region VII*

Mayor Pierre recognized Aleem Ghany, Public Works Director; giving a brief presentation to Council regarding a trophy-award received for the ‘Drinking Water Taste Test’.

- ◆ Proclamation in honor of *April is Water Conservation Month*

Mayor Pierre recognized Aleem Ghany, Public Works Director; presenting a Proclamation. Whereas Mayor Pierre proclaimed April, 2013, to be *Water Conservation Month*, in the City of North Miami.

- ◆ Proclamation in honor of Officer of the Month, March 2013, *Officer Pedro Lao*

Mayor Pierre recognized Assistant Chief Larry Juriga, recognizing Officer Pedro Lao “Officer of the Month,” for March, 2013. Mayor Pierre presented a Proclamation. Whereas Mayor Pierre proclaimed March, 2013, to be *Pedro Lao Month*, in the City of North Miami.

Mayor Pierre recognized Officer Lao; Major Robert Bage and his family; Officer Elena; and Regine Monestime, City Attorney; for participating in the 5K run sponsored by the Cuban American Bar

- ◆ Proclamation in honor of *El Dia de Los Ninos/El Dia de los Libros*

Mayor Pierre recognized Lucia Gonzalez, Library Manager; presenting a Proclamation. Whereas Mayor Pierre proclaimed *El Dia de Los Ninos/El Dia de los Libros Day*, in the City of North Miami. Mayor Pierre congratulated Ms. Gonzalez, nominated as Best Librarian in the country. Ms. Gonzalez recognized Library Board members in attendance and gave a brief report to Council.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB O - DISCUSSION REGARDING NATIONAL DAY OF PRAYER, MAY 2, 2013

Michael Etienne, Esquire, City Clerk read the title for the record. Councilman Blynn moved to reconsider the approval of the Request, granted at the April 9th, Council meeting, seconded by Councilman Galvin, requesting to open the item up for public discussion. Council discussions regarding groups involved in the event are exclusive, not inclusive and not multi-denominational. Pastor Jack Hakimian, present. Anthony Redugo, present. Councilman Blynn moved to remove city funding support. Stephen E. Johnson, City Manager, advised city funding support amounts to \$750. Councilman Galvin seconded the motion; for discussion. Council discussion. No public discussion. Regine Monestime, City Attorney, advised public discussion is not required. Council voted; failed 2-3. Mayor Pierre, Vice Mayor Steril and Councilman Marcellus denied.

CITY EVENTS – ANNOUNCEMENT

Pam Solomon, Public Information Manager, announced upcoming events for the City of North Miami.

Recess: 7:50 pm

Resumed: 8:15 pm

Ms. Solomon resumed advising of city events – announcements.

CITY PROJECTS UPDATE

Mr. Johnson advised current updates for all projects are provided weekly on the website and encouraged everyone to check out the website. Mr. Johnson further advised project signs are posted throughout the city.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – April 9, 2013

TAB B – PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A RENEWAL AND EXTENSION OF AN EXISTING LEASE AGREEMENT WITH CROWN CASTLE SOUTH LLC, FOR COMMUNICATIONS FACILITY SITUATED ON CITY-OWNED REAL PROPERTY, LOCATED AT 835 NORTHEAST 132ND STREET

TAB C – PROPOSED RESOLUTION APPROVING THE SELECTION OF LBS SERVICES, INC., TO PROVIDE PROFESSIONAL CONSULTING SERVICES TO FACILITATE THE ESTABLISHMENT OF A PUBLIC CHARTER SCHOOL AT THE CLAUDE PEPPER PARK SITE, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE PROVISION OF CONSULTING SERVICES IN THE AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00), FROM BISCAYNE LANDING PROCEEDS

TAB D – PROPOSED RESOLUTION PROCLAIMING MAY 2013 AS “MAKE YOUR CITY GREEN MONTH”

Vice Mayor Steril moved to approve the Consent Agenda, Tab A through Tab D, seconded by Mayor Pierre; passed unanimously.

RESOLUTIONS

TAB F - PROPOSED RESOLUTION PROVIDING FOR APPROVAL OF A MODIFICATION TO THE BIFURCATED GROUND LEASE BETWEEN THE CITY OF NORTH MIAMI, FLORIDA, THE OAKS I AT BISCAYNE LANDING CONDOMINIUM ASSOCIATION, INC., AND ROYAL OAKS LANE (BISCAYNE LANDING) - NORTH MIAMI, LLC; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION (CONTINUED FROM APRIL 9, 2013 COUNCIL MEETING)

Mr. Etienne read the Resolution title for the record. Public discussion. Cliff Schulman, Attorney, Weiss, Serota and Helfman, Coral Gables; present, giving a brief report to Council. Council discussion. Councilman Galvin moved to approve the Resolution, seconded by Councilman Marcellus; passed unanimously.

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

QUASI-JUDICIAL ITEM(S)

Michael Etienne, Esquire, City Clerk, swore in anyone speaking on Tab E, for true and correct testimony.

TAB E – PROPOSED RESOLUTION AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE CONCEPTUAL MASTER DEVELOPMENT PLAN FOR TRACT A OF BISCAYNE LANDING PLAT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS

Mr. Etienne read the Resolution title for the record. Maxine Calloway, Community, Planning & Development Director, gave a brief report to Council. Cliff Schulman, Attorney, Weiss, Serota and Helfman, Coral Gables; present, giving a brief report to Council. Mr. Schulman introduced Coby Karp, Architect and Planner; Herb Tillman, Project Manager; and Daryl Lee, Project Engineer; giving a brief presentation to Council. Public discussion. Lengthy Council discussion. Mayor Pierre moved to continue the Resolution, seconded by Councilman Galvin; for discussion. Council discussion regarding issues pending includes removal of the condos, filling the lake and a path leading to FIU. Council voted; passed unanimously.

