SUMMARY MINUTES

REGULAR COUNCIL MEETING

September 9, 2014

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday September 9, 2014, beginning at 7:20 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

Acting Mayor Bien-Aime	Here
Councilman Galvin	Here
Councilwoman Keys	Here
Councilwoman Steril	Here

PLEDGE OF ALLEGIANCE

- Brandon Guy, Student at Johnson & Wales University

INVOCATION

- Pastor Gregory Toussaint, Tabernacle of Glory

SPECIAL PRESENTATION(s)

- Certificate of Recognition in honor of Hispanic Heritage 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

Wisler Pierre-Louis, Public Works Director, gave a brief report to Council; updates on various projects in the City.

HURRICANE PREPAREDNESS

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

Additions, Deletions or Withdrawals

- **Tabs H – Removed**
- **Tab Y – Removed**
- **Tax X - Moved after the consent agenda**
- **Tab S - Moved after Tab X**

CONSENT AGENDA

Aleem Ghany, City Manager, removed Tab H, Tab Y and moved Tab X after the consent agenda for discussion. Councilman Galvin motioned to move Tab S after Tab X and seconded by Councilwoman Keys; **passed 4-0**

TABS A THROUGH J

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – July 8, 2014

TAB B – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI POLICE DEPARTMENT AND THE MIAMI-DADE COUNTY POLICE DEPARTMENT TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT'S PARTICIPATION IN THE "MULTI-AGENCY TASK FORCE"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB C – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT, BETWEEN THE CITY OF NORTH MIAMI AND THE

SCHOOL BOARD OF MIAMI-DADE COUNTY PROVIDING FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE BETWEEN THE NORTH MIAMI POLICE DEPARTMENT AND THE MIAMI-DADE SCHOOLS POLICE DEPARTMENT"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB D – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING A CERTIFICATE OF PARTICIPATION WITH MIAMI-DADE COUNTY FOR A EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB E – PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SUBMISSION 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 STATE DIVISION OF LIBRARY AND INFORMATION SERVICES FOR A STATE AID TO LIBRARY GRANT (2014-2015); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB F - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; RATIFYING THE SUBMISSION 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 TARGET CORPORATION FOR A TARGET EARLY CHILDHOOD READING GRANT TO BE USED TOWARD THE NORTH MIAMI PUBLIC LIBRARY PRIME TIME FAMILY PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB G - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; RATIFYING THE SUBMISSION 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 HUMANITIES COUNCIL FOR GRANT FUNDS TO BE USED TOWARD THE NORTH MIAMI PUBLIC LIBRARY PRIME TIME FAMILY

PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB H - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; RATIFYING THE SUBMISSION 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 HOME DEPOT FOUNDATION FOR A COMMUNITY IMPACT GRANT TO BE USED TOWARD COMMUNITY GARDENS IN THE CITY OF NORTH MIAMI"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB I - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; SUPPORTING AN AMENDMENT TO THE FLORIDA CONSTITUTION TO GRANT AN EXPLICIT RIGHT TO VOTE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

TAB J - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA; CANVASSING THE RETURNS AND CERTIFYING THE RESULTS OF AN ELECTION FOR MAYOR OF THE CITY OF NORTH MIAMI, HELD ON AUGUST 26, 2014; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

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

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

QUASI-JUDICIAL ITEM(S)

RESOLUTIONS

TAB K - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE CITY MANAGER'S PURCHASE ORDER PURSUANT TO RESOLUTION NO. 2014-R-56, FOR THE PURCHASE

AND DELIVERY OF UNLEADED GASOLINE AND DIESEL FUEL FOR CITY OWNED VEHICLES FROM MACMILLAN OIL COMPANY OF FLORIDA INC., IN THE AMOUNT NOT TO EXCEED ONE MILLION DOLLARS ($1,000,000.00) PER YEAR, IN ACCORDANCE WITH THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP - RFP NUMBER 14-A-035, AS AMENDED, IN ORDER TO MAINTAIN A CONTINUOUS SUPPLY AND DELIVERY OF MOTOR FUEL AS REQUIRED FOR CITY OPERATIONS"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Steril. Council voted; **passed 4-0**.

