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CITY COUNCIL MEETING

DECEMBER 11, 2012

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Proposed Resolution Authorizing the City Manager, City Attorney and City Clerk to Take All Necessary Action And Execute all Documents Affecting the Health, Safety And Welfare of the City During Mayor and City Council Recess from December 12, 2012 Through January 8, 2012 (Tab G) 4

Proposed Resolution Authorizing the City Manager and the City Attorney to Submit an Application for Project Financing Under The State Revolving Fund Program and to Negotiate and Execute an Agreement with the Department of Environmental Protection; Establishing Pledged Revenues; Designating Authorized Representatives; and Providing Assurances of Compliance with Program Requirements (Tab K) 5, 7

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SUMMARY MINUTES

REGULAR COUNCIL MEETING

December 11, 2012

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, December 11, 2012, beginning at 7:05 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 Commander Jeffrey Key

Inspirational Message

- Stephen E. Johnson, City Manager

ROLL CALL

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

Additions, Deletions or Withdrawals

(NONE)

SPECIAL PRESENTATION(s)

- *Take Stock in Children* Scholar presentation

Mayor Pierre recognized Dr. Lumane Pluviose-Claude making the *Take Stock in Children Scholar* presentation along with Marlene Paraslosan, Student Services Program Manager for Take Stock in Children with Miami-Dade County recognizing everyone associated with making Take Stock in

Children a success. Mayor Pierre presented a $10,000 scholarship(s) check and Proclamation for Take Stock in Children to Tom Albino, Executive Director. Junior Joseph, North Miami's First Take Stock in Children Scholarship recipient, gave a brief report to Council.

- Youth Opportunity Board (YOB) presentation of *Bill Carr Youth Recognition* and *Educator Recognition a*wards *by Heather Holliday,* Chairperson

Mayor Pierre recognized *Heather Holliday*, Chairperson for Youth Opportunity Board (YOB) presentation:

- Bill Carr Youth Recognition

Ms. Holliday also presented Bill Carr Youth Recognition Awards, to North Miami students showing good citizenship, grade levels K-12, receiving a Barnes and Noble gift certificate and a City Council Award Certificate awarded to Debra Augustine, (not present); Emanuel Dorvil; Janelle Dushend; Adams Fontue; and Ryan Legross, (not present).

- Educator Recognition

Ms. Holliday also presented Educator Recognition Awards to: Alisha Spanbozille, WJ Bryan Elementary; Maria Bullard, Natural Bridge Elementary; Dr. Latisha English, WJ Bryan Elementary; Jill Highman, North Miami Elementary; Hasani James, WJ Bryan Elementary, (not present); Casey McCoy, Holy Family; Natasha Monday, North Miami Senior High; Gilda Pachardo, North Miami Senior High; Leann Shummetts, North Miami Senior High; and Soria Chorhere, Holy Cross Lutheran.

- Proclamation to *"Officer of the Month," Otoniel (Otto) Fernandez*

Mayor Pierre recognized Commander Jeffrey Key accepting the Proclamation on behalf of Otoniel (Otto) Fernandez; Whereas Mayor Pierre proclaimed November 2012, to be *Otoniel (Otto) Fernandez Month*, in the City of North Miami.

- Proclamation to *Jackson Breast Cancer Center, Mr. Alex Contreras, Senior Vice President and Chief Administrative Officer of Jackson Memorial*

Mayor Pierre recognized Mr. Contreras, accepting the Proclamation; Whereas Mayor Pierre proclaimed December 2012, to be *Jackson Breast Cancer Center Month*, in the City of North Miami.

- Proclamation in honor of *AIDS Awareness Month*

Mayor Pierre recognized Mr. Contreras and Russell Corbett, Care Resource Center, giving brief reports to Council, accepting the Proclamation; Whereas Mayor Pierre proclaimed December 2012, to be *AIDS Awareness Month*, in the City of North Miami.

- Mayor Pierre recognized Jacqie Vieira, Deputy City Clerk

Jacqie Vieira, Deputy City Clerk gave a brief report to Council regarding a conference call on December 6th, with Vice President Biden concerning the fiscal cliff.

- Winson Water Treatment Plant Update presentation by *Patricia Carney, Hazen & Sawyer* and *Aleem A. Ghany, Public Works Director*

Mayor Pierre recognized *Patricia Carney, Hazen & Sawyer;* and *Aleem A. Ghany, Public Works Director;* giving a brief presentation to Council. Ms. Carney sent a representative, Jorge Atoche, Engineer with Hazen & Sawyer gave a brief report to Council.

