

**CITY OF MIAMI GARDENS  
REGULAR CITY COUNCIL MINUTES  
JANUARY 11, 2012**

**(A) CALL TO ORDER/ROLL CALL**

The City Council for the City of Miami Gardens, Florida, met in a regular session, Monday, January 11, 2012, beginning at 7:05 p.m., in the City Council Chambers, 1515 NW 167th Street, Building 5, suite 200, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Aaron Campbell Jr., and Council members Lisa C. Davis, Felicia Robinson and Oliver G. Gilbert. Councilmen David Williams Jr. and Andre Williams arrived at 7:08 p.m.

Also in attendance were: City Manager Dr. Danny O. Crew, City Attorney Sonja K. Dickens and Deputy City Clerk Mario Bataille sitting in for City Clerk Ronetta Taylor who was not present due to illness.

**(B) INVOCATION**

Councilwoman Robinson delivered the Invocation.

**(C) PLEDGE OF ALLEGIANCE**

Pledge of Allegiance recited in unison.

**(D) APPROVAL OF MINUTES**

**Regular City Council Minutes – October 26, 2011**

Motion offered by Councilman Gilbert, seconded by Councilwoman Davis to approve the minutes. This motion passed and carried by a unanimous voice vote.

**Regular City Council Minutes – December 14, 2011**

Motion offered by Councilman David Williams Jr., seconded by Councilwoman Robinson to approve the minutes. This motion passed and carried by a unanimous voice vote.

**(E) ORDER OF BUSINESS (Items to be pulled from Consent Agenda at this time)**

The following Items were added to the consent agenda

**K-11) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA CANCELLING THE FEBRUARY 1, 2012 ZONING MEETING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.(SPONSORED BY THE CITY MANAGER)**

**K-12) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, NAMING THE NEW CITY HALL**

**BUILDING TO BE LOCATED ON NORTHWEST 27TH AVENUE, AS “SHIRLEY M. GIBSON CITY HALL”; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.(SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)**

Councilman Andre Williams pulled Item K-6 from the Consent Agenda

Councilman Gilbert pulled Item K-9 from the Consent Agenda

Motion offered by Councilwoman Robinson, second by Councilwoman Davis to amend the official agenda with the necessary additions/deletions/changes. This motion passed and carried by a unanimous voice vote.

**(F) SPECIAL PRESENTATIONS (5 minutes each)**

F-1) Councilwoman Lisa C. Davis/Councilman Oliver G. Gilbert – Norland Football Team. This item was deferred to the February 8, 2012 City Council meeting.

F-2) Councilman David Williams Jr., - City of Miami Gardens Science/Engineering Fair participants.

Councilman David Williams Jr., acknowledged the outstanding contributions and support of the participating schools Principals. Councilman David Williams Jr., and members of the City Council presented Certificates of Appreciation to the Principals, teachers and student participants of the First Annual City of Miami Gardens Science/Engineering Fair.

Councilman Gilbert commended Councilman David Williams Jr., for this initiative. He said these students are the future designers of computer chips, and airplane engines. These are the people that will take us into the next millennium.

Councilman David Williams Jr., announced the City’s Oratorical Contest has been extended to Monday, January 16, 2012. He shared there are cash awards for the contest winners and encouraged schools interested to participate.

Councilman Gilbert shared that an item was added to the Consent Agenda, which he wanted to share with those present for this presentation. The item names the City Hall building, which the city is building. He shared Mayor Shirley Gibson is one of the people who spearheaded the incorporation of the city. When this resolution is adopted it will name the city hall the Shirley M. Gibson City Hall Complex.

**(G) PUBLIC COMMENTS**

Princess Bass, 2255 Bunche Park West Drive, Miami Gardens, Florida, a representative for Bunche Park Optimist Club, appeared before the City Council to comment on Item H-1. She conveyed support of the coaches with prior felony convictions volunteering on Bunche Park.

She shared there was a shooting incident on Bunche Park this past year. Those coaches got the children safely off the park. She said her son is a participant in the youth sports program at Bunche Park and would not trust his well being with any other man than the volunteer coaches on this park. This includes the ones with and without felony convictions.

Kevin Brown, 3115 NW 157<sup>th</sup> Street, Miami Gardens, Florida, appeared before the City Council to comment on Item H-1, and on behalf of coaches who molded him into the individual he is today. He said the volunteer coaches at Bunche Park are more than just coaches; they are father figures and role models. He said he was impacted by those volunteers in a very positive way. He expressed hope that this situation can be resolved amicably and that the coaches will be allowed to continue their good work.

Flora Johnson, 1910 NW 16rd Street Road, Miami Gardens, Florida, appeared before the City Council to express concern with the Miami-Dade Charter amendment referendum, as well as the City of Miami Gardens' referendum, on the January 31, 2012 Special Election Ballot. She asked that the Council set up meetings with the local churches or senior meetings to explain the proposed amendments.

