

**AGENDA**  
**North Miami City Council**  
776 N.E. 125<sup>th</sup> Street, 2<sup>nd</sup> Floor, Council Chambers  
North Miami, FL 33161

**REGULAR MEETING**

**TUESDAY, NOVEMBER 26, 2013**  
**7:00 P.M.**

**1. PLEDGE OF ALLEGIANCE**

*(Stanley Steril )*

**2. INVOCATION**

*(Pastor Edith Pascal, Potential Release Ministries International, Inc. )*

**3. CALL TO ORDER / ROLL CALL OF MEMBERS**

**4. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(s)**

- ◆ Recognition to North Miami Redskins Optimist Club, *Lloyd Greene, President*
- ◆ Presentation of Plaque of Appreciation to the City of North Miami by the Great South Florida Pop Warner, *lead by Mr. Major McQueen*
- ◆ Philippines Typhoon Event update and recommendation *by Bennie Trinidad, Nanay, Inc.*

**6. CITY EVENTS – ANNOUNCEMENT**

**7. HURRICANE PREPAREDNESS**

**8. CITIZENS’ FORUM**

**9. CONSENT AGENDA**

*UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH E CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:*

*“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH E BE ADOPTED...”*

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – November 12, 2013  
*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO RENEW A GRANT PROGRAM AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE NORTH MIAMI FOUNDATION FOR SENIOR CITIZENS' SERVICES, INC., FOR THE PROVISION OF COMMUNITY BASED SOCIAL SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Manager*

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA APPROVING AN AMENDMENT TO THE FISCAL YEAR 2013-2014 REVENUE AND EXPENSE BUDGET TO INCLUDE THE RE-APPROPRIATION OF FUNDS FROM FISCAL-YEAR 2012-2013, TOTALING FOURTEEN MILLION ONE HUNDRED SEVENTY-ONE THOUSAND FIVE HUNDRED TWENTY- SEVEN DOLLARS (\$14,171,527.00) FOR CERTAIN PROJECTS NOT COMPLETED IN THE PRIOR FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE FISCAL YEAR 2012-2013 AMENDED BUDGET; AUTHORIZING THE COMMUNITY REDEVELOPMENT AGENCY (CRA) EXECUTIVE DIRECTOR TO TRANSMIT THE FISCAL YEAR 2012-2013 AMENDED BUDGET TO MIAMI-DADE COUNTY; AND FURTHER AUTHORIZING THE CRA EXECUTIVE DIRECTOR TO TAKE ALL ACTIONS NECESSARY TO COMPLETE THE APPROVAL PROCESS FOR THE FISCAL YEAR 2012-2013 AMENDED BUDGET WITH THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

**[TAB E]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF A GRANT APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES FOR GRANT FUNDS TO BE USED TOWARD ENHANCING COMPUTER TECHNOLOGY FOR ACCIDENT INVESTIGATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Natasha Colebrook-Williams, Governmental Affairs Manager*

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

## 10.A. QUASI-JUDICIAL ITEM(S) – [NONE]

*(NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.)*

**QUASI-JUDICIAL PUBLIC HEARINGS:** PLEASE BE ADVISED THAT THE ABOVE ITEM(S) ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE TAB NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSON(S) TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAS MADE THEIR PRESENTATIONS ON EACH ITEM.

**SWEARING IN:** ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME, COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA. AT THIS TIME, THE CLERK WILL SWEAR IN ANY PERSON WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.

## 10.B. RESOLUTIONS

### [TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE EIGHT (8) 2014 HARLEY-DAVIDSON FLHP POLICE MOTORCYCLES, INCLUDING THE INSTALLATION OF NEW POLICE EQUIPMENT FROM PETERSON'S HARLEY-DAVIDSON OF MIAMI, L.L.C., AS THE SOLE SOURCE SUPPLIER OF NEW HARLEY-DAVIDSON BRAND OF MOTORCYCLES WITHIN MIAMI-DADE COUNTY, IN ACCORDANCE WITH SECTION 7-143 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, AT A COST NOT TO EXCEED ONE HUNDRED FIFTY-NINE THOUSAND TWENTY-FIVE DOLLARS AND NINETY-TWO CENTS (\$159,025.92); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Manager*

