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CITY COUNCIL MEETING

MARCH 13, 2012

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SUMMARY MINUTES

REGULAR COUNCIL MEETING

March 13, 2012

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, March 13, 2012, beginning at 7:07 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 Officer Brian Becker

Inspirational Message

- Pastor Cheryl Sejour, Gateway Foursquare Church

ROLL CALL

Councilwoman Steril	Here
Councilman Galvin	Here
Mayor Pierre	Here
Vice Mayor Marcellus	Here
Councilman Blynn	Arrived at 7:15 pm

Additions, Deletions or Withdrawals

Withdrawn, under Special Presentations, *Senator Oscar Braynon II*, returned to Tallahassee and would not present this evening.

SPECIAL PRESENTATION(s)

- *Representative John Patrick Julien, District 104* will address the Mayor and Council and the City of North Miami residents regarding the 2012 Legislative Session

Mayor Pierre recognized Representative John Patrick Julien, District 104. Representative Julien gave a brief report to Mayor/Council regarding the Legislative Session.

- Proclamation in honor of *Women's History Month*

Mayor Pierre presented a Proclamation, to *Councilwoman Steril,* in honor of *Women's History Month*; Whereas Mayor Pierre proclaimed March 2012, to be *Women's History Month*, in the City of North Miami.

- Proclamation in honor of *Youth Art Month*

Mayor Pierre presented a Proclamation, to *Lark Keeler, MOCA Education Curator;* in honor of *Youth Art Month*; Whereas Mayor Pierre proclaimed March 2012, to be *Youth Art Month*, in the City of North Miami.

- Proclamation in honor of *National Nutrition Month*

Mayor Pierre presented a Proclamation, to *Jeff Geimer, Parks and Recreation Director,* in honor of *National Nutrition Month (ACHIEVE Program)*; Whereas Mayor Pierre proclaimed March 2012, to be *National Nutrition Month*, in the City of North Miami.

- Proclamation in honor of *Officer Brian Becker*

Mayor Pierre recognized Chief Marc Elias, Jr., presenting a Proclamation, to *Officer Brian Becker.*

- *Senator Oscar Braynon II* will address the Mayor and Council and the City of North Miami residents the outcomes of the 2012 Legislative Session

Senator Oscar Braynon II, returned to Tallahassee and would not present this evening.

- Claude Pepper Park Community Center Update by *Kaufman Lynn Construction*

Mayor Pierre recognized Larry Spero, Project Superintendant for Kaufman Lynn Construction, giving a brief presentation on the progress of the Claude Pepper Park Community Center. Council discussion.

- Presentation from *Joseph Nabaka, FIU graduate,* currently with *Student Working Against Tobacco (SWAT)* advocacy organization preventing tobacco use among the youths

Mayor Pierre recognized *Joseph Nabaka, FIU graduate,* currently with *Student Working Against Tobacco (SWAT)*, Tobera Johnson and Ladera Johnson giving a brief presentation advocating the prevention of tobacco use among the youths.

CITY EVENTS – ANNOUNCEMENT

Miguel Seco, Governmental Affairs Manager, on behalf of Pam Solomon, Public Information Officer, announced upcoming events for the City of North Miami.

- *Representative Daphne Campbell, District 108* addressed Mayor and Council and the City of North Miami residents regarding the 2012 Legislative Session

Mayor Pierre recognized Representative Daphne Campbell, District 108. Representative Campbell gave a brief report to Mayor/Council regarding the upcoming special Legislative Session.

CITY PROJECTS UPDATE

Stephen Johnson, City Manager, requested moving the update to the Council meeting in April.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – February 28, 2012

TAB B – 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 BLACK & VEATCH CORPORATION TO INCREASE THE CONTRACT AMOUNT FROM SIXTY-ONE THOUSAND EIGHT HUNDRED FIFTY DOLLARS AND NO CENTS ($61,850.00), TO TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND

NO CENTS ($225,000.00), FOR WATER AND SEWER RATES AND FEES ANALYSIS REVIEW AND OTHER RELATED SERVICES

Mayor Pierre moved to approve the Consent Agenda, seconded by Councilman Galvin; for discussion on Tab B, Council discussion. Mr. Johnson, City Manager and Aleem Ghany, Public Works Director, gave brief reports to Council. Mayor Pierre placed Tab B, back into the Consent Agenda. Council voted to approve the Consent Agenda, Tabs A and B; passed unanimously.

