

North Miami City Council Meeting

Meeting Minutes

Regular

Meeting

Tuesday, November 13, 2012, 07:00 PM

1. Call to order

The City of North Miami Regular Council meeting for November 13, 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 and called Officer Nile Johnson who led all in the Pledge of allegiance.

City Manager Stephen E. Johnson 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 Johnson requested to add TAB L1 to the Agenda.

4. Special Presentation(s)

Chief Marc Elias stated Officer Nile Johnson and Officer Elizabeth Gutierrez are being recognized as officers of the month.

AnnaLisa Walker presented a plaque to the "Employee of the Quarter," Maurice LaGuerre, Recreation Leader II who has worked for the City of North Miami since 1991.

Mayor Pierre presented a Proclamation to Ms. Leslie Contairya and Ms. Judy Newman with Aventura Hospital for their work in honor of National Diabetes Awareness Month.

Mayor Pierre presented Ms. Gonzalez, Assistant Director of Foster Care a Proclamation in honor of *National Adoption Month*.

5. **City Events – Announcement** – Ms. Pam Solomon, Public Information Manager, announced the events of interest for the residents.
6. **City Projects Update** – City Manager Johnson stated the projects update will be on hold until December.
7. **Hurricane Preparedness-** Dr. Lumane Claude stated there is nothing happening for hurricanes.
8. **Consent** - Mayor Pierre asked for approval of the Consent Agenda items.

Councilman Galvin moved to pull TAB J from the consent agenda for discussion. Motion failed for lack of seconded.

City Manager Johnson answer Councilman Galvin question by stating the funds are coming from unexpected revenue.

Mayor Pierre moved to approve the Consent Agenda. Vice Mayor Steril seconded the motion. The motion carried 4-1. The one no vote was Councilman Galvin.

[Tab A](#) - APPROVAL OF MINUTES Regular Council Meeting – October 23, 2012

[Tab B](#) - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE POLICE ATHLETIC LEAGUE OF NORTH MIAMI, INC., TO PROVIDE FUNDS FOR FIRST GENERATION SCHOLARSHIPS IN THE AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00), IN ACCORDANCE WITH THE FLORIDA INTERNATIONAL UNIVERSITY SCHOLARSHIP PLEDGE AGREEMENT

[Tab C](#) - PROPOSED RESOLUTION APPROVING AND ADOPTING THE CITY'S FISCAL YEAR 2012-2013 LEGISLATIVE FUNDING AND COMMUNITY BUDGET REQUESTS, WHICH ARE TO BE PRESENTED TO THE CITY'S STATE REPRESENTATIVES FOR THEIR CONSIDERATION DURING THE 2013 FLORIDA LEGISLATIVE SESSION

[Tab D](#) - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND TSIC, INC., IN ORDER TO CONTINUE A TAKE STOCK IN CHILDREN PARTNERSHIP BY PROVIDING SCHOLARSHIP AND OPERATIONAL FUNDING IN THE AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00), TO A DESERVING STUDENT RESIDING WITHIN THE CITY

[Tab E](#) - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND TETRA TECH, INC., TO INCLUDE ADDITIONAL TECHNICAL ENGINEERING SUPPORT AND OTHER RELATED SERVICES FOR THE REHABILITATION AND UPGRADE OF THE WINSON WATER TREATMENT PLANT AND INTERRELATED WATER TRANSMISSION AND DISTRIBUTION SYSTEM, AT A COST NOT TO EXCEED FOUR HUNDRED THOUSAND DOLLARS (\$400,000.00)

[Tab F](#) - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND LHOIST NORTH AMERICA OF ALABAMA, LLC, TO PIGGYBACK A CONTRACT WITH THE CITY OF TAMARAC, FLORIDA, FOR THE DELIVERY AND DISCHARGE OF QUICKLIME, AS REQUIRED FOR THE OPERATIONS OF THE WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH INVITATION FOR BID 11-25B - FURNISH, DELIVER & DISCHARGE OF QUICKLIME

[Tab G](#) - PROPOSED RESOLUTION APPROVING THE SELECTION OF ATLANTA BUILDING MAINTENANCE, INC., A/K/A AMERICAN FACILITY SERVICES, INC., FOR THE PROVISION OF PROFESSIONAL JANITORIAL SERVICES, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID #42-11-12, 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 FIVE THOUSAND SEVEN HUNDRED SIXTY DOLLARS (\$205,760.00) PER YEAR

