CITY OF NORTH MIAMI
REGULAR COUNCIL MEETING
SUMMARY MINUTES
November 25, 2014

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, November 26, 2014, beginning at 7:25 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

Mayor Dr. Joseph	Here
Councilman Galvin	Here
Councilwoman Keys	Here
Vice Mayor Bien-Aime	Here
Councilwoman Steril	Here

PLEDGE OF ALLEGIANCE

- Major Neal Cuevas of the North Miami Police Department

INVOCATION

- Father Franky Jean from the Holy Family Catholic Church

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

- TAB F pulled from the agenda.

SPECIAL PRESENTATION(s)

- Recognition to North Miami Senior High School Football Team for two consecutive years as District Champions
- Certificate of Recognition in honor of National Diabetes Awareness Month
- Certificate of Recognition in honor of National Adoption Month

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 - NONE

HURRICANE PREPAREDNESS

Dr. Lumane Pluviose-Claude, Deputy City Manager, gave a report on hurricane preparedness.

CONSENT AGENDA

- TABS A THROUGH I

TAB A - APPROVAL OF MINUTES –

- Regular Council Meeting – November 12, 2014

TAB B - PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2014-2015 THROUGH 2018-2019, BASED UPON THE RECOMMENDATIONS OF THE PLANNING COMMISSION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB C - PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE NORTH MIAMI LIBRARY'S STRATEGIC MANAGEMENT PLAN FOR FISCAL YEAR 2014-2015; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D - PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2015 IRS VITA SITE PARTNER AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND BRANCHES, INC., TO PROVIDE RESIDENT TAXPAYERS WITH FREE TAX PREPARATION SERVICES AT A VITA SITE IN COMPLIANCE WITH ALL INTERNAL REVENUE SERVICE GUIDELINES AND REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB E - PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF

NORTH MIAMI AND THE HAITIAN NEIGHBORHOOD CENTER SANT LA, INC., TO PARTNER WITH THE CITY'S VOLUNTEER INCOME TAX ASSISTANCE (VITA) PROGRAM TO PROVIDE RESIDENT TAXPAYERS WITH FREE TAX PREPARATION SERVICES, IN ACCORDANCE WITH THE U.S. INTERNAL REVENUE SERVICE VITA PROGRAM GUIDELINES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB F - 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 MEGERLE SHOWS LLC, TO PROVIDE A 'WINTER WONDERLAND' AMUSEMENT VENUE FOR THE ENJOYMENT OF THE GENERAL PUBLIC, INCLUDING MODERN AMUSEMENT RIDES, KIDDIE-RIDES, FAMILY GAMES AND ENTERTAINMENT, FOOD CONCESSIONS, TICKET BOOTHS, FESTIVE LIGHTING AND HOLIDAY DECORATIONS AT CAGNI PARK; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB G - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF BISCAYNE PARK, AUTHORIZING THE CITY TO SELL AND DISPENSE DIESEL AND UNLEADED FUEL FOR SERVICE VEHICLES OWNED BY THE VILLAGE OF BISCAYNE PARK; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB H - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE TOWN OF BAY HARBOR ISLANDS, AUTHORIZING THE CITY TO SELL AND DISPENSE DIESEL AND UNLEADED FUEL AS WELL AS COMPRESSED NATURAL GAS FOR SERVICE VEHICLES OWNED BY THE TOWN OF BAY HARBOR ISLANDS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB I - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE UPDATED CITY OF NORTH MIAMI FLOODPLAIN MANAGEMENT PLAN, IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE FLOODPLAIN MANAGEMENT PLANNING COMMITTEE ANNUAL REVIEW OF THE FLOODPLAIN

MANAGEMENT PLAN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Councilman Galvin moved to approve the consent agenda, Tab A through Tab I, seconded by Councilwoman Steril; **passed unanimously**.

