# SUMMARY MINUTES

# REGULAR COUNCIL MEETING

## July 8, 2014

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, July 8, 2014, beginning at 7:14 pm.

(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 on the website at:
http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx

**Flag salute**

- Officer Timothy Belcher, North Miami Police Department

**ROLL CALL**

| | |
|---|---|
| Acting Mayor Bien-Aime | Here |
| Councilman Galvin | Here |
| Councilwoman Steril | Here |
| Councilwoman Keys | Here |

**Additions, Deletions or Withdrawals**

SPECIAL PRESENTATION

- Annual Audit Report & Comprehensive Annual Financial Report (CAFR) by Harvey, Covington & Thomas, LLC, Independent Certified Public Accountants Firm - **Withdrawal**

**SPECIAL PRESENTATION(s)**

- Recognition to Camilo Lopez, student, winner of the "Call for Ideas:" North Miami's Student Architectural Design competition

- Award Recognitions to North Miami Police Motor Unit Officers

- Certificate of Recognition in honor of National Parks & Recreation Month

- Certificate of Recognition in honor of National Culinary Arts Month

- Award Recognition of Civic Space Competition

**HURRICANE PREPAREDNESS**

- Recognition to Charles L. Cyrille, Bureau Manager, Office of Emergency Management, Miami-Dade Fire Rescue Department

**CITY EVENTS – ANNOUNCEMENT**

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

**CITY PROJECTS UPDATE**

**CONSENT AGENDA**

**TABS A THROUGH E**

**TAB A - APPROVAL OF MINUTES**

– Regular Council Meeting – June 24, 2014

**TAB B – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND TO EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL'S RECESS FROM JULY 9, 2014 THROUGH SEPTEMBER 8, 2014; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB C – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF A GRANTAPPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE NATIONAL RECREATION AND PARKS ASSOCATION (NRPA) FOR A GRANT FROM GROW YOUR PARK**

**PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB D – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY'S BUREAU OF COMMUNITY PLANNING FOR A COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT FOR THE NW 7TH AVENUE GREEN ENTERPRISE INITIATIVE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB E – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; APPROVING FISCAL YEAR 2014-2015 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Mayor Bien-Aime moved to approve the Consent Agenda, Tab A through Tab E, seconded by Councilman Galvin; **passed unanimously**.

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

**QUASI-JUDICIAL ITEM(S)**

**RESOLUTIONS**

**TAB F - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S RANKING AND SELECTION OF ROADWAY CONSTRUCTION, LLC, AS THE LOWEST RESPONSIVE-RESPONSIBLE CONTRACTOR TO FURNISH ALL MATERIALS, EQUIPMENT, FACILITIES, TOOLS, SUPPLIES, SUPERVISION AND SERVICES REQUIRED FOR THE ENGINEERING, CONSTRUCTION, INSTALLATION, IMPROVEMENT, COMMISSION, STARTUP AND TESTING OF A FORCE MAIN, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 37-13-14 NORTHEAST**

**(NE) 131ST STREET - FORCE MAIN IMPROVEMENT PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE PROJECT, AT A COST NOT TO EXCEED SIX HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED FORTY-FIVE DOLLARS AND SEVENTY-EIGHT CENTS ($639,545.78); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Michael Etienne, Esq., City Clerk read the resolution title for the record. Mr. Aleem Ghany gave a brief report to Council. No public discussion. Moved for approval by Councilman Galvin and seconded by acting mayor Bien-Aime; **passed 4-0**.

**TAB G - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S RANKING AND SELECTION OF JONES BENITEZ CORPORATION, AS THE LOWEST RESPONSIVE-RESPONSIBLE CONTRACTOR TO FURNISH ALL LABOR, MATERIALS, EQUIPMENT, FACILITIES, TOOLS, SUPPLIES, MAINTENANCE OF TRAFFIC, ROOT PRUNING, SPRINKLER AND DRIVEWAY REPAIRS, RESTORATION OF ABUTTING AREAS, AND OTHER RELATED SERVICES REQUIRED FOR SIDEWALK REPLACEMENT AND INSTALLATION AT SPECIFIED LOCATIONS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 43-13-14 SIDEWALK REPLACEMENT & NEW INSTALLATION PROJECT – DISTRICT 3; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE PROJECT, AT A COST NOT TO EXCEED ONE HUNDRED EIGHTY-ONE THOUSAND FIVE HUNDRED SEVEN DOLLARS ($181,507.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Michael Etienne, Esq., City Clerk read the resolution title for the record. Mr. Aleem Ghany gave a brief report to Council. No public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Keys; **passed 4-0**.

