



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

Regular Council Meeting
Summary Minutes
July 11, 2017

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, July 11, 2017, beginning at 7:10 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:
Vice Mayor Galvin
Councilwoman Keys
Councilman Bien-Aime
Councilman Desulme
- ABSENT:
Mayor Joseph

PLEDGE OF ALLEGIANCE

- Code Compliance Officer *Eric Tate*, North Miami Police Department

INVOCATION

- Pastor *Richard Sejour*, Gateway Family Foursquare Church

ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals) NONE

No Hurricane preparedness presentation
TAB K to be heard before TAB J

Motion made by Councilwoman Keys to move the item. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

SPECIAL PRESENTATION(S)

- Scholarship Awards presentation by the North Miami Education Foundation's Board of Directors
- Proclamation presented to the Parks and Recreation Department in honor of National Parks and Recreation Month

- Certificate of Commendation presented to CCO *Eric Tate*, on his retirement with the city of North Miami after 33 years of service
- Quarterly Budget and Financial Presentation by Terry Henley, Assistant Budget Director and Miguel Augustin, Finance Director

CITY EVENTS – ANNOUNCEMENT- NONE

- Cassandra Timothy, 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

CONSENT AGENDA

- TAB A through TAB E

TAB A – PASSED - APPROVAL OF MINUTES — June 27, 2017

TAB B – PASSED – [Resolution no. 2017-R-86](#) - PROPOSED RESOLUTION OF THE 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 COMMENCING JULY 12, 2017 THROUGH AUGUST 21, 2017; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB C – PASSED – [Resolution no. 2017-R-87](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ADDITION OF GRASSED RAISED MEDIANS TO THE FLORIDA DEPARTMENT OF TRANSPORTATION STATE ROAD (SR) 916/NW/NE 135 STREET DESIGN AND RESURFACING PROJECT FM# 4293461, FROM NW 6 AVENUE TO WEST OF SR 5/BISCAYNE BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D – PASSED – [Resolution no. 2017-R-88](#) - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LANDSCAPE, THURF AND IRRIGATION MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION DESIGNATING AND SETTING FORTH THE RESPONSIBILITIES OF EACH PARTY WITH REGARDS TO THE MAINTENANCE OF FUTURE LANDSCAPE ON THE STATE ROAD (SR) 916/NW/NE 135 STREET, FROM NW 6 AVENUE TO WEST OF SR 5/BISCAYNE BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB E – PASSED – Resolution no. 2017-R-89 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO FAAC, INC., FOR AN AGGREGATE AMOUNT NOT TO EXCEED THIRTY-NINE THOUSAND DOLLARS (\$39,000.00) FOR THE PROVISION OF INTERACTIVE MOBILE FIREARM SIMULATOR SERVICES FOR THE NORTH MIAMI POLICE DEPARTMENT, PIGGYBACKING GSA CONTRACT NO. GS-00F-332CA; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

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

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

RESOLUTIONS

TAB F – Resolution no. 2017-R-90 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S SELECTION OF MCT SERVICE, LLC TO PERFORM THE NORTH CENTRAL STREETS TREE PLANTING PROJECT; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOCIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE PROJECT IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND DOLLARS (\$37,000.00), IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED INVITATION TO QUOTE NO. 57-16-17; 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 Bien-Aime with amendments as stated on record. Seconded by Councilman Desulme. Council voted; **passed 4 - 0**.

