

**SUMMARY MINUTES
REGULAR COUNCIL MEETING
October 09, 2012**

1. Call to order

The City of North Miami Regular Council meeting for October 9, 2012 was called to order at 776 NE 125 Street by Mayor Andre Pierre at 7:15pm.

(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 of North Miami Council meeting can be found at: www.northmiamifl.gov

2. Pledge of Allegiance / Invocation

Mayor Pierre asked all to stand as Veteran Officer Gary L. Jones lead all in the Pledge of allegiance.

Pastor Gregory Tusan provided the inspirational message.

ROLL CALL: Clerk Michael Etienne was asked to read the roll call sheet. The following were noted as present / absent:

Councilman Michael R. Blynn	present
Councilman Scott Galvin	present
Councilman Jean R. Marcellus	present
Mayor Andre D. Pierre	present
Vice-Mayor Marie E. Steril	present

3. Order of Business

(Additions/Deletions/Amendments/Deferrals)

City Manager Stephen Johnson requested the following items to be pulled from tonight's Council agenda: TAB L , TAB Z1, and TAB Z3.

4. Special Presentation(s)

- a. Chief Marc Elias recognized Gary L. Jones as the officer of the Month of October, 2012 has been with the City of North Miami for over 20 years.
- b. Proclamation in honor of *National Breast Cancer Awareness Month* was presented by Mayor Pierre and received by Director of Personnel Becky Jones. Ms. Jones explained she accepted the Proclamation on behalf of Jackson Memorial Hospital and their efforts against breast cancer.

- c. Proclamation in honor of *Domestic Violence Awareness Month* was presented by Chief Marc Elias and received by Assistant Chief Larry Juriga and staff of VOCA
- d. Proclamation in honor of *No Texting Day* – Chief Elias accepted the proclamation presented by Mayor Andre Pierre proclaiming Friday, October 12, 2012 as no texting day.
- e. Mayda Pineda and Lucia Gonzalez presented a Proclamation in honor of *University of Miami Cuban Heritage Collection month* to Ms. Gladys Esperanza who explained the name of the football team came from the hurricane that destroyed a large part of Miami in 1926. An entertainment in honor of the celebration was provided.
- f. Re-elected Judge Cohen addressed the Mayor and Council and thank all for the support.
- g. Senator Oscar Braynon, II staff person provided information concerning a workshop that will provide *Help for Homeowners* that will be held at the North Miami Library on Thursday, October 11, 2012 from 4pm until 8pm.

City Events – Announcement – Ms. Cynthia Celestin provided information on the events for the month.

2. Hurricane Preparedness – Deputy Director Dr. Lumane Claude provided an update.

3. City Projects Update:

- 4.1. Director CP&D Maxine Callaway presented a PowerPoint map with all the bus shelters installed to-date. Also displayed pictures of the new signage.
- 4.2. Director Information Technology Ricardo Castillo provided an overview of the website stating it is “citizen friendly”. Mr. Castillo stated the new system allows for translation to Spanish or Haitian Creole. Mr. Castillo stated they plan to add online payment. (Please note translations are done by Google).

4. Consent Agenda Includes Items TABS A THROUGH TABS N

- a. Tab A - Approval of Minutes
 - i. 1st Budget Hearing – September 10, 2012
 - ii. Regular Council Meeting – September 11, 2012
 - iii. 2nd Budget Hearing – September 24, 2012
- b. Tab B - Authorization for expenditure from the Law Enforcement Trust Fund
- c. Tab C - Proposed Resolution approving a Campus Development Agreement, in substantially the attached form, between the City of North Miami and the Florida International University Board of Trustees; and authorizing the City Manager and City Attorney to finalize negotiations pertaining to the sale and conveyance of the city’s existing onsite sewer system to Florida International University and establish guidelines for the continued ownership, installation, operation and maintenance of said system

Council discussion. Councilman Marcellus requested additional information. City Manager Johnson allowed Director Aleem Ghany, Public Works Department to present the additional information.

- d. Tab D - Proposed Resolution authorizing the City Manager and City Attorney to negotiate and execute a Local Agency Program (LAP) agreement, in substantially the attached form, between the City of North Miami and the Florida Department of Transportation, for the construction of the Arch Creek bike path within the City of North Miami

Tab E - Proposed Resolution ratifying an amendment to Fiscal Year 2011-2012 adopted, amended revenue and expense budgets, to include the receipt and appropriation of unanticipated revenues in the amount of fifty-one thousand eight hundred sixty-nine dollars (\$51,869.00), resulting from donations received from individuals and the business community.

Council discussion. Councilman Galvin requested additional information on the funds. City Manager Johnson allowed Budget Manager Kay Grant to provide the additional information requested by Councilman Galvin.