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

TAB J - 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 SETTLEMENT AGREEMENT IN THE LITIGATION MATTER OF MUSEUM OF CONTEMPORARY ART, INC., V. CITY OF NORTH MIAMI, CASE NO.: 14-008991 CA (30), FOR THE FULL AND FINAL SETTLEMENT OF ALL CLAIMS AND DEMANDS IN CONNECTION WITH THIS ACTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Bien-Aime. Council voted; **passed 5-0.**

TAB K - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPOINTING NEW BOARD MEMBERS TO THE BOARD OF TRUSTEES OF THE MUSEUM OF CONTEMPORARY ART, INC., PURSUANT TO A SETTLEMENT AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FORMER BOARD OF TRUSTEES STYLED AS MUSEUM OF CONTEMPORARY ART, INC., V. CITY OF NORTH MIAMI, CASE NO.: 14-008991 CA (30), AND IN ACCORDANCE WITH CHAPTER 2, ARTICLE 3, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilwoman Steril and seconded by Councilman Galvin. Council voted; **passed 5-0.**

TAB L - PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AN INTEREST FREE LOAN FROM THE CITY OF NORTH MIAMI TO THE NORTH MIAMI MUSEUM OF CONTEMPORARY ART (MOCA) IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS ($500,000.00) TO HELP MAINTAIN CURRENT OPERATIONS AT MOCA, WITH THE AMOUNT TO BE

REIMBURSED TO THE CITY WITHIN THE NEXT TWO (2) YEARS FROM THE LOAN DATE; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE SAID LOAN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval with amendments by Councilwoman Steril and seconded by Councilman Galvin. Council voted; **passed 5-0.**

TAB M - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, URGING THE MIAMI-DADE COUNTY COMMISSIONERS TO ACCEPT THE RE-DESIGNATION AND REALLOCATION OF FIVE MILLION DOLLARS ($5,000,000.00) ASSOCIATED WITH "PROJECT NO. 19-RECREATIONAL FACILITY" OF THE MIAMI-DADE COUNTY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FINANCING, FROM RUCKS PARK TO THE CAGNI (NORTH) PARK PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Bien-Aime. Council voted; **passed 5-0.**

TAB N - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT, CLOSURE AND SALE OF CITY OWNED UNIMPROVED PARCELS OF LAND CONSISTING OF APPROXIMATELY 2,248 AND 5,247 SQUARE FEET, RESPECTIVELY, INCLUDING A 20 FEET WIDE ALLEYWAY CONSISTING OF 7,613 SQUARE FEET, LYING SOUTH OF LOTS 1, A AND B, OF BLOCK 13 BISCAYNE HIGHLANDS SUBDIVISION, AND ADJACENT TO LOTS 7 THROUGH 13 (AS DEPICTED IN PLAT BOOK 46, PAGE 26) NEAR THE INTERSECTION OF NE 141ST STREET AND WEST DIXIE HIGHWAY; AND FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT PROPERTY, IN ACCORDANCE WITH CHAPTER 29, ARTICLE 3, DIVISION 9, CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE CONVEYANCE OF THE SUBJECT PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Vice Mayor Bien-Aime and seconded by Mayor Joseph. Council voted; **passed 5-0.**

TAB O - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE CITY OF NORTH MIAMI DOWNTOWN ACTION & CONCEPT PLAN TO SERVE AS A VISUAL DESIGN AND PLANNING GUIDE FOR FUTURE PRIVATE AND PUBLIC REDEVELOPMENT IN THE CITY'S DOWNTOWN AREA AND MAJOR CORRIDORS; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT PLAN, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.
(CONTINUED FROM THE OCTOBER 28, 2014 COUNCIL MEETING)

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Bien-Aime. Council voted; **passed 5-0.**

TAB P - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING NINE (9) BONUS UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT SECONDARY POOL OF ONE THOUSAND (1000) FLOATING RESIDENTIAL UNITS FOR THE VACANT PROPERTY GENERALLY SITUATED AT THE SOUTHWEST CORNER OF NORTHEAST 6TH AVENUE AND NORTHEAST 123RD STREET WITH MIAMI-DADE COUNTY FOLIO NUMBERS 06-2230-031-0030, 06-2230-031-0020 AND 06-2230-031-0010, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-204 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilman Galvin and seconded by Vice Mayor Bien-Aime. Council voted; **passed 5-0.**

