

SUMMARY MINUTES

REGULAR COUNCIL MEETING

July 9, 2013

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, July 9, 2013, beginning at 7:02 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 on the website at: www.northmiamifl.gov

Flag salute led by Major Francia Brea-Burden

Inspirational Message

- ◆ Marc Elias, Jr., Chief of Police

ROLL CALL

Vice Mayor Steril	Here
Councilman Galvin	Here
Mayor Tondreau	Here
Councilman Bien-Aime	Here
Councilwoman Keys	Here

Additions, Deletions or Withdrawals

(NONE)

SPECIAL PRESENTATION(s)

- ◆ Recognition to *Roslyn Viterbo*, Department of Emergency Management

Mayor Tondreau recognized Dr. Lumane Pluviose-Claude, introducing Roslyn Viterbo, Department of Emergency Management along with Curt Sarnoff, Director; presenting a plaque to Roslyn Viterbo for administering the Hurricane Mock Exercise.

◆ Proclamation in honor of *Parks and Recreation Month*

Mayor Tondreau recognized Jeff Geimer, Parks and Recreation Director; presenting a Proclamation. Whereas Mayor Tondreau proclaimed July, 2013, to be *Parks and Recreation Month*, in the City of North Miami.

◆ Presentation of checks to the winners and runner-ups in the “Make Your City Green Campaign”

Mayor Tondreau recognized Nancy Pierre Louis, presenting checks to Brittney Grace, Helen Boyer and Shannon Holcombe, winners and runner-ups in the “Make Your City Green Campaign”

◆ Youth Opportunity Board (YOB) presentations by Heather Holliday, Chairperson

- Bill Carr Youth Recognition Awards

Mayor Tondreau recognized Ms. Holliday presented **Bill Carr Youth Recognition Awards**, to North Miami students showing good citizenship, grade levels K-12, receiving an Office Max gift certificate and a City Council Award Certificate awarded to *Isabelle Augustin*, Arch Creek Elementary School; *Rubi Caceres*, Arch Creek Elementary School (not present); *Britney Francois*, North Miami Middle School (not present); *Marilya Medina*, North Miami Elementary School; *Elaine Lowinger*, David Lawrence Jr. K-8 Center; and *Samantha Prophete*, Natural Bridge Elementary School.

- Educator Recognition

Ms. Holliday also presented the **Educator Recognition Awards** established to recognize educators that share the Youth Opportunity Board’s vision to provide opportunity, knowledge, and encouragement to young people in our community to: *Diana Antoine*, North Miami Middle School (not present); *Chantal Bertin-Evans*, Arch Creek Elementary (not present); *Dr. Leticia English*, William J. Bryan Elementary (not present); *Kadienne Gomez*, Natural Bridge Elementary; *Vritti Hosein*, William J. Bryan Elementary (not present); *Sara Telefort*, Alonzo and Tracy Mourning High School; and *Rebeca Valverde*, North Miami Elementary. Each individual received an Office Max gift certificate and a certificate of recognition from the North Miami City Council.

- Bill Valentine Youth Mentorship Award

Ms. Holliday, YOB Chairperson, presenting **Bill Valentine Youth Mentorship Award** recognizing participant's progress and development in the mentorship program awarded to Haisha Sinsurin, is being recognized for improvements in both her interactions with others and in her academic performance.

- Lou Schick Scholarship Program Awards

Lastly, Ms Holiday presented **Lou Schick Scholarship Program** provides cash scholarship awards for North Miami students who have maintained at least a 3.0 high school GPA, plan to attend a college or university, and have demonstrated leadership and academic excellence. The students honored received a combined total of \$1,400 in scholarships. This year's honorees were *Joleen Cooper*, Doctors Charter School and *Saskia Jean-Jacques*, Alonzo and Tracy Mourning High School.

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

HURRICANE PREPAREDNESS

Mayor Tondreau recognized Dr. Lumane Pluviose-Claude, Deputy City Manager; introducing Gerald Estupinan, Science & Operation Officer with the National Weather Service in Miami; giving a brief presentation to Council regarding the upcoming hurricane season.

PROGRESS 2013 UPDATE

Kerrith Fiddler, Assistant Public Works Director; encouraged everyone to check out the website for project updates and completed projects can be found on the website at: www.northmiamifl.gov/progress2013

Mr. Fiddler gave a brief update on current city projects:

- 7th Avenue Commercial Façade Program – Mr. Fiddler introduced Jo Alvarez, Contractor; giving a brief presentation to Council. Council discussion. Stephen E. Johnson, City Manager; gave a brief report to Council.

