



City of North Miami
City Hall | 2nd Floor | Council Chambers
776 NE 125th Street
North Miami, FL 33161

Regular Council Meeting
Summary Minutes
August 23, 2016

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, August 23, 2016, beginning at 7:07 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

ROLL CALL

- PRESENT:
Mayor Joseph
Councilman Galvin
Councilwoman Keys
Councilman Bien-Aime
Vice Mayor Desulme

PLEDGE OF ALLEGIANCE

- Assistant Chief Robert Bage, North Miami Police Department

INVOCATION

- Pastor Gregory Toussaint, Tabernacle of Glory

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

- TAB H removed to be heard at the next meeting.
- TAB E pulled for discussion.

Motion made by Vice Mayor Desulme to move TAB E from the consent agenda. Seconded by Mayor Joseph. Council voted; **passed 5 - 0.**

SPECIAL PRESENTATION(S)

- Scholarship Awards Presentation by Board of Directors of the North Miami Educational Foundation.
- Commendation presented to Major Trevor Shinn on his retirement with the North Miami Police Department after 27 years.

- Presentation of the Government Finance Officers Association's (GFOA) Distinguished Budget Presentation Award.

CITY EVENTS – ANNOUNCEMENT

- Cassandra Timothe, Public Information Specialist, announced upcoming events for the City of North Miami. All City events can be found on the website at: www.northmiamifl.gov/celebrate.

CITY PROJECTS UPDATE – NONE

HURRICANE PREPAREDNESS –

- Commander Angelo M. Brinson II, Emergency Manager, North Miami Police Department provided updates.

CONSENT AGENDA

- TABS A THROUGH D

TAB A – PASSED - APPROVAL OF MINUTES — June 28, 2016

TAB B – PASSED – Resolution no. 2016-R-80 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CO-DESIGNATING A PORTION OF NORTHWEST 131ST STREET, FROM 7TH AVENUE EAST TO NORTH MIAMI AVENUE, AS “LT. DONALD FRANCIS GAUGHAN WAY” (A FALLEN FIREFIGHTER); AUTHORIZING THE CITY MANAGER TO ALLOCATE AND EXPEND THE REQUIRED FUNDS TO COVER THE COST FOR SIGNAGE, AND TO DO ALL THINGS NECESSARY TO EFFECTUATE THE CO-DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB C – PASSED - Resolution no. 2016-R-81- PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A CUSTOMER AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH WEST PUBLISHING CORPORATION, D/B/A THOMPSON REUTERS ELITE, FOR THE INSTALLATION AND MAINTENANCE OF A SOFTWARE LICENSE PACKAGE KNOWN AS PROLAW TO ENSURE PROPER AND EFFICIENT STORAGE, RETRIEVAL AND DISPOSITION OF LEGAL AND RISK MANAGEMENT CASE FILES, AT AN APPROXIMATE COST OF FORTY-SEVEN THOUSAND DOLLARS (\$47,000.00), IN ACCORDANCE WITH SECTION 7-143 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D – PASSED - Resolution no. 2016-R-82 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION

BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF INDIAN CREEK, IN SUBSTANTIALLY THE ATTACHED FORM, TO PROVIDE FOR ADEQUATE LEVELS OF POLICE SERVICES; FURTHER AUTHORIZING THE CITY MANAGER AND POLICE CHIEF TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Councilman Galvin motioned to approve the consent agenda. Seconded by Vice Mayor Desulme. Council voted; **passed unanimously**.

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

RESOLUTIONS

TAB E – Resolution no. 2016-R-83 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE CITY MANAGER’S APPROVAL OF A PURCHASE ORDER TO CRAVEN, THOMPSON & ASSOCIATES, INC., IN THE AMOUNT NOT TO EXCEED SEVENTY THOUSAND DOLLARS (\$70,000.00) PURSUANT TO RESOLUTION NO. 2016-R-74, TO PROVIDE ENGINEERING SERVICES FOR THE PREPARATION AND SUBMITTAL OF PHASE 3 SANITARY SEWER EVALUATION SURVEY TO MIAMI-DADE COUNTY DEPARTMENT OF REGULATORY AND ENVIRONMENTAL RESOURCES MANAGEMENT, IN ACCORDANCE WITH REQUEST FOR QUALIFICATIONS CONTINUING ARCHITECTURAL AND ENGINEERING SERVICES RFQ NO. 12-14-15 AND RESOLUTION NO. 2015-R-52; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to move the item. Seconded by Councilman Galvin. Council voted; **passed 5 - 0**.

TAB F – Resolution no. 2016-R-84 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION’S COMPETITIVE SELECTION OF SUPREME INTERNATIONAL SERVICES, LLC AND CHI-ADA CORPORATION, AS THE TWO HIGHEST RANKED CONTRACTORS TO FURNISH ALL MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE AND SERVICES NECESSARY TO PROVIDE JANITORIAL SERVICES AT CITY FACILITIES AS DESIGNATED BY CITY ADMINISTRATION TO BOTH CONTRACTORS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL JANITORIAL SERVICES RFP NO. 18-15-16, AS AMENDED; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AGREEMENTS WITH SELECTED CONTRACTORS FOR THE PROVISION OF SERVICES FOR A COMBINED ANNUAL AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS (\$200,000.00), AND IN THE EVENT CONTRACT NEGOTIATIONS FAIL, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE NEXT HIGHEST RANKED CONTRACTOR

