North Miami City Council

776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

Summary Minutes of Regular Council Meeting

JUNE 24, 2014
7:07 P.M.

PLEDGE OF ALLEGIANCE
(Fabuola Pierre, North Miami Senior High School, Summer YOB intern)

INVOCATION
(Pastor Harvey Lockhart, First Church of North Miami- The United Church of Christ)

JULY 4TH SPECIAL PRESENTATION

CALL TO ORDER / ROLL CALL OF MEMBERS

Council member	**Galvin**	**Here**
Council member	**Keys**	**Here**
Council member	**Steril**	**Here**
Vice Mayor	**Bien-Aime**	**Here**

ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

- **[TAB D] moved under Quasi – Judicial**
- **[TAB J] pulled from agenda**
- **[TAB K] amendments made to [TAB K]**

SPECIAL PRESENTATION(s)

- Recognition of *FIU's first Generation Scholars, Take Stock in Children, and the North Miami Educational Foundation, Inc.*
- Annual Audit Report & Comprehensive Annual Financial Report (CAFR) by *Harvey, Covington & Thomas, LLC, Independent Certified Public Accountants Firm*

CITY EVENTS – ANNOUNCEMENT

Ms. Pam Solomon announced upcoming events for the City of North Miami and advised all City events can be found on the City website at: **www.northmiamifl.gov/celebrate**

HURRICANE PREPAREDNESS

- Projection for this Hurricane Season by *Robert Molleda, Meteorologist, National Oceanic and Atmospheric Administration (NOAA)*

CONSENT AGENDA

Councilman Galvin made a motion to approve the consent agenda. The motion was seconded by Acting Mayor Bien-Aime and passed by 4-0 vote.

"...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH B BE ADOPTED..."

[TAB A] Approved

APPROVAL OF MINUTES – Regular Council Meeting – June 10, 2014

[TAB B] Approved

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM, TO ALLOW THE CITY TO PERFORM TRAFFIC ENGINEERING FUNCTIONS PERTAINING TO THE INSTALLATION AND MAINTENANCE OF TRAFFIC CALMING DEVICES ON CITY STREETS, IN ACCORDANCE WITH SECTION 2-96.1, MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

[TAB C] Approved

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND R.J. BEHAR & COMPANY, INC., AS THE CONSULTANT FOR THE PROVISION OF CIVIL ENGINEERING SERVICES REQUIRED FOR THE WATERLINE DESIGN AND CONSTRUCTION PROJECT ALONG NORTHEAST 16TH AVENUE, NORTHEAST 146TH STREET AND NORTHEAST 18TH AVENUE, IN ACCORDANCE WITH REQUEST FOR QUALIFICATIONS NO. 38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES, IN THE AMOUNT NOT EXCEED ONE HUNDRED SEVENTEEN THOUSAND FIVE HUNDRED EIGHTY-SEVEN DOLLARS AND THIRTY-SEVEN CENTS ($117,587.37); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion made by Councilwoman Keys was seconded by Councilman Galvin and passed by a 4-0 vote.

[TAB D] Approved

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING AND AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT AND PRECISE PLAN FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE CITY OF NORTH MIAMI WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion made by Councilman Galvin was seconded by Acting Mayor Bien-Aime and passed by a 4-0 vote.

[TAB E] Approved with Amendment

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING THE ALLOCATION OF TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS ($2,700,000.00) TOWARD THE CREATION OF THE 2014 SINGLE FAMILY BEAUTIFICATION PROGRAM; WITH PHASE ONE OF THE PROGRAM ENDING THIS FISCAL YEAR UTILIZING EIGHT HUNDRED THOUSAND DOLLARS ($800,000) FROM THE DISTRICT THREE (3) CAPITAL IMPROVEMENT ALLOCATION AND THE REMAINING ONE MILLION NINE HUNDRED THOUSAND DOLLARS ($1,900,000.00) WILL BE IDENTIFIED AND ALLOCATED IN THE 2014/2015 FISCAL YEAR BUDGET FOR PHASE TWO OF THE PROGRAM; AND FURTHER APPROVING THE GUIDELINES FOR THE BEAUTIFICATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion was made by Acting Mayor Bien-Aime to approve only $800,000.00 for particular project in district # 3 only. The motion was seconded by Councilwoman Keys and passed by a 4-0 vote.

[TAB F] Approved

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING AN AMENDMENT TO THE HOUSING PROGRAM GUIDELINES TO ESTABLISH AN APPLICATION TIME PERIOD FOR HOUSING ASSISTANCE AND TO ELIMINATE THE EXISTING WAITING LIST; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion was made by Councilman Galvin and seconded by Acting Mayor Bien-Aime and passed by a 4-0 vote.