**TAB H - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S RANKING AND SELECTION OF SA CONSULTANTS, LLC, AS THE LOWEST**

**RESPONSIVE-RESPONSIBLE CONTRACTOR TO PROVIDE ALL MATERIALS, LABOR, EQUIPMENT, TOOLS, SUPERVISION, AND RELATED SERVICES NECESSARY FOR THE INTERIOR RENOVATION AND REMODELING OF THE CITY OF NORTH MIAMI PUBLIC LIBRARY, IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 36-13-14 RENOVATION AND REMODELING OF CITY PUBLIC LIBRARY PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE RENOVATION PROJECT, AT A COST NOT TO EXCEED SEVEN HUNDRED THIRTY THOUSAND DOLLARS ($730,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Michael Etienne, Esq., City Clerk read the resolution title for the record. Mr. Aleem Ghany gave a brief report to Council. No public discussion. Lucia Gonzalez, Library Manager, gave a brief report to Council. Moved for approval by Councilman Galvin; for discussion and seconded by Councilwoman Steril; **passed 4-0.**

**TAB I - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND ADOPTING THE ATTACHED POLICY FOR PERMITTING COMMERCIAL USE OF DEDICATED CITY PARKLANDS AND FACILITIES FOR PERSONAL TRAINING AND OTHER OUTDOOR PRIVATE PROFESSIONAL SERVICES, TO BE IMPLEMENTED AND ENFORCED BY THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

Michael Etienne, Esq., City Clerk read the resolution title for the record. Mr. Aleem Ghany gave a brief report to council. No public discussion. Derrick Corker, Parks and Recreation Manager, gave a brief report to Council. **Item tabled; passed 4-0.**

**TAB J - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REGARDING THE REMOVAL OF APPROXIMATELY 194,000 CUBIC YARDS OF FILL MATERIAL CONTAINING CONCENTRATIONS OF ALUMINUM ABOVE TARGET CLEAN UP LEVELS OBTAINED FROM THE "BRICKELL CITY CENTRE," CURRENTLY STOCKPILED ON THE PREMISES COMMONLY REFERRED TO AS THE BISCAYNE LANDING SITE AS WELL AS**

**AUTHORIZING THE CITY MANAGER TO BEGIN THE APPRAISAL PROCESS AND NEGOTIATE A FORMAL AGREEMENT FOR THE SALE TO OLETA PARTNERS, INC., ("OLETA"), OF APPROXIMATELY FIFTY (50) ACRES OF PROPERTY KNOWN AS "THE RESIDENTIAL PARCEL", SUBSTANTIALLY IN ACCORDANCE WITH OLETA'S EXCLUSIVE PURCHASE OPTION RIGHTS UNDER THE BISCAYNE LANDING LEASE AGREEEMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

Michael Etienne, Esq., City Clerk read the resolution title for the record. Mr. Aleem Ghany gave a brief report to council. Regine Monestime, City attorney, gave a brief report to Council. Public discussion. Presentation by Michael Tillman, Director of Florida Development Acquisition for LeFrac. Moved for approval by Councilwoman Keys; with a motion to approve resolution with minor amendments on page 2-4 to read: That the City Council agrees to start the process of negotiating their options to purchase; seconded by Councilwoman Steril. Council voted; **passed 4-0**, by roll call vote. Comments by Councilwoman Keys and Acting Mayor Bien-Aime.

**LEGISLATIVE MATTERS - NONE**

**ORDINANCES – FIRST READING**

**TAB K - PROPOSED ORDINANCE (SECOND 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.**

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilwoman Keys and seconded by Councilman Galvin. Council voted; **passed 4-0**, by roll call vote.

**TAB L -PROPOSED ORDINANCE (SECOND 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.**

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by councilwoman keys and seconded by councilman Galvin. Council voted; **passed 4-0**, by roll call vote. Council discussion.

**ORDINANCES – FIRST READING –** (NONE)

**QUASI-JUDICIAL ITEM(s) –** (NONE)

**REQUESTS – PETITIONS – COMMUNICATIONS**

**TAB M - ESTABLISH PROPOSED BUDGET HEARING DATES OF WEDNESDAY, SEPTEMBER 10, 2014, AND MONDAY, SEPTEMBER 22, 2014, AND TENTATIVE MILLAGE RATE FOR FY2014-2015.**

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by acting mayor Bien-Aime; **passed 4-0**.

**TAB N - UPDATE REGARDING A FORENSIC FINANCIAL AUDIT FOR THE ENTIRE CITY, INCLUDING ALL DEPARTMENTS.**

Mr. Etienne read the title for the record. Mr. Duke Sorey, Budget Manager, gave a brief report to Council. Public discussion. Council discussion. Motion made by Councilwoman Keys to direct staff to put out an RFQ for ten years for four departments, Finance, Public Works, Purchasing and Building & Zoning; send a request to the State to conduct an operational audit and then report back to Council for approval; Seconded by

Councilman Galvin. Council discussion. Council voted; **passed 3-1**, by roll call vote. Councilwoman Steril denied.

## CITIZENS' FORUM

Council discussion on the tennis court situation. Regine Monestime, City Attorney, provided Council with a brief report on the Ethic Commission's opinion.

A variety of residents spoke on issues of interest. Council discussion.

## COUNCIL REPORTS

Councilwoman Keys made a **motion to withdraw RFP#46-13-14** and moved by Acting Mayor Bien-Aime; Council discussion. Council voted; **passed 4-0**, by roll call vote.

Various items of interest presented by Council.

## CITY CLERK'S REPORT - (NONE)

## CITY ATTORNEY'S REPORT - (NONE)

## CITY MANAGER'S REPORT

A list of open RFP's will be emailed to Council.

## ADJOURNMENT

Meeting adjourned at 10:35 pm.