Tab F - Proposed Resolution amending the Fiscal Year 2011-2012 adopted, amended revenue and expense budgets, to include the receipt and appropriation of grant funds from the Florida Department of State, Division of Library and Information Services in the amount of four hundred nineteen dollars (\$419.00) for library programs

Tab G - Proposed Resolution approving the selection of Envirowaste Services Group, Inc., for the cleaning and closed-caption television inspection of sanitary sewer lines in accordance with the terms, conditions and specifications contained in the Invitation For Bid #44-11-12 Cleaning & CCTV inspection of sanitary sewer lines; and authorizing the City Manager and City Attorney to negotiate and execute an agreement, in substantially the attached form, in the amount not to exceed five hundred thousand dollars (\$500,000.00)

Council discussion. Councilman Marcellus requested additional information. City Manager Johnson allowed Director Aleem Ghany, Public Works Department to present the additional information.

Tab H - Proposed Resolution approving the selection of Envirowaste Services Group, Inc., for the smoke testing of the gravity sanitary sewer collection system in accordance with the terms, conditions and specifications contained in the invitation for BID#43-11-12; and authorizing the City Manager and City Attorney to negotiate and execute an agreement, in substantially the attached form, in the amount not to exceed two hundred thousand dollars (\$200,000.00) from funding provided through the water and sewer utility fund and the State of Florida Revolving Fund

Council discussion. Councilman Marcellus requested additional information. City Manager Johnson allowed Director Aleem Ghany, Public Works Department to present the additional information.

Tab I - Proposed Resolution authorizing the City Manager and City Attorney to negotiate and execute a second amendment to Professional Services Agreement between the City of North Miami and Black & Veatch Corporation, to provide an additional contract term of two (2) years at a cost not to exceed two hundred thousand dollars (\$200,000.00), for program compliance and development and support services related to the reconstruction of the filter gallery at the Winson Water Treatment Plant, in accordance with the requirements of the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) Program

Tab J - Proposed Resolution authorizing the City Manager to execute a third option to renew Professional Services Agreement, in substantially the attached form, between the City of North Miami and Risk Management Associates, Inc., d/b/a Public Risk Insurance Agency, to continue to provide the city with uninterrupted police professional liability insurance coverage

Tab K - Proposed Resolution ratifying the City Manager's execution of a third option to renew professional services agreement, in substantially the attached form, between the City of North Miami and Risk Management Associates, Inc., d/b/a public risk insurance agency, to continue to provide the city with uninterrupted public official liability insurance coverage

Tab L - Proposed Resolution authorizing the City Manager to execute a Professional Services Agreement, in substantially the attached form, between the City of North Miami and CDW Government LLC, to piggyback an agreement with the National Joint Powers Alliance for information technology services, equipment and accessories necessary to maintain and improve the city's information technology infrastructure, on an as-needed, when needed basis, at a cost not to exceed five hundred thousand dollars (500,000.00) for a two year period

Tab M - Proposed Resolution re-designating NE 7th Avenue from 121st Street to 125th Street to be known as "NE 7 Ave Sgts. Bauer, Hodge and Mertes Blvd"; authorizing the City Manager to allocate and expend the necessary funds to cover the costs for signage and do all necessary things to effectuate the designation

Tab N - Proposed Resolution approving the North Miami Community Redevelopment Agency Fiscal Year 2012-2013 Budget; authorizing the City Manager to transmit the CRA Fiscal Year 2012-13 Budget to Miami-Dade County; authorizing the City Manager to take all action necessary to complete the approval process for the CRA Fiscal Year 2012-2013 Budget with Miami-Dade County

Councilman Blynn moved that the Consent Agenda items A Through N be approved as presented. Mayor Pierre seconded the Motion. Councilman Galvin register a no vote Motion passed 4-1.

5. Public Hearings - Ordinances, Resolution, Zoning, Land Use Items, Etc.

a. 9.A. Quasi-Judicial Items

Tab O - Proposed Ordinance (***First Reading***) amending Chapter 29 of the City of North Miami Code of Ordinances, entitled "Land Development Regulations", by amending the city's official zoning map, referenced in Article 1, Section 1-106, to reflect the rezoning of an area consisting of four adjacent lots located at 11707 and 11755 Biscayne Boulevard, and at 1700 and 1750 Sans Souci Boulevard, from C2BE (commercial) to C-1 (commercial) zoning designation, in order to provide consistency with the land development regulations and the comprehensive plan of the City of North Miami

Mayor Pierre asked Clerk Etienne to read the Ordinance title for the Record. Mayor Pierre opened the Public Hearing. A Powerpoint presentation was provided by the owners. It was motioned and seconded. The motion passed with a vote of 4-1. The one no vote was Councilman Blynn.

9.B. Legislative Matters

b. 9.B.1. Ordinances - Second Reading and Public Hearing

- *None*

c. **9.B.2. Ordinances - First Reading**

Tab P - Proposed Ordinance (*First Reading*) amending Chapter 29 of the City of North Miami Code of Ordinances, entitled "Land Development Regulations", by amending Article 7 entitled "Definitions", to revise the definition of "Retail, Sales, and Service", in order to clarify outdoor display incidental to the sale of primarily new goods and products, specifically automobiles

Clerk Etienne read the Ordinance title for the record.