[TAB G] Approved

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE NOMI EXPRESS TRANSIT SERVICE - TITLE VI PROGRAM PLAN, IN ACCORDANCE WITH TITLE VI, 42 U.S.C. § 2000D, CIVIL RIGHTS ACT OF 1964, AS REQUIRED FOR THE CITY OF NORTH MIAMI TO RECEIVE FEDERAL PASS-THRU FUNDING FROM MIAMI-DADE TRANSIT (MDT); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion was made by Councilwoman Keys and seconded by Councilman Galvin and passed by a 4-0 vote.

[TAB H] Approved

PROPOSED ORDINANCE ***(SECOND READING)*** OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING SECTION 3-10, ENTITLED "HOURS DURING WHICH SALES ARE ALLOWED; CONSUMPTION," TO MODIFY THE HOURS DURING WHICH SALES AND CONSUMPTION OF ALCOHOLIC BEVERAGES ARE ALLOWED ON SUNDAY; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Motion was made by Councilman Galvin and seconded by Acting Mayor Bien-Aime and passed by a 4-0 vote.

[TAB I] Approved

PROPOSED ORDINANCE ***(FIRST READING)*** OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 12 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "NUISANCES" TO ENHANCE CURRENT PROVISIONS FOR THE ABATEMENT OF PUBLIC NUISANCES; INSERTING ARTICLE III, ENTITLED "ABANDONED REAL PROPERTY REGISTRATION" FROM CHAPTER 5; CREATING ARTICLE IX, ENTITLED "SQUATTERS" BY DECLARING SQUATTING AS A PUBLIC NUISANCE WITHIN THE CITY OF NORTH MIAMI AND ESTABLISHING REMEDIES FOR ADDRESSING SQUATTERS; AND FURTHER PROVIDING FOR THE RELOCATION OF ARTICLE V ENTITLED "BURGLAR ALARMS" TO CHAPTER 13 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Motion was made by Councilman Galvin and Seconded by Acting Bien-Aime and passed by a 4-0 vote.

[TAB J] Pulled

PROPOSED ORDINANCE ***(FIRST READING)*** OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "BUILDING STANDARDS AND REGULATIONS" TO INCLUDE PROVISIONS FOR MAINTENANCE OF PROPERTY, LANDSCAPING, WALLS, FENCES, AND EXTERIOR PROPERTY AREAS; CREATING A LANDLORD REGISTRATION PROGRAM; AND PROVIDING FOR THE RELOCATION OF ARTICLE VII ENTITLED "ABANDONED REAL PROPERTY REGISTRATION" TO CHAPTER 12 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

[TAB K] Approved

PROPOSED ORDINANCE ***(FIRST READING)*** OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 15 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "PENSIONS AND RETIREMENT", UNDER ARTICLE III ENTITLED "CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM; ORD. NO. 691", SPECIFICALLY AT DIVISION 4, SECTION 15-80 ENTITLED "ELIGIBILITY GENERALLY", TO ALLOW THE CITY MANAGER TO JOIN (OR TO REMAIN IN) THE CLAIR T. SINGERMAN EMPLOYEES RETIREMENT SYSTEM, AT THE OPTION OF THE CITY MANAGER; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Motion was made by Councilwoman Keys, Seconded by councilman Galvin and passed by a 3-1 vote. Councilwoman Steril voted a no.

[TAB L] Approved

TO SELECT A "MUNICIPALITY VOTING DELEGATE" TO REPRESENT THE CITY OF NORTH MIAMI AT THE 88TH ANNUAL CONFERENCE OF THE FLORIDA LEAGUE OF CITIES, AUGUST 14-16, 2014

Motion was made by Councilman Galvin and seconded by Councilwoman Keys to nominate Councilwoman Steril to participate at the 88th Annual Conference of Florida League of Cities, August 14-16, 2014.

CITIZENS' FORUM

At the opening of the Citizen Forum, residents came to the microphone and spoke on items of interest.

COUNCIL REPORTS

Vice Mayor as Acting Mayor Philippe Bien-Aime
Gave a report.

Councilwoman Carol Keys, Esq.
Gave a report.

Councilman Scott Galvin
Gave a report.

Councilwoman Marie Erlande Steril
Gave a report.

CITY CLERK'S REPORT
Gave a report.

CITY ATTORNEY'S REPORT
No report.

CITY MANAGER'S REPORT
Gave a report.

ADJOURNMENT: 11:24 pm