TAB L - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE EXECUTION OF THE ATTACHED AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND COOL-BREEZE AIR CONDITIONING CORPORATION, PURSUANT TO RESOLUTION NO. 2014-R-56, FOR THE REMOVAL AND REPLACEMENT OF TWO (2) AIR CONDITIONING CHILLERS FOR THE POLICE DEPARTMENT BUILDING AT A COST NOT TO EXCEED TWO HUNDRED NINETEEN THOUSAND FOUR HUNDRED FIFTY-THREE DOLLARS ($219,453.00), IN ACCORDANCE WITH INVITATION FOR BIDS NO. 42-13-14 POLICE DEPARTMENT (2) CHILLER AND CONTROLS REPLACEMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0**.

TAB M - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE EXECUTION OF THE ATTACHED AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND ROADWAY CONSTRUCTION, LLC, PURSUANT TO RESOLUTION NO. 2014-R-56, FOR THE ENGINEERING, CONSTRUCTION AND COMMISSION OF A FORCE MAIN AT A COST NOT TO EXCEED THREE HUNDRED FORTY-NINE THOUSAND FOUR HUNDRED SIXTY-EIGHT DOLLARS AND FORTY-FOUR CENTS ($349,468.44), IN ACCORDANCE WITH INVITATION FOR BID NO. 33-13-14 NORTHWEST (NW) 2ND AVENUE - FORCE MAIN IMPROVEMENT

PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0**.

TAB N - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ATTACHED WATER FACILITIES PLAN ADDENDUM TO THE CITY OF NORTH MIAMI WATER DISTRIBUTION SYSTEM AND STORAGE SYSTEM EVALUATION, TO ADDRESS FINANCIAL AND ENVIRONMENTAL ISSUES RELATING TO THE PROPOSED WATER DISTRIBUTION AND STORAGE SYSTEMS AND WATER METER UPGRADE SO AS TO OBTAIN FUNDING FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ("FDEP") STATE REVOLVING FUND ("SRF"), IN ACCORDANCE WITH FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. Public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Keys. Council voted**; passed 4-0** by roll call vote**.**

TAB O - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NORTH MIAMI AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC. APPROVING A TWO PERCENT (2%) COST OF LIVING INCREASE FOR ALL BARGAINING UNIT EMPLOYEES EFFECTIVE AUGUST 1, 2014; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Councilwoman Steril. Council voted**; passed 4-0** by roll call vote**.**

TAB P - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE EXECUTION OF A SOFTWARE MAINTENANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND NEW WORLD SYSTEMS CORPORATION, AS REQUIRED FOR THE POLICE

DEPARTMENT'S COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) SOFTWARE PROGRAM, PURSUANT TO RESOLUTION NO. 2008-89 AND CORRESPONDING STANDARD SOFTWARE LICENSE AND SERVICE AGREEMENT, AT A COST NOT TO EXCEED ONE HUNDRED FORTY-SEVEN THOUSAND FIVE DOLLARS AND SEVENTY-TWO CENTS ($147,005.72) FOR THE PERIOD COMMENCING OCTOBER 1, 2014, THROUGH SEPTEMBER 30, 2015"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0.**

TAB Q - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A FINAL PLAT FOR CERTAIN PROPERTIES WITHIN THE CITY OF NORTH MIAMI, SITUATED ON THE SOUTHEAST QUADRANT OF THE INTERSECTION OF NORTHEAST 151ST STREET AND NORTHEAST 20TH AVENUE, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 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. No public discussion. Moved for approval by Councilman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0**.

TAB R - PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING 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 THE LITTLE HAITI HOUSING ASSOCIATION, INC., D/B/A HAITIAN AMERICAN COMMUNITY DEVELOPMENT CORPORATION, FOR THE ACQUISITION, DEMOLITION AND DEVELOPMENT OF FOUR (4) NEW TOWNHOUSES AT A COST OF SIXTY-ONE THOUSAND ONE HUNDRED NINETY-SEVEN DOLLARS ($61,197.00) FROM HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS, TO HELP FINANCE AFFORDABLE HOUSING IN ACCORDANCE WITH THE 2012-2013 AND 2013-2014 FISCAL YEAR ACTION PLAN"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk read the title for the record. Linda Charles of Little Haiti Housing Association gave a brief report to Council. No public discussion. Moved for approval by Councilman Galvin for discussion and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0**.

