

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR COUNCIL MEETING

TUESDAY, JULY 14, 2015
7:00 P.M.

1. CALL TO ORDER / ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

(Sgt. James Mesidor, North Miami Police Department)

3. INVOCATION

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

5. SPECIAL PRESENTATION(s)

◆ Certificate of Recognition to the *Youth Opportunity Board (Y.O.B.) students* for their participation in the field trip to the Port of Miami Tunnel and recognition to *Mr. Hodgkins, Port of Miami* for hosting a special tour to the Y.O.B. students.

◆ Presentation by *State Representative Joe Geller, District 101*, regarding Special Sessions on 2015 Legislative update.

◆ Recognition to Employee of the Quarter, Spring 2015, *Alberte Bazile-Durandisse, Legal Assistant, Office of the City Attorney.*

◆ Distinguish Service Award to *Officer Niel Johnson* by *William Welsh, President of Sans Souci Homeowners Organization.*

◆ Certificate of Recognition in honor of *National Parks & Recreation Month*

6. CITY PROJECTS UPDATE – [NONE]

7. HURRICANE PREPAREDNESS

8. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH F 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 F BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – June 23, 2015

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION BETWEEN THE CITY OF NORTH MIAMI AND THE CITY OF NORTH MIAMI BEACH, IN SUBSTANTIALLY THE ATTACHED FORM, TO PROVIDE FOR ADEQUATE LEVELS OF POLICE SERVICES; FURTHER AUTHORIZING THE CITY MANAGER AND POLICE CHIEF TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Leonard Burgess, Chief of Police

[TAB C]

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 UNITED STATES DEPARTMENT OF JUSTICE FOR GRANT FUNDS FROM THE COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND GLOBAL GREEN USA TO SECURE A 2015 SUSTAINABLE NEIGHBORHOOD ASSESSMENTS GRANT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMITTAL OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA LEAGUE OF MAYORS, INC., TO SECURE A CITY CATALYST GRANT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Mayor Smith Joseph, D.O., Pharm.D

[TAB F]

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 FROM JULY 15, 2015 THROUGH AUGUST 24, 2015; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

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

9.A. RESOLUTIONS

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CONDEMNING THE DOMINICAN REPUBLIC'S IMPENDING MASS DEPORTATION OF HAITIAN IMMIGRANTS; URGING THE DOMINICAN REPUBLIC TO COMPLY WITH INTERNATIONAL HUMAN RIGHTS LAW AND HALT ALL IMPENDING DEPORTATIONS; AND FURTHER URGING THE OBAMA ADMINISTRATION TO USE ITS POLITICAL AND ECONOMIC LEVERAGE TO GET DOMINICAN AUTHORITIES TO REVERSE COURSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Councilman Alix Desulme

Co-Sponsored by: Mayor Smith Joseph, D.O., Pharm.D

[TAB H]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF RIC-MAN CONSTRUCTION FL, INC., AS THE LOWEST-RESPONSIBLE CONTRACTOR TO FURNISH ALL MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE, AND SERVICES REQUIRED FOR THE INSTALLATION AND REHABILITATION OF SANITARY SEWER LINING AT LOCATIONS DESIGNATED BY THE CITY MANAGER; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT TO COMPLETE THE PROJECT, IN THE APPROXIMATE AMOUNT OF TWO MILLION DOLLARS (\$2,000,000.00) FOR THE FIRST INITIAL TERM OF ONE (1) YEAR, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE SANITARY SEWER LINING & REHABILITATION IFB NO. 25-04-15; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Shannon Graham, Purchasing Manager

[TAB I]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO NEGOTIATE AND EXECUTE A POLICE VEHICLE LEASE-TO-PURCHASE AGREEMENT WITH BANCORP BANK WITH A TERM OF THIRTY-SIX (36) MONTHS, FOR THE INITIAL LEASE-PURCHASE OF TWENTY THREE (23) 2016 FORD UTILITY POLICE INTERCEPTORS, ONE (1) 2016 FORD SEDAN POLICE INTERCEPTOR AND ONE (1) 2016 FORD TRANSIT 250, RESERVING THE OPTION OF TWO (2) ONE-YEAR RENEWALS TO INCLUDE ADDITIONAL VEHICLES FOR LAW ENFORCEMENT USE BY THE NORTH MIAMI POLICE DEPARTMENT, AT AN AGGREGATE COST OF ONE MILLION FIFTY-SEVEN THOUSAND NINE HUNDRED NINETY-THREE DOLLARS AND NINETY-TWO CENTS (\$1,057,993.92) PAYABLE FROM THE FLEET VEHICLE REPLACEMENT FUND AND RESERVE FUND IN THREE (3) YEARLY INSTALLMENTS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION TO BID POLICE VEHICLE LEASING ITB NO. 20-03-15; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Shannon Graham, Purchasing Manager