- City Sidewalks – Phase 1
- Enchanted Park & Pony Ride – stable roof replacement
- 142nd N Street alley wall – in permitting
- Pioneer Boulevard

CONSENT AGENDA

Councilwoman Keys moved to remove Tab B, Tab E, Tab G, Tab H, Tab I, Tab J, Tab K, Tab L, Tab M, Tab N, Tab O and Tab Q, from the Consent Agenda and add them to the regular Agenda for discussion, seconded by Councilman Galvin; for discussion. Council discussion. Vice Mayor Steril also had questions on items but did not necessarily want to remove the items and requested to make an amendment to the motion. Vice Mayor Steril asked if the motion does not pass to remove the items, could discussion still take place on some of the items. Regine Monestime, City Attorney, advised yes discussion can still take place on any items even if the items are not removed from the Consent Agenda. Michael A. Etienne, Esquire, City Clerk, requested that the Council vote on the motion that is on the floor and then if the Vice Mayor would like to make another motion to do so at that time. Council discussion. Councilman Galvin asked if the items were not removed from the Consent Agenda, would public discussion be allowed. Ms. Monestime advised opening public discussion is at the discretion of Mayor Tondreau. Councilwoman Keys did not accept the friendly amendment from Vice Mayor Steril and referenced Roberts Rules of Order. Council discussion. Council voted; failed 2-3. Mayor Tondreau, Vice Mayor Steril and Councilman Bien-Aime denied.

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – June 25, 2013

TAB B – PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATION TO SUBMIT AN APPLICATION TO THE MIAMI-DADE COUNTY SCHOOL BOARD TO ESTABLISH THE CITY OF NORTH MIAMI CHARTER SCHOOL FOR GRADES NINE (9) THROUGH TWELVE (12)

Vice Mayor Steril requested to discuss Tab U – not in the Consent Agenda, then Tab B. Mr. Johnson gave a brief report to Council. Council discussion. Vice Mayor moved to add discussion and plan of action to the next Council meeting Agenda on August 27th, regarding attendance of North Miami residents at David Lawrence and Alonzo & Tracy Mourning

schools. Frank Bolanos, Consultant, present, gave a brief report to Council. Councilman Galvin requested to keep Thomas Jefferson in mind.

Mr. Etienne advised the Mayor desired to open public discussion before voting on the Consent Agenda. Council discussion. Ms. Monestime reviewed the rules regarding public discussion according to the Bill of Rights, does not require or mandate that the public be required to speak before the Consent Agenda. Mayor Tondreau stated that she would not open public discussion since public discussion is not required. Council discussion.

TAB C – AUTHORIZATION FOR EXPENDITURES FROM FEDERAL EQUITABLE SHARING FUNDS TO BE UTILIZED TO COMPLETE THE NEW WORLD AEGIS MOBILE SOFTWARE UPGRADE

TAB D – PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO COMPENSATE EXEMPT EMPLOYEES FOR OVERTIME WORK HOURS PERFORMED DURING A DECLARED STATE OF EMERGENCY

TAB E - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND TO EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL’S RECESS FROM JULY 10, 2013 THROUGH AUGUST 26, 2013; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Councilwoman Keys requested to discuss Tab E.

Ms. Monestime reviewed Roberts Rules of Order guidelines and procedures according to Resolution R-2003-71. Council discussion.

Council discussion regarding Tab E.

Recess: 8:56 pm

Resumed: 9:15 pm

Continued Council discussion on Tab E. Councilwoman Keys moved to amend the Resolution to make authority more restrictive. Mr. Johnson gave a brief report advising the standard language has been adopted for approximately the last 10 years. Council discussion.