[Tab H](#) - PROPOSED RESOLUTION APPROVING THE PROPOSED UPDATED

COMMUNITY PLANNING & DEVELOPMENT COST RECOVERY SCHEDULE OF FEES, PURSUANT TO ARTICLE 3, SECTION 3-202 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS

Tab I - PROPOSED RESOLUTION APPROVING A SUBSTANTIAL AMENDMENT TO THE CITY'S 2010 ACTION PLAN AS AMENDED TO INCORPORATE AN ADDITIONAL TARGET AREA (TARGET AREA #4) FOR THE NEIGHBORHOOD STABILIZATION PROGRAM THREE (NSP3) FUNDED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER THE DODD-FRANK ACT OF 2010

Tab J - PROPOSED RESOLUTION RATIFYING AN AMENDMENT TO FISCAL YEAR 2012-2013 REVENUE AND EXPENSE BUDGET FOR THE APPROPRIATION AND TRANSFER OF ONE HUNDRED FIFTY-FOUR THOUSAND EIGHT HUNDRED TWO DOLLARS AND TWO CENTS (\$154,802.02) FROM THE CITY GENERAL FUND TO THE CITY'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP1) FUND

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

- a. **9.B. Legislative Matters**
- b. **9.B.1. Ordinances - Second Reading and Public Hearing-
*None***
- c. **9.B.2. Ordinances - First Reading**

Tab K - PROPOSED ORDINANCE(**FIRST READING**) AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "PENSIONS AND RETIREMENTS" BY AMENDING ARTICLE IV, ENTITLED "NORTH MIAMI POLICE PENSION", DIVISION 5, ENTITLED BENEFITS, SPECIFICALLY AT SECTION 15-129 ENTITLED "RETIREMENT BENEFITS", TO IMPLEMENT THE PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE POLICE BENEVOLENT ASSOCIATION (PBA), AND TO ALLOW MEMBERS TO REVOKE A PRIOR EARLY RETIREMENT ELECTION; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Clerk Etienne read Ordinance TAB K into record for first reading. Councilman Blynn moved to approve the Ordinance. Mayor Pierre seconded the motion. The motion carried unanimously. The Ordinance passed on the first reading 5-0.

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

Tab L - PROPOSED RESOLUTION STRONGLY URGING THE FLORIDA LEGISLATURE TO AMEND THE JOE CARLUCCI UNIFORM FIREARMS ACT (FLA STAT. 790.33), BY ALLOWING LOCAL GOVERNMENTS TO CONSIDER THE ENACTMENT OF

APPROPRIATE STRICTER FIREARM CONTROL MEASURES TO ENSURE THE SAFETY OF THEIR CITIZENS AT CITY PUBLIC PARKS AND CITY PLAYGROUNDS

Clerk Etienne read the Resolution into record. Mayor Pierre explained the purpose of this Resolution. Councilman Blynn moved to approve the Resolution. Mayor Pierre seconded the motion. The motion carried unanimously. The Resolution passed 5-0.

TAB L1 – PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A FOURTH AMENDMENT TO A HOMEOWNER DEVELOPMENT ASSISTANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND 125 DEVELOPERS, LLC TO PROVIDE FOR AN EXTENSION OF THE LOAN TERM

Clerk Etienne read Tab L1 into record. Council discussion. Moved and seconded. Resolution unanimously passed 5-0.

10. Request - Petitions - Communications- None

11. Citizens' Forum - None

12. Council Reports – Reported on items of interest including the following:

Councilman Marcellus requested the \$2.5 million item be put on the agenda for the first meeting in December.

Councilman Galvin recognized the Library Director and her Staff for the outstanding job in accommodating the people who came to vote.

Councilwoman Steril reminded all that she will have a turkey drive in her district tomorrow at 12noon. She will also have toys for the kids in her district on December 9.

Mayor Pierre stated MOCA was awarded a national award and he will be attending the ceremony in Washington D.C.

Mayor Pierre recognized the Police Department for the PAL event.

13. City Clerk's Report – Clerk Etienne stated some of the business owners will receive a reimbursement.

14. City Attorney's Report –Attorney Monestime reminded all the Charter Review workshop will be Monday, November 19, 2012.

15. City Manager's Report - None

16. Adjournment –Meeting was adjourned at 8:15pm.

Respectfully submitted,

Transcribed date: November 16, 2012