[TAB J]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH OLETA PARTNERS, LLC, IN SUBSTANTIALLY THE ATTACHED FORM, TO AMONG OTHER THINGS, TRANSFER THE GROUND WATER REMEDIATION SYSTEM ASSETS, ALONG WITH THE OBLIGATION AND RESPONSIBILITY TO OPERATE, MAINTAIN, MODIFY AND MONITOR THE GROUNDWATER REMEDIATION SYSTEM FROM THE CITY OF NORTH MIAMI TO OLETA PARTNERS, LLC; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

[TAB K]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND ADOPTING THE NORTH MIAMI FIVE-YEAR 2015-2019 CONSOLIDATED PLAN AND THE FISCAL YEAR 2015-2016 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager

9.B. LEGISLATIVE MATTERS

9.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB L]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5,

OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “BUILDING STANDARDS AND REGULATIONS”, BY AMENDING ARTICLE IV, ENTITLED “MINIMUM HOUSING STANDARDS”, SPECIFICALLY AT SECTION 5-30, ENTITLED “OCCUPANCY STANDARDS” TO PROHIBIT THE ADVERTISEMENT OF RENTALS OF SINGLE FAMILY HOMES FOR PERIODS OF LESS THAN THREE MONTHS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

*Sponsored by: Vice-Mayor Carol Keys, Esq.
Co-sponsored by: Councilman Scott Galvin*

[TAB M]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 12, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “NUISANCES”, BY AMENDING ARTICLE III, ENTITLED “MAINTENANCE OF SWALE AREAS”, SPECIFICALLY AT SECTION 12-10, ENTITLED “STANDARD OF MAINTENANCE” TO PROHIBIT THE PLACEMENT OF SWINGS AND SIMILAR APPARATUS ON TREES IN THE SWALE AREA; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Sponsored by: City Administration

9.B.2. ORDINANCES – FIRST READING – [NONE]

9.C. QUASI-JUDICIAL ITEM(S) – [NONE]

10. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB N]

COMMUNICATION REGARDING LOCAL PREFERENCE EFFORTS WITH THE PROJECT FORMERLY KNOWN AS BISCAYNE LANDING, MILLENIUM INVESTMENTS GROUP OF NORTH MIAMI, LLC BY *BARRON CHANNER*.

Sponsored by: Councilman Alix Desulme

[TAB O]

DISCUSSION REGARDING CAGNI PARK.

Sponsored by: Councilman Scott Galvin

[TAB P]

DISCUSSION REGARDING BRYNWOOD CONDOMINIUM LIFT STATION LOCATED AT N.E. 105 STREET – FORCE MAIN INCIDENT CLAIM.

Sponsored by: Councilman Scott Galvin

[TAB Q]

DISCUSSION REGARDING LEASE OF THE CITY’S PARKING LOT LOCATED ALONG N.E. 18th AVENUE FROM 144th STREET TO 146th STREET TO AUDI DEALERSHIP FOR A PERIOD OF 20 MONTHS, DURING ITS CONSTRUCTION.

Sponsored by: City Manager

[TAB R]

DISCUSSION AND DIRECTION/DECISION TO THE CITY MANAGER WITH REGARD TO THE CITY ATTORNEY POSITION.

Sponsored by: Vice Mayor Carol Keys, Esq.

[TAB S]

DISCUSSION AND APPROVAL OF PROPOSED DATE FOR FIRST BUDGET HEARING OF THURSDAY, SEPTEMBER 10, 2015 AND SECOND BUDGET HEARING OF THURSDAY, SEPTEMBER 24, 2015, RESPECTIVELY, AND SET TENTATIVE MILLAGE RATE.

Sponsored by: City Administration

[TAB T]

DISCUSSION AND CONSIDERATION TO RESCHEDULE THE REGULAR COUNCIL MEETING OF TUESDAY, SEPTEMBER 22, 2015 TO MONDAY, SEPTEMBER 21, 2015 AS A SPECIAL MEETING DUE TO YOM KIPPUR HOLIDAY WHICH COMMENCES AT SUNDOWN.

Sponsored by: City Administration

11. CITIZENS' FORUM

12. COUNCIL REPORTS

Mayor Smith Joseph, D.O., Pharm.D.
Vice Mayor Carol Keys, Esq.
Councilman Philippe Bien-Aime
Councilman Alix Desulme
Councilman Scott Galvin

13. CITY CLERK'S REPORT

[TAB U]

BOARD AND COMMITTEE APPOINTMENTS

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. 125TH 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. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

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