TAB F - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE APPOINTMENT OF CHRISTOPHER BENJAMIN AS SPECIAL MAGISTRATE FOR CODE ENFORCEMENT PROCEEDINGS, AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A ONE (1) YEAR LETTER OF AGREEMENT WITH THE SPECIAL MAGISTRATE, IN SUBSTANTIALLY THE ATTACHED FORM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES (CONTINUED FROM JUNE 25, 2013 COUNCIL MEETING)

TAB G - PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS 'OPA LOCKA BOULEVARD ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHWEST 143RD STREET, ON THE EAST-SIDE BY NORTHWEST 7TH AVENUE, ON THE SOUTH-SIDE BY NORTHWEST 135TH STREET, RUNNING NORTH ALONG NORTHWEST 12TH AVENUE TO OPA LOCKA BOULEVARD, RUNNING WESTWARD TO NORTHWEST 17TH AVENUE, AND ON THE WEST-SIDE BY NORTHWEST 17TH AVENUE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Council discussion regarding Tab G through Tab M. Council discussion. Mr. Johnson gave a brief report to Council. Councilwoman Keys moved to amend the Resolution to strike language, "prepare a formal application for submission to Miami-Dade County and obtain the required petitions to annex..." until Council has a chance to review the data obtained. Mr. Johnson reviewed the steps that are taken in the process. Councilman Galvin seconded the motion; failed 2-3, by roll call vote. Mayor Tondreau, Vice Mayor Steril and Councilman Bien-Aime denied.

TAB H - PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'SOUTH ALHAMBRA HEIGHTS ANNEXATION AREA' (PREVIOUSLY REFERRED TO AS AREA 6), BORDERED ON THE NORTH-SIDE BY NORTHWEST 121ST STREET, ON THE EAST-SIDE BY NORTHWEST 2ND AVENUE, ON THE SOUTH-SIDE BY

NORTHWEST 119TH STREET, AND ON THE WEST-SIDE BY NORTHWEST 7TH AVENUE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

TAB I - PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'GRATIGNY-DIXIE ANNEXATION AREA', COMPRISED OF: 1) THE UNINCORPORATED AREA NORTHEAST OF WEST DIXIE HIGHWAY, FROM NORTHEAST 119TH STREET ON THE SOUTH-SIDE AND THE BISCAYNE CANAL ON THE NORTH-SIDE; AND 2) THE UNINCORPORATED AREA BORDERED ON THE NORTH-SIDE BY NORTHEAST 121ST STREET, ON THE EAST-SIDE BY NORTHEAST 1ST AVENUE, ON THE SOUTH-SIDE BY 119TH STREET, AND ON THE WEST-SIDE BY THE CITY LIMITS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

TAB J - PROPOSED RESOLUTION AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'BREEZESWEPT ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHEAST 135TH STREET, ON THE EAST-SIDE BY NORTH MIAMI AVENUE (INCLUDING TWO (2) UNINCORPORATED LOTS ON THE NORTHEAST CORNER OF NORTHEAST 131ST STREET AND NORTH MIAMI AVENUE), ON THE SOUTH-SIDE BY NORTHEAST 127TH TERRACE, AND ON THE WEST-SIDE BY NORTHWEST 2ND AVENUE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

TAB K - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS 'NORTHEAST 149TH STREET ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHEAST 149TH STREET, ON THE EAST-SIDE BY NORTHEAST 11TH COURT (INCLUDING THOSE UNINCORPORATED PORTIONS

OF NORTHEAST 11TH COURT), ON THE SOUTH-SIDE BY NORTHEAST 147TH STREET, AND ON THE WEST-SIDE BY NORTHEAST 10TH COURT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

TAB L - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'BISCAYNE CORRIDOR ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHEAST 121ST STREET, BORDERED ON THE EAST-SIDE BY BISCAYNE BOULEVARD (INCLUDING THOSE UNINCORPORATED AREAS OF EAST OF BISCAYNE BOULEVARD AND SOUTH OF NORTH BAYSHORE DRIVE, ENDING EAST AT BISCAYNE BOULEVARD), BORDERED ON THE SOUTH-SIDE BY NORTHEAST 114TH STREET (EAST OF BISCAYNE BOULEVARD) AND WESTWARD ALONG NORTHEAST 116TH STREET (WEST OF BISCAYNE BOULEVARD) ALONG NORTHEAST 117TH STREET (WEST OF NORTHEAST 13TH AVENUE), AND BORDERED ON WEST-SIDE BY THE FLORIDA EAST COAST RAILWAY (FEC); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES

TAB M - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'BISCAYNE CORRIDOR EAST ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHEAST 121ST STREET, ON THE EAST-SIDE BY BISCAYNE BOULEVARD, ON THE SOUTH-SIDE BY NORTHEAST 116TH STREET, AND ON THE WEST-SIDE BY NORTHEAST 16TH AVENUE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