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

LEGISLATIVE MATTERS

RESOLUTIONS

TAB C – PROPOSED RESOLUTION URGING THE PUBLIC SERVICE COMMISSION TO DENY APPROVAL OF ANY FURTHER "EARLY COST RECOVERY" AND URGING THE FLORIDA LEGISLATURE TO REPEAL THE "EARLY COST RECOVERY" STATUTE RELATING TO ELECTRIC UTILITY CHARGES FOR SITING, DESIGNING, LICENSING, AND CONSTRUCTION OF NUCLEAR PLANTS

Mayor Pierre read the Resolution title for the record. No public discussion. Councilman Galvin moved to approve the Resolution, seconded by Councilman Blynn; for discussion. Christina Novaton, FIU student, gave a brief report to Council. Council voted; passed unanimously

TAB D – PROPOSED RESOLUTION PROPOSING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI, AS LANDLORD AND OLETA PARTNERS, LLC, AS TENANT, FOR THE PREMISES KNOWN AS "BISCAYNE LANDING"; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE TERMS OF THE LEASE AGREEMENT

Michael A. Etienne, Esquire, read the Resolution title for the record. Public discussion. Peyton Lumpkin, Attorney representing the City for Biscayne Landing, gave a brief report to Council. Council discussion. Michael Swerdlow, Developer, gave a brief report to Council regarding the project. No motion made. Mayor Pierre directed the City Manager to put out

another RFP, for 30 to 45 days, with all language referencing money spent up front and referencing money directed to an educational fund stricken.

Councilman Blynn moved to approve the Resolution, seconded by Vice Mayor Marcellus; failed 1-3, by roll call vote. Mayor Pierre, Vice Mayor Marcellus and Councilman Galvin denied. Councilwoman Steril abstained from voting.

Mayor Pierre directed the City Manager to put out another RFP, for 30 to 45 days, with all language referencing money spent up front and referencing money directed to an educational fund stricken.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Mayor Pierre moved to direct the City Manager to put out another RFP for 30 to 45 days with all language referencing money spent up front and referencing money directed to an educational fund stricken, seconded by Vice Mayor Marcellus, passed 3-2. Councilman Blynn and Councilman Galvin denied.

Various items of interest presented by Council.

CITY CLERK'S REPORT

Mr. Etienne reminded Mayor and Council of the procedure for appointments to various Boards and requested Mayor and Council provide names and contact information so that potential members can be sent an application by the City Clerk's office and vetted.

Mr. Etienne advised Council of a Board application received from Crystal Chow, requesting to be appointed to the Youth Opportunity Board. Vice Mayor Marcellus has an opening on the Youth Opportunity Board.

Mr. Etienne updated Council on the process for Board members that are not attending monthly Board meetings.

Mr. Etienne advised passport application activities have increased due to advertising on Spanish and Haitian radio.

Mayor Pierre inquired as to why District 2 is always the Vice Mayor during the

Presidential election. Mr. Etienne reported after researching the query extensively, no information was found but he would continue to research the Florida Statutes to find a reference for rotation of the Vice Mayor.

CITY ATTORNEY'S REPORT

Council welcomed Regine Monestime, City Attorney. Ms. Monestime advised Council she was happy to be in North Miami and appreciated the wise leadership in Council selecting her as City Attorney.

CITY MANAGER'S REPORT

Mr. Johnson thanked Ronald Galdos, Interim City Attorney for his hard work and looks forward to working with Ms. Monestime.

Mr. Johnson advised Council the CRA Budget 2010-11, 2011-12, passed and would be moving forward to the BCC in April.

Mr. Johnson advised traffic circles along Pioneer Boulevard in District 3, are being completed.

Mr. Johnson advised the city would be moving forward aggressively with Code Enforcement issues to improve the quality of life in the city.

Mr. Ghany advised backflow devices located in the traffic circles on the west side have been stolen.

NEW BUSINESS

John Dellagloria, Attorney for Developer of Biscayne Landing, addressed Council requesting as a courtesy, to meet with Mayor and Council regarding the outcome of the proposed Resolution approving the lease agreement for Biscayne Landing that failed earlier in the meeting and requested Council hold off for two weeks until the next Council meeting before sending out the RFP.

ADJOURNMENT

Meeting adjourned at 10:32 p.m.