LEGISLATIVE MATTERS – (NONE)

ORDINANCES – SECOND READING AND PUBLIC HEARING – (NONE)

ORDINANCES – FIRST READING – (NONE)

TAB S - PROPOSED ORDINANCE (FIRST READING) DELETING ALL REFERENCES TO THE PROHIBITION AND VIOLATION OF THE SELLING, PURCHASING, ACQUIRING OR MAINTAINING PIT BULLS WITHIN THE BORDERS OF THE CITY OF NORTH MIAMI AND THEREBY REPEALING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED "ANIMAL CONTROL," AT ARTICLE II ENTITLED "DOG CONTROL" AND SECTION 4-27, ENTITLED "PIT BULL DOGS PROHIBITED"; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Mr. Etienne read the title for the record. Aletha Player of Florida Power & Light and Timothy Holloway, MDCPS School Board Member, gave a brief report to Council. Public discussion. Council discussion.

Motion made by Councilman Galvin and seconded by Councilwoman Steril. Council discussion. Council voted; **passed 4-0**.

TAB T - PROPOSED ORDINANCE (FIRST READING) AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES, ENTITLED "OFFENSES" TO PROVIDE FOR THE RELOCATION OF ARTICLE V ENTITLED "BURGLAR ALARMS" INTO CHAPTER 13 OF THE CODE OF ORDINANCES"; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval by Councilman Galvin and seconded by Acting Mayor Bien-Aime. Council voted; **passed 4-0 by roll call vote**.

TAB U - PROPOSED ORDINANCE (FIRST READING) ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP,

FOR THE LOTS LOCATED AT 1401 NORTHEAST 123RD STREET, OTHERWISE DESCRIBED AS A PORTION OF LOTS 9, 10 AND 11 OF BETHEA SUBDIVISION, FROM HIGH DENSITY RESIDENTIAL TO INDUSTRIAL LAND USE DESIGNATION, IN ORDER TO ALLOW FOR THE FUTURE EXPANSION OF AN EXISTING BUSINESS, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT SMALL SCALE LAND USE PLAN AMENDMENT, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval to contuse item after the November 4, 2014, election by Councilman Galvin and seconded by Councilwoman Steril. Council voted; **passed 4-0**.

QUASI-JUDICIAL ITEM(s) –

TAB V - PROPOSED ORDINANCE (FIRST READING) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF THE LOTS LOCATED AT 1401 NORTHEAST 123RD STREET, OTHERWISE DESCRIBED AS A PORTION OF LOTS 9, 10 AND 11 OF BETHEA SUBDIVISION, FROM THE CURRENT R-6 (RESIDENTIAL) ZONING DESIGNATION TO M-1 (INDUSTRIAL) ZONING DESIGNATION, IN ORDER TO ALLOW FOR THE FUTURE EXPANSION OF AN EXISTING BUSINESS, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk read the title for the record. No public discussion. Moved for approval to contuse item after the November 4, 2014, election by Councilman Galvin and seconded by Councilwoman Steril. Council voted; **passed 4-0.**

REQUESTS – PETITIONS – COMMUNICATIONS

TAB W -DISCUSSION REGARDING CO-DESIGNATING A SECTION OF NE 131 STREET IN HONOR OF RICHARD AND CHERRY COOK.

Acting Mayor Bien-Aime proposed to collect 5 signatures of current residence in the area and to prepare a resolution for consideration at the next Council Meeting.

TAB X - DISCUSSION REGARDING THE LIFE / SAFETY ISSUE OF THE DOWNED POWER POLES IN KEYSTONE.

TAB Y - DISCUSSION REGARDING THE MAYORAL RUN-OFF ELECTION.

Item removed.

CITIZENS' FORUM

A variety of residents spoke on issues of interest. Council discussion.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT - Gave a report

CITY ATTORNEY'S REPORT - (NONE)

CITY MANAGER'S REPORT – Gave a report

ADJOURNMENT

Meeting adjourned at 9:54 pm.