CITY EVENTS – ANNOUNCEMENT

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

CITY PROJECTS UPDATE

See under Special Presentations for Winson Water Treatment Plant Update presentation.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – November 27, 2012

TAB B – EXTENSION OF NORMAL CLOSING HOURS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS ON NEW YEAR'S EVE

TAB C – PROPOSED RESOLUTION CERTIFYING THE RESULTS OF A SPECIAL ELECTION OF THE CITY OF NORTH MIAMI, HELD ON AUGUST 14, 2012

TAB D - AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND (LETF) TO BE UTILIZED FOR RADIO CRIME PREVENTION PUBLIC SERVICE ANNOUNCEMENTS AND POLICE DEPARTMENT EMPLOYEE RECOGNITION RIBBONS

TAB E - PROPOSED RESOLUTION APPROVING AND AUTHORIZING A NEW RECREATION PROGRAM AND RENTAL FEE SCHEDULE FOR THE PARKS AND RECREATION DEPARTMENT FOR THE CALENDAR YEAR 2013

TAB F - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND AKERMAN, SENTERFITT & EIDSON, P.A., TO PROVIDE FOR THE COORDINATION OF THE CITY'S FEDERAL LEGISLATIVE RELATIONS AND LOBBYING EFFORTS

TAB G – PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL'S RECESS FROM DECEMBER 12, 2012 THROUGH JANUARY 8, 2013

TAB H - PROPOSED RESOLUTION RATIFYING THE AMENDMENT TO THE CITY'S FISCAL YEAR 2012-2013 LEGISLATIVE FUNDING AND COMMUNITY BUDGET REQUESTS, TO BE PRESENTED TO THE CITY'S STATE REPRESENTATIVES FOR THEIR CONSIDERATION DURING THE 2013 FLORIDA LEGISLATIVE SESSION

Councilman Blynn moved to approve the Consent Agenda, Tabs A through H, seconded by Councilman Galvin; passed unanimously.

TAB K - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO SUBMIT AN APPLICATION FOR PROJECT FINANCING UNDER THE STATE REVOLVING FUND PROGRAM AND TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; AND PROVIDING ASSURANCES OF COMPLIANCE WITH PROGRAM REQUIREMENTS

Michael Etienne, Esquire, City Clerk, read the Resolution title for the record. Councilman Blynn moved to approve the Resolution, seconded by Mayor Pierre; for discussion. No public discussion. Council discussion. Council voted; passed unanimously.

TAB M - PROPOSED RESOLUTION APPROVING THE SELECTION OF POOLE & KENT COMPANY OF FLORIDA, AS THE CONTRACTOR TO FURNISH ALL LABOR, EQUIPMENT, MATERIALS AND EXPERTISE NECESSARY TO COMPLETE THE FILTER REHABILITATION PROJECT AT THE WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 31-11-12 WINSON WATER TREATMENT PLANT PHASE 1 - FILTER REHABILITATION; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PROVISION OF THE STATED SERVICES, AT A COST NOT TO EXCEED THREE MILLION SIX HUNDRED SEVENTY-SIX THOUSAND DOLLARS ($3,676,000.00)

Mr. Etienne read the Resolution title for the record. Councilman Blynn moved to approve the Resolution, seconded by Mayor Pierre; for discussion. No public discussion. Council voted; passed unanimously.

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

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB I - PROPOSED ORDINANCE *(SECOND READING)* AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 15, ENTITLED "SIGNS", SPECIFICALLY AT SECTION 5-1501, ENTITLED "PURPOSE", SECTION 5-1502, ENTITLED "PROHIBITED SIGNS", SECTION 5-1503, ENTITLED "GENERAL STANDARDS", SECTION 5-1504, ENTITLED "SIGNS PERMITTED WITHOUT A PERMIT", SECTION 5-1505, ENTITLED "PERMITTED SIGNS REQUIRING DEVELOPMENT REVIEW", AND SECTION 5-1506, ENTITLED "COMPREHENSIVE SIGN PROGRAM", TO ALLOW ELECTRONIC MESSAGE CENTERS AND ELECTRONIC SCROLLING SIGNS IN ALL NONRESIDENTIAL ZONING DISTRICTS AND TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES FOR SUCH SIGNS, IN ORDER TO ENCOURAGE AND FACILITATE ECONOMIC GROWTH IN A MANNER CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI

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

TAB J - PROPOSED ORDINANCE *(SECOND READING)* AMENDING THE CHARTER OF THE CITY OF NORTH MIAMI, PURSUANT TO SECTIONS 166.021 AND 166.031, FLORIDA STATUTES, AND SECTION 6.03, MIAMI-DADE COUNTY CODE OF ORDINANCES, AND IN ACCORDANCE WITH THE COMPREHENSIVE REVIEW AND RECOMMENDATIONS OF THE CITY OF NORTH MIAMI CHARTER REVIEW BOARD, TO UPDATE AND CLARIFY SECTIONS OF THE CITY CHARTER BY PROVIDING NON-SUBSTANTIVE STYLISTIC AND ORGANIZATIONAL CHANGES, INCLUDING STATUTORY REFERENCES, CONSISTENT USAGE OF NAMES, TERMS AND REFERENCES, GENDER DIVERSITY, AND FOR CORRECTIONS OF SCRIVENER'S ERRORS AND REDUNDANT LANGUAGE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

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

RESOLUTIONS

TAB K - PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO SUBMIT AN APPLICATION FOR PROJECT FINANCING UNDER THE STATE REVOLVING FUND PROGRAM AND TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; AND PROVIDING ASSURANCES OF COMPLIANCE WITH PROGRAM REQUIREMENTS

Taken out of order, see after the Consent Agenda.

TAB L - PROPOSED RESOLUTION ADOPTING THE UPDATED CITY OF NORTH MIAMI STORMWATER MANAGEMENT MASTER PLAN

Mr. Etienne read the Resolution title for the record. Councilman Galvin moved to approve the Resolution, seconded by Councilman Blynn; for discussion. No public discussion. Council voted; passed unanimously.

TAB M - PROPOSED RESOLUTION APPROVING THE SELECTION OF POOLE & KENT COMPANY OF FLORIDA, AS THE CONTRACTOR TO FURNISH ALL LABOR, EQUIPMENT, MATERIALS AND EXPERTISE NECESSARY TO COMPLETE THE FILTER REHABILITATION PROJECT AT THE WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 31-11-12 WINSON WATER TREATMENT PLANT PHASE 1 - FILTER REHABILITATION; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PROVISION OF THE STATED SERVICES, AT A COST NOT TO EXCEED THREE MILLION SIX HUNDRED SEVENTY-SIX THOUSAND DOLLARS ($3,676,000.00)

Taken out of order, see after the Consent Agenda and Tab K.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB N - DISCUSSION REGARDING $2.5 MILLION FROM BISCAYNE LANDING TO BE ALLOCATED FOR THE PURCHASE OF POLICE VEHICLES, AND REPAIRS AND IMPROVEMENTS IN CITY HALL AND THE CITY LIBRARY

Mr. Etienne read the request, title for the record. Public discussion. Council discussion. Maxine Calloway, Community Development and Planning Director, gave a brief report to Council concerning the housing program. Council discussion. Councilman Galvin moved to continue the item to the January 22nd, Council meeting, seconded by Vice Mayor Steril; passed 4-0. Mayor Pierre absent.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT

Mr. Etienne thanked business owners for holiday wishes, received.

Mr. Etienne advised Mrs. Albertha Patterson has accepted a position with State Representative Daphne Campbell.

Mr. Etienne gave a brief report regarding the conference call with Vice President Joe Biden.

Mr. Etienne gave a brief report regarding verification of residency requirements.

CITY ATTORNEY'S REPORT

Regine Monestime, City Attorney, requested approval from Council for a settlement agreement with Sergeant Cristina Grant for $48,000 with the condition that Sergeant Grant will retire from the city by January 1st, 2012. Councilman Galvin moved to approve the settlement agreement as presented, seconded by Vice Mayor Steril; passed 4-0. Mayor Pierre absent.

CITY MANAGER'S REPORT

Mr. Johnson gave a response to Council regarding issues presented at Citizens' Forum:

- Community Block Party.
- Parking resolution for parking on an empty lot in conjunction with Land Development and Zoning Regulations of the city.
- Disbursement of funds for City Hall and Police vehicles.

ADJOURNMENT

Meeting adjourned at 9:41 p.m.