Councilman Blynn moved that the ordinance be approved. Mayor Pierre seconded the motion. The motion passed 5-0.

d. **9.B.3 Resolutions**

Tab Q - Proposed Resolution urging the Florida State Legislature to enact legislation banning the marketing, possession, trafficking and furnishing of "Bath Salts" containing dangerous synthetic drugs

Councilman Blynn moved that the ordinance be approved. Mayor Pierre seconded the motion. The motion passed 5-0.

Tab R - Proposed Resolution authorizing the City Manager and City Clerk to provide pre-paid return envelopes for absentee ballots for all municipal elections in the City of North Miami

Councilman Galvin moved that TAB R be approved. Councilman Blynn seconded the motion. The motion failed on a 3-2 vote. The no votes were: Councilman Marcellus, Vice Mayor Sterile, and Mayor Pierre.

Tab S - Proposed Resolution urging the Florida State Legislature to exempt from public records disclosure absentee ballot requests and personal information included on such requests

Councilman Galvin moved that TAB S be approved. TAB S failed for a lack of seconded.

Tab T - Proposed Resolution approving the selection of Imeco, Inc., as contractor for the Pioneer Boulevard Streetscape Improvement Project, in accordance with the City of North Miami Invitation for BID#47-11-12, Pioneer Blvd. (NE 137th Street) streetscape improvement, at a cost not to exceed two hundred seventy thousand nine hundred eighty dollars and sixty cents (\$270,980.60), and authorizing the City Manager and City Attorney to negotiate and execute an agreement with Imeco, Inc., in substantially the attached form, to accomplish the stated improvements

Mayor Pierre moved that TAB T be approved. Councilman Marcellus seconded the motion. TAB T was approved by a vote of 4-1. The one no vote was Councilman Galvin.

Tab U - Proposed Resolution authorizing the City Manager to execute an amendment to Professional Services Agreement, in substantially the attached form, between the City of North Miami and the Baron Group, Inc., d/b/a Baron Sign Manufacturing, to complete phase III of the Wayfinding Sign program by June 2013, at an additional cost not to exceed four hundred thirty-five thousand dollars (\$435,000.00), in accordance with the terms, conditions and specifications contained in the city's Invitation For Bid#61-09-10 gateway signs (furnish & install);

Councilman Galvin moved that TAB U be approved. Councilman Blynn seconded the motion. It was unanimously agreed that TAB U be approved.

Tab V - Proposed Resolution declaring as surplus property six (6) local side-loading garbage packer vehicles, and authorizing the City Manager to place such surplus property for auction with Lonestar Auctioneer, in accordance with Section 7-145 of the City of North Miami Code of Ordinances

It was unanimously agreed.

Tab W - Proposed Resolution authorizing the execution of a covenant running with the land in favor of Miami-Dade County, in substantially the attached form, requiring adherence of institutional and engineering controls by the City of North Miami as the fee simple owner of the land situated at 13110 NE 8th Avenue, pursuant to Section 24-44(2)(K), Miami-Dade County Code of Ordinances

Councilman Galvin moved that TAB W be approved. Mayor Pierre seconded the motion. Motion carried unanimously.

10. Request - Petitions - Communications

Tab X - Request of Catherine Christofis from Annunciation Greek Orthodox Church to obtain sponsorship in the amount of \$60,000 from the city in support of the Greek Festival, November 3-4, 2012

Councilman Marcellus moved that TAB X be approved to donate \$15,000. Mayor Pierre seconded the motion. The motion failed by a vote of 2-3. The no votes were: Councilmen: Galvin, Blynn and Vice-Mayor Sterile.

Tab Y - Discussion regarding Biscayne Landing Property Management Services

Councilman Blynn moved the TAB Y be approved. Councilman Marcellus seconded the motion.

Tab Z - Discussion regarding Diaspo Cup event on November 25, 2012

Mayor Pierre moved that TAB Z be approved. Vice-Mayor Sterile seconded the motion. TAB Z was approved by a vote of 3-2. The two no votes were Councilmen Galvin and Blynn.

Tab Z-2 - Discussion regarding the request from National Association for the Advancement of Colored People (NAACP) to financially support their Miami-Dade 2012 Freedom event on Saturday, October 27, 2012

Councilman Blynn moved that Z2 be approved. Councilman Pierre Seconded the motion. The motion passed with a vote of 4-1. The one vote of no was Councilman Galvin.

11. Citizens' Forum

A variety of residents spoke on issues of interest.

12. Council Reports

Various reports were provided.

13. City Clerk's Report: None

14. City Attorney's Report: None

15. City Manager's Report: None

16. Adjournment – Meeting was adjourned at 12:35am

Respectfully submitted,

Date transcribed: October 17, 2012