



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

**Regular Council Meeting  
Summary Minutes  
February 14, 2017**

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A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, February 14, 2017, beginning at 7:08 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](http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx)

## **ROLL CALL**

- PRESENT:

Vice Mayor Galvin  
Councilwoman Keys  
Councilman Bien-Aime  
Councilman Desulme

- ABSENT:

Mayor Joseph

## **PLEDGE OF ALLEGIANCE**

- Sgt. Patrick McNally, North Miami Police Department

## **INVOCATION**

- Pastor Guetching Larose, House of the Living God

## **ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals) - NONE**

## **SPECIAL PRESENTATION(S)**

- Certificate of Superior Achievement presented to the City of North Miami Clerk's Office from the U.S. Department of State – Miami and San Juan Passport Agencies. Presented by the Elected City Clerk Michael A. Etienne, Esq. and Larry M. Spring, Jr., City Manager;

## CITY EVENTS – ANNOUNCEMENT

- Kassandra 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](http://www.northmiamifl.gov/celebrate).

## CITY PROJECTS UPDATE – NONE

## CONSENT AGENDA

- TAB A.

### TAB A – PASSED - APPROVAL OF MINUTES — January 24, 2017

Councilwoman Keys moved to approve the consent agenda. Seconded by Councilman Desulme. Council voted; **passed unanimously**.

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

### RESOLUTIONS

**TAB B – Resolution no. 2017-R-14** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A LETTER AGREEMENT, IN THE ATTACHED FORM, AMONGST THE FLORIDA EAST COAST RAILWAY, LLC, ALL ABOARD FLORIDA-OPERATIONS, LLC, AND THE CITY OF NORTH MIAMI TO AMEND THE CITY’S EXISTING FEC CROSSING AGREEMENT TO PROVIDE FOR INTERCITY PASSENGER RAIL ON THE RAILWAY AND TO ADD ALL ABOARD FLORIDA – OPERATIONS, LLC AS A PARTY TO THE SAID AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to move the item. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0**.

**TAB C – Resolution no. 2017-R-15** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING AND APPROPRIATING FUNDS IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) TO BE FUNDED IN THE AMOUNT OF EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00) FROM THE LAW ENFORCEMENT TRUST FUND, TEN THOUSAND DOLLARS (\$10,000.00) FROM FEDERAL EQUITABLE SHARING FUND (JUSTICE) AND ONE HUNDRED AND FIVE THOUSAND DOLLARS (\$105,000.00) FROM FEDERAL EQUITABLE SHARING FUND (TREASURY), AND PROVIDING FOR THE APPROPRIATION AND EXPENDITURE OF THOSE ITEMS AS SET FORTH IN EXHIBIT “A”; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Desulme to move the item. Seconded by Councilwoman Keys. Council voted; **passed 4 - 0.**

**TAB D – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND REACH A SETTLEMENT ON REGINE MONESTIME ESQ.’S BREACH OF CONTRACT LAWSUIT FOR AN AMOUNT NOT TO EXCEED \$150,000 EXCLUSIVE OF ATTORNEY’S FEES; GIVING THE CITY MANAGER THE AUTHORITY TO EXECUTE THE SETTLEMENT AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to authorize the City Attorney to negotiate settlement not to exceed an amount equal to three month salary and accrued sick leave. In the approximate amount of \$120,000. Seconded by Councilman Bien-Aime. Council voted; **passed 3 – 1.** Vice Mayor Galvin voted no.

**TAB E – [Resolution no. 2017-R-16](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, CONDEMNING THE TRUMP ADMINISTRATION’S EXECUTIVE ORDERS RELATED TO IMMIGRATION AND FURTHER URGING THE TRUMP ADMINISTRATION TO REVERSE COURSE; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

Michael Etienne, Elected City Clerk, read the Resolution title for the record. Motion made by Councilman Desulme to move the item. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

**LEGISLATIVE MATTERS – NONE**

**ORDINANCES – SECOND READING – NONE**

**ORDINANCES – FIRST READING – NONE**

**TAB F – PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED “FINANCE”, BY AMENDING ARTICLE III ENTITLED “PROCUREMENT CODE”, SPECIFICALLY AT SECTION 7-158 ENTITLED “RESOLUTION OF PROTESTED SOLICITATIONS AND AWARDS”, TO STREAMLINE THE AWARD PROTEST PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND FOR AN EFFECTIVE DATE.**

Michael Etienne, City Clerk, read the Resolution title for the record. Motion made by Councilwoman Keys to move the item. Seconded by Councilman Bien-Aime. Council voted; **passed 4 – 0** by roll call vote.

**QUASI-JUDICIAL ITEM(S) – NONE**

## REQUESTS-PETITIONS-COMMUNICATIONS

### **TAB G – DISCUSSION REGARDING CHANGING SECTION 58 OF THE CITY CHARTER FROM ELECTED TO APPOINTED.**

Michael Etienne, City Clerk, read the discussion title for the record. Motion made by Councilwoman Keys to give direction to our City Attorney to prepare an Ordinance that would put the question whether the position of the City Clerk is appointed or elected for the May 2017 ballot as a Charter amendment. No second. **Item failed.**

## CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

## COUNCIL REPORTS

- REPORTED:
  - Councilman Desulme
  - Vice Mayor Galvin

### **Board Appointment:**

Board of Adjustment  
Cassandra Theramene

Vice Mayor Galvin motioned to appoint Cassandra Theramene to the Board Adjustment. Seconded by Councilman Desulme. Council voted; **passed 4-0.**

- NO REPORTS
  - Councilwoman Keys
  - Councilman Bien-Aime

## CITY CLERK'S REPORT - NONE

## CITY ATTORNEY'S REPORT - NONE

## CITY MANAGER'S REPORT - NONE

## ADJOURNMENT

- Meeting adjourned at 8:22 pm.