

SUMMARY MINUTES

SPECIAL COUNCIL MEETING

May 23, 2012

A special meeting of the North Miami City Council was held in the Council Chambers of City Hall on Wednesday, May 23, 2012, beginning at 6:00 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

Inspirational Message

- Stephen E. Johnson, City Manager

ROLL CALL

Councilwoman Steril	Here
Councilman Galvin	Arrived at 6:03
Mayor Pierre	Here
Vice Mayor Marcellus	Here
Councilman Blynn	Here

RESOLUTIONS

TAB A – PROPOSED RESOLUTION APPROVING THE EXECUTION OF A LEASE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, 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, IN ACCORDANCE WITH THE DIRECTION PROVIDED TO CITY ADMINISTRATION, WITHOUT THE NECESSITY OF FURTHER ACTION BY THE MAYOR AND CITY COUNCIL

Michael Etienne, Esquire, City Clerk, read the Resolution title for the record. Regine Monestime, City Attorney, gave a brief report to Council.

Council discussion regarding a ribbon cutting scheduled at the North Miami Library at 6:30 pm.

Mr. Johnson gave a brief presentation of the history of the Biscayne Landing site up to the present.

Mayor Pierre adjourned the meeting at 6:25 pm. Ms. Monestime reviewed Roberts Rules of Order regarding obtaining a second to adjourn the meeting and advised when there is a disagreement the remaining majority shall take a vote. Councilman Galvin moved to deny the adjournment, seconded by Councilman Blynn; passed unanimously.

Councilman Galvin moved to deny the lease agreement of Mr. Swerdlow, seconded by Vice Mayor Marcellus; failed 2-2. Councilman Blynn and Mayor Pierre denied.

Councilman Galvin moved to deny the lease agreement of Mr. Swerdlow, seconded by Vice Mayor Marcellus; passed 2-1. Councilman Blynn denied.

Councilman Galvin moved to adjourn the meeting, seconded by Vice Mayor Marcellus; passed 2-1. Councilman Blynn denied.

Mayor Pierre returned and re-adjourned the meeting stating Councilwoman Steril seconded; passed 3-0. Vice Mayor Marcellus and Councilman Galvin away.

Vice Mayor Marcellus and Councilman Galvin returned to the meeting. Council discussion.

Mr. Swerdlow along with Jed Resnick, Senior Vice President of the LeFrak organization, Bret Dill, Partner, Herb Tillman, Project Manager, John Turubio, Partner Group presented development plans along with a timeline of the development.

Aleem Ghany, Public Works Director, reviewed environmental issues, specifically, groundwater remediation and closure.

Public discussion. Council discussion. Vice Mayor Marcellus requested separating the corner lot from the development. Councilman Galvin requested the education be for high school students only. Mr. Dill advised if large scale gaming is approved at a later date, he would be willing to come back to Council and negotiate. Mr. Johnson recommended striking slot machines from the lease agreement.

Councilwoman Steril moved to reduce the corner lot to \$12 million with anything received over that to be split 50/50 with the Swerdlow Group, seconded by Mayor Pierre; passed unanimously.

Councilman Blynn moved to approve the lease agreement as amended with approved changes, seconded by Mayor Pierre; passed 3-2. Vice Mayor Marcellus and Councilman Galvin denied.

Mr. Swerdlow advised \$1.5 million would be wired into the city's account by close of business on Friday. Mr. Swerdlow further advised closing would take place 10 days after 1 month or 10 days after the city makes deliverables to the Swerdlow Group. Outside counsel advised to work in accordance with the lease with stated negotiated terms. Ms. Monestime requested and received authority to fix necessary language revisions which does not change negotiated terms. Outside counsel advised in accordance with the lease monies would be received 2 business days after signing of the lease takes place.

ADJOURNMENT

Meeting adjourned at 10:26 p.m.