TAB G – Resolution no. 2017-R-91 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE PARIS AGREEMENT AND RECOMMENDING THAT THE CITY OF NORTH MIAMI FORMALLY JOIN THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT (“COMPACT”) AS A MUNICIPAL PARTNER; ENDORSING THE MAYORS’ CLIMATE ACTION PLEDGE; THEREBY, AFFIRMING SUPPORT FOR THE COMPACT, IMPLEMENTING THE REGIONAL CLIMATE ACTION PLAN, IN WHOLE OR IN PART, AND URGING ALL THE MAYORS OF MIAMI-DADE COUNTY TO SUPPORT AND ENDORSE BOTH THE PARIS AGREEMENT AND THE MAYORS’ CLIMATE ACTION PLEDGE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES. APPROVING THE SELECTION OF A & B PIPE & SUPPLY, INC., FERGUSON ENTERPRISES, INC., FORTILINE, INC., HD SUPPLY WATERWORKS, LTD. AND LEHMAN PIPE AND PLUMBING SUPPLY, INC., AS THE FIVE (5) LOWEST, RESPONSIVE AND RESPONSIBLE VENDORS FOR THE PROVISION OF WATER & SEWER PARTS AND EQUIPMENT, AT A TOTAL COST NOT TO EXCEED SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) PER YEAR, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN INVITATION FOR BID NO. 44-16-17; FURTHER AUTHORIZING THE CITY MANAGER

AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AGREEMENTS FOR THE PROVISION OF STATED SERVICES WITH THE FIVE (5) FIRMS; 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 Councilwoman Keys to move the item. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

TAB H – Resolution no. 2017-R-92 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EVALUATION COMMITTEE’S RESULTS AND SELECTION OF DOWNTOWN BOOK CENTER, INC., TO PROVIDE LIBRARY CAFE SERVICES AT THE E. MAY AVIL NORTH MIAMI PUBLIC LIBRARY IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN RFP #50-16-17; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE SELECTED CONTRACTOR; 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 Councilwoman Keys to move the item. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

TAB I – Resolution no. 2017-R-93 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS ON AN AS- NEEDED BASIS, FOR THE PURCHASE OF TIRES AND RELATED SERVICES FOR CITY FLEET VEHICLES, IN THE AGGREGATE AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) PER YEAR, FOR A ONE (1) YEAR TERM FROM TWO (2) COMPETITIVELY SELECTED VENDORS (MIAMI TIRESOLES, INC., AND GOODYEAR AUTO SERVICE CENTER), TO PIGGYBACK THE COMPETITIVE AWARDS ISSUED BY THE FLORIDA SHERIFFS ASSOCIATION UNDER THE INVITATION TO BID TIRES AND RELATED SERVICES BID NUMBER 15/17-07-0220; 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 Bien-Aime to move the item. Seconded by Vice Councilman Desulme. Council voted; **passed 4 - 0.**

TAB J – Resolution no. 2017-R-94 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AWARD OF FISCAL YEAR 2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATIONS (CBOS) AS REQUIRED BY 2 CFR 200.458; AND 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 with the amendment to award each of the eight remaining organizations a total amount of \$10,000 each with the exception of PAL. Staff will put

something together for the next Council Agenda to discuss PAL. Seconded by Councilman Desulme. Council voted; **passed 3 - 0**. Councilwoman Keys recused herself.

TAB K – Resolution. 2017-R-95 - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING FISCAL YEAR 2017-2018 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS AS REQUIRED BY 24 CFR 91.15 (a)(1); 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**.

LEGISLATIVE MATTERS

ORDINANCES- SECOND READING- NONE

ORDINANCE FIRST READING

ORDINANCES-FIRST READING

QUASI-JUDICIAL ITEM(S)