TAB N - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND CDM SMITH INC., AS CONTRACTOR FOR THE PROVISION OF CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE CITY OF NORTH MIAMI WINSON WATER TREATMENT

PLANT, IN ACCORDANCE WITH THE REQUEST FOR QUALIFICATIONS NO. 38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED NINETY-EIGHT THOUSAND FIFTY DOLLARS (\$198,050.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Council discussion regarding Tab N and Tab O. Mr. Johnson introduced Wisler Pierre-Louis, City Engineer; giving a brief report to Council regarding the water plant project. Council discussion. Councilman Bien-Aime moved to remove Tab N and Tab O from the Consent Agenda. Mayor Tondreau requested Councilman Bien-Aime withdraw his motion and moved to continue Tab N and Tab O, since additional information is needed from staff, seconded by Councilman Bien-Aime; for discussion. Council discussion. Mr. Johnson advised the project was approved by prior Mayor & Council and there would be a significant delay; the project is urgent and suggested that Mayor & Council move forward since the city is working with a state revolving loan. Mayor Tondreau advised that she would like to become more familiar with the project before moving on and voting on the item. Councilman Bien-Aime recommended the item be added to the regular Agenda for the next Council meeting.

Councilman Galvin moved that any item valued over \$100,000 not be placed on the Consent Agenda but on the regular Agenda for discussion and public input, seconded by Councilman Bien-Aime; for discussion. Council discussion.

Council voted on the motion to continue Tab N and Tab O; passed 4-1, by roll call vote. Councilwoman Keys denied.

Councilman Galvin reiterated his motion that any item valued over \$100,000 not be placed on the Consent Agenda but on the regular Agenda for discussion and public input, seconded by Councilwoman Keys; for discussion. Council discussion. Mayor Tondreau suggested that requesting the city manager put items over \$100,000 in the regular agenda would save time in the future from having to discuss items in the Consent Agenda. Vice Mayor Steril seconded Mayor Tondreau's suggestion. Mr. Johnson gave a brief report to Council. Council discussion. Council voted; passed unanimously, by roll call vote.

TAB O - PROPOSED RESOLUTION APPROVING WORK ORDER NUMBER 4, PURSUANT TO AN EXISTING AGREEMENT BETWEEN

THE CITY OF NORTH MIAMI AND HAZEN AND SAWYER, P.C., AS THE ENGINEER CONSULTANT FOR THE UPGRADES TO THE CITY OF NORTH MIAMI WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH THE REQUEST FOR QUALIFICATIONS NO. 03-07-08 UPGRADES TO CURRENT WATER TREATMENT PLANT AND THE DESIGN AND CONSTRUCTION MANAGEMENT OF A NEW MEMBRANE WATER TREATMENT FACILITY, IN THE AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-EIGHT THOUSAND FORTY-EIGHT DOLLARS (\$248,048.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

See Tab N, for discussion. No further discussion on Tab O. Tab O continued to the next Council meeting on August 27th, no action taken.

TAB P - PROPOSED RESOLUTION APPROVING A TENTATIVE PLAT FOR CERTAIN PROPERTIES WITHIN THE CITY OF NORTH MIAMI, SITUATED ON THE SOUTHEAST QUADRANT OF THE INTERSECTION OF NORTHEAST 151ST STREET AND NORTHEAST 20TH AVENUE, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

TAB Q - PROPOSED RESOLUTION AUTHORIZING THE APPOINTMENT OF MAYOR LUCIE TONDREAU AS THE CITY REPRESENTATIVE TO THE MIAMI-DADE COUNTY METROPOLITAN PLANNING ORGANIZATION'S (MPO) GOVERNING BOARD

Council discussion regarding Tab Q. Council discussion. Councilwoman Keys moved to acknowledge Councilman Galvin's request at the last meeting to be appointed to the Metropolitan Planning Organization's (MPO) Governing Board. Mayor Tondreau requested the city manager explain that the Mayor is the first choice concerning this Board. Mr. Johnson gave a brief report to Council. Council discussion. Motion failed for lack of second.

Mayor Tondreau recognized Commissioner Jean Monestime and State Representative Daphne Campbell.

Vice Mayor Steril moved to approve the Consent Agenda, Tab A through Tab Q, minus Tab N and Tab O, seconded by Mayor Tondreau; passed 3-2.