UNTIL AN AGREEMENT IS REACHED AND EXECUTED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys moved to amend the Resolution that we give the authority to the manager to negotiate with Supreme International Services, LLC., as the highest bidder and if we cannot enter and finalize a contract then we proceed negotiations with the second highest bidder Chi-Ada Corporation. Seconded by Councilman Bien-Aime. Council voted; **passed 5 – 0 with amendments.**

TAB G - Resolution no. 2016-R-85 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A FIRST OPTION TO RENEW PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND COUNTRY BILL'S LAWN MAINTENANCE, INC., FOR THE PROVISION OF LAWN, LANDSCAPING, AND IRRIGATION MAINTENANCE SERVICES AT VARIOUS LOCATIONS THROUGHOUT THE CITY, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID NO. 16-12-13 LAWN MAINTENANCE SERVICES, AT A COST NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FOR A PERIOD OF ONE (1) YEAR; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to move the item. Seconded by Councilwoman Keys. Council voted; **passed 3 - 2.** Vice Mayor Desulme and Mayor Joseph voted no.

TAB H - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BY AND AMONG MIAMI-DADE COUNTY, THE CITY OF NORTH MIAMI, FLORIDA AND THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT; FURTHER AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO IMPLEMENT AND FULFILL THE OBLIGATIONS OF THE CITY OF NORTH MIAMI AS PROVIDED THEREIN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Item removed.

TAB I - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, DESIGNATING A PORTION OF THE MEDIAN LOCATED EAST OF BISCAYNE BOULEVARD WITHIN THE VICINITY OF 2000 NE 135TH STREET AND 2600 NE 135TH STREET (APPROXIMATELY 0.6 OF A MILE IN LENGTH AS ILLUSTRATED IN THE ATTACHED MAP) AS A 'PASSIVE PARK'; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to move the item. No second. **Item failed.**

TAB J - Resolution no. 2016-R-86 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH MIAMI AND OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION, INC., TO DEVELOP A CITY-OWNED PROPERTY LOCATED AT 1046 NE 128TH STREET FOR THE CONSTRUCTION OF ELDERLY HOUSING (“PROJECT”), WITH CITY CONTRIBUTIONS TOTALING ONE HUNDRED SIXTY-TWO THOUSAND FORTY-FIVE DOLLARS (\$162,045.00) USING FUNDS RECEIVED FROM THE HOME INVESTMENT PARTNERSHIP PROGRAM AND THE TD CHARITABLE FOUNDATION; AUTHORIZING THE CREATION OF 128TH STREET DEVELOPMENT LLC, BETWEEN THE CITY OF NORTH MIAMI AND OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION, INC., TO MANAGE THE CONSTRUCTION AND MAINTENANCE OF THE PROJECT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY AND TO EXECUTE ALL DOCUMENTS TO EFFECTUATE THE DEVELOPMENT OF THE PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael A. Etienne, Esq., Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Galvin to move the item. Seconded by Vice Mayor Desulme. Council voted; **passed 5 - 0.**

LEGISLATIVE MATTERS - NONE

ORDINANCES – SECOND READING AND PUBLIC HEARING - NONE

ORDINANCES – FIRST READING – NONE

TAB K - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, BY REPEALING AND REPLACING ARTICLE VI, ENTITLED “CODE OF ETHICS”, DIVISION 3, ENTITLED “LOBBYING”, SPECIFICALLY SECTION 2-401, ENTITLED “REGISTRATION”; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Councilwoman Keys motioned to approve it with the amending paragraph D from five percent (5%) to 51%. Seconded by Mayor Joseph. Council voted by roll call; **passed 5 – 0 with amendments.**

TAB L - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7, ENTITLED “FINANCE”, ARTICLE III, ENTITLED “PROCUREMENT CODE”, DIVISION 3, ENTITLED “SOURCE SELECTION AND CONTRACT FORMATION”, SPECIFICALLY AT SECTION 7-140, ENTITLED “OPENING PROCEDURE” OF THE NORTH MIAMI CODE OF

ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Vice Mayor Desulme motioned to amend the item to read *the bid shall be opened at the Council Chamber or the City Clerk's Office*. Seconded by Mayor Joseph. Council voted by roll call; **passed 5 – 0 with amendments**.

TAB M - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 11 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS" UNDER ARTICLE II, ENTITLED "LOCAL BUSINESS TAXES," BY SPECIFICALLY AMENDING SECTION 11-33, ENTITLED "EVIDENCE OF DOING BUSINESS, FEE SCHEDULE", TO DELINEATE THE USE OF SIGNS, NEWSPAPERS, MAGAZINES OR OTHER ADVERTISEMENTS AS EVIDENCE OF CONDUCTING A BUSINESS AS ADVERTISED, AND LIMITING SUCH EVIDENCE SOLELY FOR THE PURPOSE OF ESTABLISHING COMPLIANCE WITH THE REQUIREMENTS OF A BUSINESS TAX RECEIPT; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael A. Etienne, Esq., Elected City Clerk, read the Ordinance title for the record. Motion made by Councilman Galvin to move the item. Seconded by Vice Mayor Desulme. Council voted by roll call; **passed 5 - 0**.

QUASI-JUDICIAL ITEM(S) - NONE

REQUESTS-PETITIONS-COMMUNICATIONS - NONE

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

- REPORTED:
Mayor Joseph
Councilwoman Keys
Councilman Galvin
Vice Mayor Desulme
Councilman Bien-Aime

CITY CLERK'S REPORT

- Reported

CITY ATTORNEY'S REPORT

- Reported

CITY MANAGER'S REPORT

- Reported

ADJOURNMENT

- Meeting adjourned at 10:00 pm.