ALPHABETICAL INDEX

CITY COUNCIL MEETING

JANUARY 22, 2013

Subject

Subject	Page
Adjournment	6
Additions, Deletions or Withdrawals	1
Approval of Minutes (Tab A)	2
Citizens' Forum	6
City Attorney (NONE)	6
City Clerk (NONE)	6
City Events	2
City Manager	6
Consent Agenda	2-3
Council Reports	6
Discussion Regarding City Attorney's Position (Tab K)	6
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 (Continued From the December 11, 2012, Council Meeting) (Tab J)	5-6
Flag Salute	1
Inspirational Message	1
Legislative Matters	3-4
Ordinances – First Reading	3-4
Ordinances – Second Reading and Public Hearing	3
Proposed Ordinance (First Reading) Amending Chapter 6, "Elections", Amending Article IV, "Election Administration" Section 6-76, "Dates of Elections" To Change the Dates For Runoff Elections in Accordance with the City Charter and State Law (Tab F)	4
Proposed Ordinance (First Reading) Amending Chapter 15, "Pensions and Retirement," Article IV "North Miami Police Pension Plan", Division 5 "Benefits" Section 15-132, "Death Benefits", to Provide Beneficiaries Receiving a Service-Connected Death Benefit with an Annual COLA (Tab E)	3-4

Subject ..... Page

Proposed Ordinance (Second Reading) Amending Chapter 29, "Land Development Regulations" Amending Article 4 Division 4 "Special Purpose and Overlay Districts" Section 4-402 "Planned Development District" Subsection B "Development Standards" to Include "Vehicle Sales/Displays" To the List of Permitted Uses (Tab D) 3

Proposed Resolution Approving an Interlocal Agreement With Miami-Dade County, Florida, Concerning the Annexation of a Tract of Land Bordered on the West Side by the Biscayne Canal, on the East Side by Northeast 4th Avenue, on the South Side by Northeast 131st Street, and On the North Side by Northeast 135th Street, (Otherwise Known As "Area 3"), Delineating Maintenance, Operational and Financial Responsibilities in Conjunction with the Annexation of Area 3 to the City of North Miami (Tab G) 4

Proposed Resolution Authorizing the City Manager to Execute A Purchase Order with Enterprise Leasing Company of Florida, LLC, in Accordance with the Southeast Florida Governmental Purchasing Cooperative Group – RFP Number 07-C-169, to Provide Police Undercover Vehicle Leasing Services, in the Amount Not to Exceed $126,900 (Tab C) 2-3

Proposed Resolution Directing City Administration to Refrain From Utilizing Red Light Cameras to Enforce Right Turns on Red Light Traffic Infractions (Tab I) 5

Proposed Resolution Providing for Approval of a Modification To the Bifurcated Ground Lease with the Oaks I at Biscayne Landing Condominium Association, Inc., and Royal Oaks Lane (Biscayne Landing) – North Miami, LLC; Authorizing the City Manager and the City Attorney to Negotiate and Execute the Modification (Tab H) 4-5

Public Hearings – Ordinances, Resolutions, Zoning, Land Use Items, Etc. 3-4

Request for Special Permit, St. James Catholic Church, for Their Annual Carnival – February 14-17, 2013 (Tab B) 2

Subject ..... Page

Requests – Petitions – Communications..... 5-6
Resolutions..... 4-5
Roll Call 1
Special Presentations..... 1-2

SUMMARY MINUTES

REGULAR COUNCIL MEETING

January 22, 2013

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, January 22, 2013, 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 Pete Dominguez

Inspirational Message

- Pastor John

ROLL CALL

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

Additions, Deletions or Withdrawals

Introduce Local Preference Team at Biscayne Landing under Special Presentations
Tab K, removed
Tab L, Haitian Lawyers Association added under Special Presentations

SPECIAL PRESENTATION(s)

- Proclamation in honor of *National Personal Self Defense Awareness* Month

Mayor Pierre recognized and presented a Proclamation to Master Mario Theodate, 7th Degree Black Belt, Haitian International Federation of Tae Kwon Do and students. Whereas Mayor Pierre proclaimed January 2013, to be *National Personal Self Defense Awareness* Month, in the City of North Miami.

- Tab L - Presentation By The Haitian Lawyers Association

Mayor Pierre recognized the Stephanie Dushane, President of the Haitian Layers Association, recognizing contributions of Regine Monestime, City Attorney.

- Recognition of Recent Promotions at the Police Department

Mayor Pierre recognized Chief Marc Elias, Jr, recognizing recent promotions at the Police Department: Pete Dominguez to the rank of Commander; Emile Hollant, promoted to the rank of Sergeant; and James Mesidor, promoted to the rank of Sergeant.

- Introduce Local Preference Team at Biscayne Landing

Mayor Pierre recognized Herb Tillman and his team, giving a brief presentation to Council, introducing the local preference team at Biscayne Landing.