Councilman Galvin and Councilwoman Keys denied. Mr. Etienne took roll call: passed 3-2. Councilman Galvin and Councilwoman Keys denied.

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

QUASI-JUDICIAL ITEM(S)

TAB R - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AMENDED CONDITIONAL USE PERMIT FOR THE PRECISE PLAN CONSTITUTING PHASE 1 OF THE BISCAYNE LANDING MASTER PLAN, IN SUBSTANTIALLY THE ATTACHED FORM, AND IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, FOR THE INSTALLMENT OF A NEW SPINE-ROAD TO SERVE THE FUTURE MIXED USE DEVELOPMENT ON THE PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Councilman Galvin moved to continue Tab R, seconded by Councilwoman Keys; for discussion. Council discussion. Council voted; passed unanimously, by roll call vote.

RESOLUTIONS

TAB S - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF NINE (9) LICENSED, BONDED AND INSURED GENERAL ROOFING CONTRACTORS FOR RESIDENTIAL PROPERTIES, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL NO. 24-12-13 RESIDENTIAL ROOF REPLACEMENT PROGRAM; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE INDIVIDUAL AGREEMENTS WITH SELECTED CONTRACTORS SO AS TO EFFECTUATE THE RESIDENTIAL ROOFING SERVICES PROGRAM THROUGHOUT THE CITY OF NORTH MIAMI, IN THE AGGREGATE AMOUNT NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES (CONTINUED FROM JUNE 25, 2013 COUNCIL MEETING)

Mr. Etienne read the Resolution title for the record. Mr. Johnson corrected the record stating the Resolution was updated to approve the selection of ten licensed and insured general roofing contractors. Vice Mayor Steril moved to approve the Resolution, seconded by Councilman Galvin; for discussion. Council discussion. Mr. Johnson gave a brief report to Council. Mr. Johnson gave a brief report to Council. Maxine Calloway, Community Planning & Development Director, gave a brief report to Council. Public discussion. Council voted; passed unanimously, by roll call vote.

TAB T - PROPOSED RESOLUTION APPROVING FISCAL YEAR 2013-2014 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Mr. Etienne read the Resolution title for the record. Vice Mayor Steril moved to approve the Resolution, seconded by Councilman Galvin; for discussion. Council discussion. Mr. Johnson gave a brief report to Council. No public discussion. Council voted; passed unanimously, by roll call vote.

TAB U – PROPOSED RESOLUTION RELATING TO A PRE-ARREST DIVERSION PROGRAM; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY TO DETERMINE THE FEASIBILITY AND IMPLEMENTATION OF A SIX (6) MONTH PRE-ARREST DIVERSION PILOT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Mr. Etienne read the Resolution title for the record. Item fails for lack of motion.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB V - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 19 OF THE CITY OF NORTH

MIAMI CODE OF ORDINANCES, ENTITLED "UTILITIES", SPECIFICALLY AT ARTICLE III, DIVISION 3, ENTITLED "BACKFLOW PREVENTION", BY AMENDING SECTION 19-80, ENTITLED "INSTALLATION OF BACKFLOW PREVENTION DEVICES; PERMIT, PROCEDURE", SECTION 19-81, ENTITLED "INSPECTIONS", AND THE INCLUSION OF A NEW SECTION 19-83, ENTITLED "ENFORCEMENT", TO ALLOW CITY OF NORTH MIAMI APPROVED AND LICENSED CONTRACTORS TO PERFORM INSTALLATIONS, INSPECTIONS AND CERTIFICATIONS OF BACKFLOW PREVENTION DEVICES REQUIRED IN THE CROSS CONNECTION CONTROL PROGRAM, IN ACCORDANCE WITH LOCAL GOVERNMENT PERMITTING REQUIREMENTS, THE U.S. SAFE DRINKING WATER ACT OF 1974, AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR CONFLICTS, REPEAL, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (CONTINUED FROM JUNE 25, 2013 COUNCIL MEETING)

Mr. Etienne read the Ordinance title for the record. Mr. Etienne corrected the record that the Ordinance is First Reading. Council discussion. Public discussion. Regine Monestime, City Attorney, gave a brief report to Council. Council discussion. Mr. Pierre-Louis, City Engineer gave a brief report to Council. Mr. Johnson gave a brief report to Council. Vice Mayor Steril moved to approve the Ordinance, seconded by Mayor Tondreau; failed 2-3. Councilman Galvin, Councilwoman Keys and Councilman Bien-Aime denied.