RESOLUTIONS

TAB F - PROPOSED RESOLUTION PROVIDING FOR APPROVAL OF A MODIFICATION TO THE BIFURCATED GROUND LEASE BETWEEN THE CITY OF NORTH MIAMI, FLORIDA, THE OAKS I AT BISCAYNE LANDING CONDOMINIUM ASSOCIATION, INC., AND ROYAL OAKS LANE (BISCAYNE LANDING) - NORTH MIAMI, LLC; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION (CONTINUED FROM APRIL 9, 2013 COUNCIL MEETING)

Taken out of order, see after the Consent Agenda.

TAB G – PROPOSED RESOLUTION APPROVING SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY NORTHWEST 16TH AVENUE, ON THE EAST SIDE BY NORTHWEST 13TH AVENUE, ON THE SOUTH SIDE BY NORTHWEST 131ST STREET AND ON THE NORTH SIDE BY NORTHWEST 135TH STREET, IDENTIFIED AS THE SUNKIST GROVE ANNEXATION AREA (OTHERWISE KNOWN AS “AREA 2”) (ITEM PULLED AND CONTINUED FROM THE APRIL 9, 2013 COUNCIL AGENDA)

Mr. Etienne read the Resolution title for the record. Councilman Galvin moved to approve the Resolution, seconded by Vice Mayor Steril; for discussion. Public discussion. Council discussion. Mr. Johnson gave a brief report to Council. Council voted; passed unanimously.

TAB H – PROPOSED RESOLUTION APPOINTING DANNY P. FELTON, SR. TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

Mr. Etienne read the Resolution title for the record. Public discussion. Council discussion. Councilman Blynn moved to require all members live in North Miami. Council discussion. Mr. Johnson gave a brief report to Council. Councilman Blynn’s motion died for lack of second. Vice Mayor Steril moved to approve Resolutions, Tab H through Tab L, seconded by Councilman Galvin; passed unanimously.

TAB I - PROPOSED RESOLUTION APPOINTING GLORIA ROMERO ROSES TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

See under Tab H.

TAB J - PROPOSED RESOLUTION APPOINTING DANNA F. MAGLOIRE-FENELON, ESQ., TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

See under Tab H.

TAB K - PROPOSED RESOLUTION APPOINTING KENNETH EACH TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

See under Tab H.

TAB L - PROPOSED RESOLUTION APPOINTING CAMEUS JACOB TO THE BOARD OF COMMISSIONERS OF THE CITY OF NORTH MIAMI HOUSING AUTHORITY

See under Tab H.

LEGISLATIVE MATTERS

ORDINANCES – FIRST READING

TAB M – PROPOSED ORDINANCE (FIRST READING) AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, ENTITLED “PENSIONS AND RETIREMENT”, BY AMENDING ARTICLE III, ENTITLED “CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM,” DIVISION 1, ENTITLED “GENERALLY”, AT SECTION 15-61, ENTITLED “DEFINITIONS” TO ALLOW EMPLOYEES TO PURCHASE CREDITED SERVICE IN THE PLAN BASED UPON THE EMPLOYEE’S PRIOR GOVERNMENTAL SERVICE AND UPON MEETING CERTAIN CONDITIONS

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Galvin moved to approve the Ordinance, seconded by vice Mayor Steril; passed unanimously by roll call vote.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB N - DISCUSSION AND APPROVAL FOR AN ADDITIONAL \$50,000 FOR REMOVAL AND REPLACEMENT OF APPROXIMATELY 2,000 LF OF SIDEWALK REPAIRS

Mr. Etienne read the title for the record. Mr. Ghany gave a brief report to Council. Public discussion. Mr. Johnson gave a brief report to Council. Council discussion.

Vice Mayor Steril moved to freeze remaining Biscayne Landing proceeds of approximately \$3.2 million, seconded by Councilman Galvin for discussion.

Mayor Pierre moved to approve Tab N, seconded by Vice Mayor Steril; passed 3-2. Councilman Blynn and Councilman Galvin denied.

Council voted on Vice Mayor Steril’s motion; passed unanimously.

TAB O - DISCUSSION REGARDING NATIONAL DAY OF PRAYER, MAY 2, 2013

Item taken out of order, see after Special Presentations.

CITIZENS’ FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

Councilman Galvin moved to appoint Jason James, replacing Jesus Remon, to the Planning Commission, seconded by Councilman Blynn; passed unanimously.

CITY MANAGER'S REPORT

Mr. Johnson apologized for missing the previous Council meeting due to illness.

Mr. Johnson reported on:

- Budget balance for Biscayne Landing proceeds are \$3.5 million.

Mr. Johnson thanked Mayor and Council for leadership and services.

CITY ATTORNEY'S REPORT

Ms. Monestime wished Mayor and Council best wishes and thanked them for leadership and services.

CITY CLERK'S REPORT

Mr. Etienne confirmed with Mayor and Council that the May 14, 2013th, Council meeting is cancelled.

Mr. Etienne reminded everyone of early voting beginning April 29th, 2013.

ADJOURNMENT

Meeting adjourned at 12:57 a.m.