TAB L – Ordinance no. 1417 - PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REPEALING IN THEIR ENTIRETY CHAPTER 3, ENTITLED “ALCOHOLIC BEVERAGES”, CHAPTER 20, ENTITLED “TREE PRESERVATION AND PROTECTION”, AND CHAPTER 29A, ENTITLED “WIRELESS TELECOMMUNICATION TOWERS AND ANTENNAS” OF THE CODE OF ORDINANCES IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE; AND AMENDING CHAPTER 29, ENTITLED “LAND DEVELOPMENT REGULATIONS” IN THE FORM ATTACHED AS EXHIBIT “A”; PROVIDING FOR AN EXPANDED AND CONSOLIDATED LIST OF DEFINITIONS OF TERMS AND CLARIFICATION OF POWERS AND DUTIES; ESTABLISHING A NEW ZONING APPEALS BOARD, NEW ZONING DISTRICTS AND A NEW OFFICIAL ZONING MAP TO PROVIDE CONSISTENCY WITH AND IMPLEMENT THE CITY’S ADOPTED 2015 EAR-BASED COMPREHENSIVE PLAN AMENDMENTS AND MORE SPECIFICALLY, THE 2036 FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT THEREOF; UPDATING THE CONSOLIDATED TABLE OF PERMITTED USES AND THE CONSOLIDATED TABLE OF DEVELOPMENT STANDARDS; PROVIDING FOR NEW TRANSITION AND SUSTAINABILITY DESIGN STANDARDS AND MORE STREAMLINED, DEVELOPMENT-FRIENDLY PROCEDURAL REQUIREMENTS, IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF CHAPTERS 163 AND 166 OF THE FLORIDA STATUTES (2016); PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

TAB L Addendum Votes

Councilwoman Keys

10:06 pm

1. Motion made by Councilwoman Keys as stated on record. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

10:11 pm

2. Motion made by Councilwoman Keys as read by the City Attorney on record. Seconded by Councilman Desulme. Council voted; **passed 4 - 0.**

10:14 pm

3. Motion made by Councilwoman Keys as stated on record regarding the Planning Commission. Seconded by Councilman Bien-Aime. Council voted; **passed 3 - 1.** Councilman Desulme voted no.

10:21 pm

4. Motion made by Councilwoman Keys as stated on record regarding the murals. Seconded by Vice Mayor Galvin. Council voted; **failed 2 - 2.** Councilman Desulme and Councilman Bien-Aime voted no.

10:23 pm

5. Motion made by Councilwoman Keys as stated on record regarding the Board of Adjustment. Seconded by Councilman Bien-Aime. Council voted; **passed 3 - 1.** Councilman Desulme voted no.

10:29 pm Reconsideration of Boards and Committee's

6. Motion made by Councilwoman Keys to reconsider previous vote as stated on the record regarding the Planning Commission. Seconded by Councilman Bien-Aime. Council voted: **passed 3 - 1.** Vice Mayor Galvin voted no.
7. Motion made by Councilwoman Keys to reconsider previous vote as stated on the record regarding the Board of Adjustment. Seconded by Councilman Bien-Aime. Council voted: **passed 3 - 1.** Vice Mayor Galvin voted no.

Councilman Desulme

10:40 pm

1. Motion made by Councilwoman Desulme as stated on record regarding Article 5 Section 5-802 E5. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

Councilman Galvin

10:46 pm

1. Motion made by Vice Mayor Galvin as read by Tanya Sejour on record regarding Section Article 5, Section 5-1405b4. Seconded by Councilwoman Keys. Council voted; **passed 4 - 0.**

10:50 pm

2. Motion made by Vice Mayor Galvin as stated on record regarding gravel driveways. Seconded by Councilman Bien-Aime. Council voted; **passed 4 - 0.**

Michael A. Etienne, Elected City Clerk read the Ordinance title for the record. Motion made by Councilman Desulme to approve the item with amendments as stated on record. Seconded by Councilman Bien-Aime. Council voted by roll call; **passed 4-0**.

REQUESTS-PETITIONS-COMMUNICATIONS

CITIZENS' FORUM

- A variety of residents spoke on issues of interest.

COUNCIL REPORTS

- NO REPORTS
 - Councilman Desulme
 - Councilwoman Keys
 - Vice Mayor Galvin
 - Councilman Bien-Aime
- ABSENT
 - Mayor Joseph

CITY CLERK'S REPORT – REPORTED

CITY ATTORNEY'S REPORT – REPORTED

CITY MANAGER'S REPORT – REPORTED

ADJOURNMENT

- Meeting adjourned at 11:05 PM