### [TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, REQUIRING COUNCILMEMBERS WHO ARE PHYSICALLY PRESENT AT COUNCIL MEETINGS TO VOTE ON ALL ITEMS, INCLUDING IN THE EVENT A COUNCILMEMBER IS TEMPORARILY ABSENT FROM THE DAIS DURING A VOTE ON AN ITEM, IN ACCORDANCE WITH §286.012, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Mayor & City Council*

### [TAB H]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF NORTH MIAMI FOR THE COST OF

PROVIDING RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES, AND RESIDENTIAL AND COMMERCIAL STORMWATER SERVICES AND FACILITIES; STATING THE NEED FOR SUCH LEVY; DIRECTING THE TRANSMITTAL OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Finance*

**[TAB I]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION RECOMMENDED TRAFFIC RE-ROUTING AND ROADWAY IMPROVEMENT PROJECT ALONG PORTIONS OF WEST DIXIE HIGHWAY, NORTHEAST 6<sup>TH</sup> AVENUE, AND NORTHEAST 125<sup>TH</sup> STREET; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE THE OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, TO DELINEATE THE RESPONSIBILITY FOR THE CONSTRUCTION AND MAINTENANCE OF PROJECT ROADWAY IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

**10.C. LEGISLATIVE MATTERS**

**10.C.1. ORDINANCES – SECOND READING AND PUBLIC HEARING**

**[NONE]**

**10.C.2. ORDINANCES – FIRST READING**

**[TAB J]**

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING ARTICLE III UNDER CHAPTER 7 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “PROCUREMENT CODE”, BY SPECIFICALLY AMENDING SECTION 7-151 ENTITLED, “PROCEDURE TO PROVIDE PREFERENCE TO LOCAL BUSINESS IN CITY CONTRACTS,” TO INCLUDE A LOCAL BUSINESS PREFERENCE TO THOSE VENDORS, OFFERORS, SUPPLIERS OR CONTRACTORS HAVING AN OWNERSHIP INTEREST IN RESIDENTIAL PROPERTY SITUATED WITHIN THE CITY OF NORTH MIAMI AND DESIGNATED AS HOMESTEAD PROPERTY BY THE MIAMI-DADE COUNTY OFFICE OF THE PROPERTY APPRAISER; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Ruby C. Johnson, Purchasing Manager*

**[TAB K]**

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CREATING A NEW CHAPTER 21 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES ENTITLED “CODE COMPLIANCE” TO UPDATE, ORGANIZE, AND CLARIFY THE FUNCTION

OF THE CODE COMPLIANCE PROCESS FOR THE CITY OF NORTH MIAMI SUBSEQUENT TO THE RECENT AMENDMENT OF CHAPTER 2 ENTITLED “ADMINISTRATION”, RECENTLY APPROVED BY THE MAYOR AND CITY COUNCIL; PROVIDING FOR CONFLICTS, REPEAL, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*Sponsored by: City Administration*

## **11. REQUESTS – PETITIONS – COMMUNICATIONS**

### **[TABLE]**

DISCUSSION AND APPROVAL REGARDING HOLIDAY LIGHTS FOR THE ENCHANTED PLACE HOMEOWNERS ASSOCIATION.

*Sponsored by: Vice Mayor Scott Galvin*

## **12. COUNCIL REPORTS**

Councilwoman Carol Keys, Esq.  
Vice-Mayor Scott Galvin  
Councilman Philippe Bien-Aime  
Councilwoman Marie Erlande Steril  
Mayor Lucie M. Tondreau

## **13. CITY CLERK’S REPORT**

## **14. CITY ATTORNEY’S REPORT**

## **15. CITY MANAGER’S REPORT**

## **16. ADJOURNMENT**

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125<sup>TH</sup> STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK’S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125<sup>TH</sup> STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

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**ALCOHOLIC BEVERAGE SYMBOLS**

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

**ZONING SYMBOLS**

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

**ZONING SYMBOLS (continue)**

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District