TAB Q - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AWARD OF FISCAL YEAR 2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATIONS (CBOS); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. A motion was made to table the item to the next Council Meeting. Moved for approval by Councilwoman Steril and seconded by Councilman Galvin. Council voted; **passed 5-0.**

TAB R - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE EXECUTION OF THE BUILDING BETTER COMMUNITIES INTERLOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY TO ACCOMPLISH THE WATER AND SEWER SYSTEM ENHANCEMENTS PROJECT NUMBER 17.4-71388, USING ELIGIBLE FUNDING FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FOR A TOTAL PROJECT COST NOT TO EXCEED ONE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS ($1,750,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO DO ALL THINGS NECESSARY UNDER THE AGREEMENT TO EFFECTUATE THE PROJECT); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilwoman Steril and seconded by Councilman Galvin. Council voted; **passed 5-0.**

TAB R-1 - ADDITION

Motion made to open a brand new list of CCNA vendors through an RFQ process. Moved for approval by Vice Mayor Bien-Aime and seconded by Councilwoman Steril. Council voted; **passed 5-0.**

TAB S - 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 AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND EAC CONSULTING, INC., AS THE CONSULTANT FOR THE PROVISION OF CIVIL ENGINEERING SERVICES IN PREPARATION OF CONSTRUCTION DOCUMENTS FOR THE REHABILITATION OF THE FOLLOWING WASTEWATER PUMP STATIONS: PS-24 HOSPITAL PUMP STATION, PS-12 SANS SOUCI 3 PUMP STATION, AND PS-10 SANS SOUCI 1 PUMP STATION, IN ACCORDANCE WITH REQUEST FOR QUALIFICATIONS NO. 38-09-10 CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES, IN THE AMOUNT NOT EXCEED ONE HUNDRED NINETY- NINE THOUSAND EIGHTY DOLLARS ($199,080.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilwoman Keys and seconded by Vice Mayor Bien-Aime. Council voted; **passed 5-0.**

TAB T - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AUTHORIZING THE CITY MANAGER TO PURCHASE SODIUM HYPOCHLORITE, A CHEMICAL COMPOUND REQUIRED FOR THE OPERATION OF THE CITY'S WATER TREATMENT PLANT IN PRODUCING THE HIGHEST QUALITY OF POTABLE WATER, BY PIGGYBACKING THE CITY OF OCALA, FLORIDA, PROCUREMENT AWARD UNDER INVITATION TO BID 10-047 - SODIUM HYPOCHLORITE, WITH ALLIED UNIVERSAL CORP., AT A COST NOT TO EXCEED ONE HUNDRED FIFTEEN THOUSAND DOLLARS ($115,000.00) PER YEAR, WITH FOUR (4) RENEWABLE YEARLY-TERM PERIODS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. Moved for approval by Councilwoman Keys and seconded by Councilwoman Steril. Council voted; **passed 5-0.**

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING - NONE

ORDINANCES – FIRST READING –

TAB U - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH LIQUOR PACKAGE STORES IN THE C-1 COMMERCIAL ZONING DISTRICT, TO ENCOURAGE THE RETENTION, ATTRACTION AND EXPANSION OF BUSINESS AND INDUSTRY CONSISTENT WITH THE INTENT OF THE NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the title for the record. A motion was made to table the item to the next Council Meeting. Moved for approval by Councilman Galvin and seconded by Vice Mayor Bien-Aime. Council voted; **passed 5-0.**

QUASI-JUDICIAL ITEM(s)

REQUESTS – PETITIONS – COMMUNICATIONS

TAB V - DISCUSSION AND APPROVAL OF DIASPO CUP FESTIVAL ON NOVEMBER 30, 2014 AT THE FIU NORTH MIAMI STADIUM

Michael Etienne, Esq., City Clerk, read the title for the record. Moved for approval by Councilman Galvin and seconded by Councilwoman Steril. Council voted; **passed 5-0.**

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

- Various items of interest presented by Council.

CITY CLERK'S REPORT –

- Various items of interest presented.

CITY ATTORNEY'S REPORT –

- Various items of interest presented.

CITY MANAGER'S REPORT –

- Various items of interest presented.

ADJOURNMENT

- Meeting adjourned at 11:26 pm.