Councilman Galvin requested staff come back with alternative scenarios. Mr. Johnson gave a brief report to Council.

TAB W – PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 13 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES ENTITLED "OFFENSES", SPECIFICALLY ARTICLE IV, ENTITLED "DANGEROUS INTERSECTION SAFETY", TO REFLECT RECENT LEGISLATIVE CHANGES TO THE MARK WANDALL TRAFFIC SAFETY PROGRAM ACT AS PROVIDED BY CHAPTER 2013-160, LAWS OF FLORIDA, AND AUTHORIZING LOCAL HEARINGS FOR NOTICES OF VIOLATIONS CONNECTED WITH THE USE OF RED LIGHT CAMERAS AS TRAFFIC INFRACTION DETECTORS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, RESERVATION OF RIGHTS AND AN EFFECTIVE DATE

Mr. Etienne read the Ordinance title for the record. Public discussion. Council discussion. Councilwoman Keys moved to approve the Ordinance, seconded by Mayor Tondreau; for discussion. Ms. Monestime gave a brief report to Council. Council voted; passed 4-1, by roll call vote. Councilman Galvin denied.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB X – ESTABLISH PROPOSED BUDGET HEARING DATES OF WEDNESDAY, SEPTEMBER 11, 2013, AND WEDNESDAY, SEPTEMBER 25, 2013, AND TENTATIVE MILLAGE RATE FOR FY2013-2014

Mr. Etienne read the title for the record. Vice Mayor Steril moved to approve recommended meeting dates and millage rate, seconded by Councilman Galvin; passed unanimously, by roll call vote.

Council established the following meeting dates and millage rate:

- Wednesday, September 11th, First Budget Hearing, at 6:00 pm
- Wednesday, September 25th, Second Budget Hearing, at 6:00 pm
- City Manager's recommendation of 8.1000 proposed tentative millage rate.

TAB Y – BISCAIYNE LANDING'S ALLOCATION OF FUNDS APPROVED BY THE PRIOR COUNCIL

Mr. Etienne read the title for the record. Mr. Johnson distributed a document for discussion and gave a brief review of the document regarding what was spent to date on projects. Council discussion. Councilwoman Keys moved to suspend spending money on allocated items that has not been spent, until revisited by Council, seconded by Vice Mayor Steril; for discussion. Council discussion. Vice Mayor Steril moved that Council get with city manager and staff to answer questions and bring back to Council at a later date, seconded by Mayor Tondreau; for discussion. Council discussion. Councilwoman Keys requested a more detailed report that includes the total money received to date and what was spent on what items, be provided to Council. Council voted on continuing the item; passed 4-1, by roll call vote. Councilman Bien-Aime denied. Council discussion.

TAB Z – TO DESIGNATE A DELEGATE TO REPRESENT THE CITY AT THE ANNUAL CONFERENCE OF THE FLORIDA LEAGUE OF CITIES.

Mr. Etienne read the title for the record. Vice Mayor Steril requested to continue on as the delegate for the city. Councilman Galvin moved the approval of Vice Mayor Steril as the delegate, seconded by Mayor Tondreau; passed unanimously, by roll call vote.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT

TAB Z1 - APPOINTMENTS TO VARIOUS BOARD, COMMISSIONS AND COMMITTEES OF THE CITY (ITEM DEFERRED FROM JUNE 25, 2013 COUNCIL MEETING)

Mr. Etienne advised the Board list that he currently has needed further updating and he would like to continue this item to the next Council meeting. Mr. Etienne would work with staff and Board liaisons for a complete and accurate list for appointments/re-appointments at the next Council meeting.

VICE MAYOR ROTATION

Mr. Etienne announced pursuant to Resolution R-2012-49, this meeting marks Vice/Assistant Mayor Election. Mr. Etienne suggested holding the Vice/Assistant Mayor Election at the next Council meeting after recess. No action taken.

Lastly, Mr. Etienne commended city clerk staff for outstanding work in the city clerk's office, being understaffed and able to maintain exemplary customer service.

CITY ATTORNEY'S REPORT

(NONE)

CITY MANAGER'S REPORT

Mr. Johnson reported on:

- Upcoming budget activities.
- 2012 Annual Report, available for distribution.

ADJOURNMENT

Meeting adjourned at 12:02 a.m.