CITY EVENTS – ANNOUNCEMENT

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

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – January 8, 2013

TAB B – REQUEST FOR SPECIAL PERMIT, ST. JAMES CATHOLIC CHURCH, FOR THEIR ANNUAL CARNIVAL – FEBRUAR 14-17, 2013

TAB C – PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER, BETWEEN THE CITY OF NORTH MIAMI AND ENTERPRISE LEASING COMPANY OF FLORIDA, LLC, IN ACCORDANCE WITH THE SOUTHEAST

FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP - RFP NUMBER 07-C-169, TO PROVIDE THE CITY WITH POLICE UNDERCOVER VEHICLE LEASING SERVICES, IN THE AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-SIX THOUSAND NINE HUNDRED DOLLARS ($126,900.00)

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

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

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB D - PROPOSED ORDINANCE *(SECOND READING)* AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 4, ENTITLED "SPECIAL PURPOSE AND OVERLAY DISTRICTS", AT SECTION 4-402, ENTITLED "PLANNED DEVELOPMENT DISTRICT", SPECIFICALLY AT SUBSECTION B, ENTITLED "DEVELOPMENT STANDARDS", TO INCLUDE 'VEHICLE SALES/DISPLAYS' TO THE LIST OF PERMITTED USES

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

ORDINANCES – FIRST READING

TAB E - PROPOSED ORDINANCE *(FIRST READING)* AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, ENTITLED "PENSIONS AND RETIREMENT," BY AMENDING ARTICLE IV, ENTITLED "NORTH MIAMI POLICE PENSION PLAN," DIVISION 5, ENTITLED "BENEFITS" SPECIFICALLY AT SECTION 15-132, ENTITLED "DEATH BENEFITS", TO PROVIDE BENEFICIARIES RECEIVING A SERVICE-CONNECTED DEATH BENEFIT WITH AN ANNUAL COLA

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Councilman Galvin; for discussion. Council discussion. Stephen E. Johnson, City Manager, advised Council the Ordinance would be retroactive to 2005. Council voted; passed unanimously, by roll call vote.

TAB F - PROPOSED ORDINANCE *(FIRST READING)* AMENDING CHAPTER 6 OF THE CITY CODE OF ORDINANCES, ENTITLED "ELECTIONS", BY AMENDING ARTICLE IV, ENTITLED "ELECTION ADMINISTRATION" SPECIFICALLY AT SECTION 6-76, ENTITLED "DATES OF ELECTIONS" TO CHANGE THE DATES FOR RUNOFF ELECTIONS IN ACCORDANCE WITH THE CITY CHARTER AND STATE LAW

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

RESOLUTIONS

TAB G – PROPOSED RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY, FLORIDA, IN SUBSTANTIALLY THE ATTACHED FORM, CONCERNING THE ANNEXATION OF A TRACT OF LAND BORDERED ON THE WEST SIDE BY THE BISCAYNE CANAL, ON THE EAST SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"), DELINEATING MAINTENANCE, OPERATIONAL AND FINANCIAL RESPONSIBILITIES IN CONJUNCTION WITH THE ANNEXATION OF AREA 3 TO THE CITY OF NORTH MIAMI

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

TAB H - 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 THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE THE MODIFICATION

Mr. Etienne read the Resolution title for the record. Councilman Marcellus moved to approve the Resolution, seconded by Councilman Galvin; for discussion. Public discussion. Council discussion. Mr. Johnson gave a brief report to Council. Councilman Galvin removed his second and moved to continue this item, seconded by Councilman Marcellus; passed unanimously.

TAB I – PROPOSED RESOLUTION DIRECTING CITY ADMINISTRATION TO REFRAIN FROM UTILIZING RED LIGHT CAMERAS TO ENFORCE RIGHT TURNS ON RED LIGHT TRAFFIC INFRACTIONS

Mr. Etienne read the Resolution title for the record. Vice Mayor Steril moved to approve the Resolution, seconded by Mayor Pierre; for discussion. Public discussion. Council discussion. Councilman Marcellus requested to make a friendly amendment to terminate the red light traffic program. Council discussion. Mr. Johnson gave a brief report to Council. Council did not agree with the friendly amendment and voted on the Resolution, as presented, to become effective June 1st, 2013; passed unanimously.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB J – 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 *(CONTINUED FROM THE DECEMBER 11, 2012 COUNCIL MEETING)*

Mr. Etienne read the title for the record. Mr. Johnson reviewed Biscayne Landing workshop survey results.

Recess: 8:57 pm
Resumed: 9:12 pm

Public discussion. Council discussion. Aleem Ghany, Public Works Director, gave a brief report to Council. Councilman Marcellus moved to allocate funds as follows:

- $1 million, housing improvements
- $1 million, library improvements
- $600,000, city hall improvements
- $1 million, 7th Avenue façade beautification
- $1 million, cars for police and general
- $1 million, N Bayshore Park, 2 fenced areas, sidewalks and social services

seconded by Vice Mayor Steril; passed 4-1. Councilman Blynn denied.

Mr. Johnson clarified that $3.5 million is allocated towards employees leaving $3.4 million, added in the reserve.

TAB K – DISCUSSION REGARDING CITY ATTORNEY'S POSITION

Removed, no action taken.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY MANAGER'S REPORT

Mr. Johnson gave a response to Council regarding allocations made from the Biscayne Landing funding grant writers and grants for the city,

CITY ATTORNEY'S REPORT

(NONE)

CITY CLERK'S REPORT

(NONE)

ADJOURNMENT

Meeting adjourned at 11:00 p.m.