Mark Brown, 1860 NW 89<sup>th</sup> Terrace, Miami, Florida, Founding President of the Black Bikers Association appeared before the City Council to thank everyone who came out and participated in the annual toy run held December 18, 2011. Over 500 hundred toys were given away. He further thanked the City of Miami Gardens Police Department and its officers for doing an outstanding job during this event.

Patricia Lightfoot, 2750 NW 172<sup>nd</sup> Terrace, Miami Gardens, Florida, appeared before the City Council to thank the Council members for what they have done over the years. She conveyed a special thanks to Councilwoman Davis for her support of the CAC. She addressed her comments to Item H-1 and stated that she is not against someone trying to re-arrange their life, and get back into society after something has happened. She stated for the record that she supports this ordinance. She opined background checks should be done once a year and the perimeters should be tightened.

Dr. Lester Brown, 18801 NW 29<sup>th</sup> Court, Miami Gardens, Florida, appeared before the City Council to provide words of encouragement. He commended the Council members for their outstanding contributions to this community and their constituents, thus far. He further commended Councilman David Williams Jr., for what he is doing to help our children.

Daryle Heidelberg, 2231 NW 196<sup>th</sup> Terrace, Miami Gardens, Florida, head football coach of Miami Norland Senior High School, appeared before the City Council to comment on Item I-1. He shared that he is a direct product of Miami Gardens. He suggested the City of Miami Gardens establish a program for individuals with felony convictions who want to volunteer to coach our youth, to go through and complete before being allowed to volunteer.

Jester Bailey, 3831 NW 172<sup>nd</sup> Terrace, Miami Gardens, Florida, volunteer Head Coach Miami Gardens Vikings, appeared before the City Council and shared that he is one of the

coaches affected by this ordinance. He shared that the city had nine (9) teams to go to the Super Bowl. Seven (7) teams won, and out of that seven (7), five (5) teams won the National Championship.

Rosetta Rolle Hylton, appeared before the City Council to comment on Item H-1. She stressed the importance of setting perimeters. She opined some of the best people to teach those who might be going astray are people who have suffered; people who went to jail at ages 14 and 15, did their time. They are the best ones that can tell a young man what it is like when that door slams. She shared that she has personal experience and relationships with young men who made mistakes when they were teenagers; some of which did 15-16 years in prison have come out, gone to school and gotten degrees. She opined if we want to do the right thing, we can have rules and guidelines.

**(H) ORDINANCE(S) FOR FIRST READING:**

**H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE IV OF CHAPTER 18 OF THE CITY'S CODE OF ORDINANCES ENTITLED "THE SHANNON MELENDI ACT"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE (SPONSORED BY MAYOR SHIRLEY GIBSON)**

Mayor Gibson passed the gavel to Vice Mayor Campbell before explaining her sponsorship of this item.

Motion offered by Mayor Gibson, seconded by Councilman David Williams Jr., to adopt this item on first reading.

Mayor Gibson stated that she has heard some moving comments from some of the people who spoke before the Council tonight. When this item came before the Council, July 2011, she had voted for this item. It was really difficult for her when she voted for this item the last time. She shared that she had asked a lot of questions about this item because she was really very concerned about it. Subsequently, she has learned a lot more about this item since she first voted on it in July. She said the city has over three hundred (300) volunteers in its parks. This situation would impact 26% of that number. We also need to look at people who are volunteering and why we actually made that change in July, which she did not realize until recently. That change was made due to personal reasons and for certain coaches. She said the item before the Council tonight is not about any particular coach on any particular team or any particular park. She reiterated this is not personal and she wanted to make sure the coaches know this. She said she was talking about what we do in this city since its incorporation and some of the reason why we incorporated in the first place.

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Mayor Gibson stated, “I have grown increasingly concerned with the rise in gun violence over the summer in this community; two incidents occurred on our public parks, one was a homicide and another a random shooting in which an 11-year old football participant and three other patrons were shot.

In response to these activities, I challenged our community to step up and no longer accept violence, and crime, and to take back our parks and our streets. Take back the streets by no longer remaining silent when they see crime, I called it a “neighborhood call to action.”

I asked the residents of this community to raise the standards of what we will accept. This led me to think long and hard about the standards that we are setting for volunteers on our parks that we entrust to work everyday with our children.

I must say that with some reservation that I voted to change our volunteer background-screening ordinance, I felt that maybe it was the will of the people present, but as elected officials, I think that we have to balance the populist sentiment with the potential impact that a policy decision has on both current and future constituents.

We as a Council have worked hard to raise the standard of living in this community, I concede that it is an uphill battle, but as leaders we have always set high standards and our community has consistently strived to live up to them.

In this instance I do not believe that we did that, I think that we gave into the idea that people with criminal pasts should be able to shape young minds, or maybe that volunteers with a past were the only people who would dedicate their time to our parks, or finally that these volunteers have been doing it for 25 or more years...so why change it.

I vividly recall that we discussed on the dais that volunteers with a criminal past may be in a better position to be a role model because they can tell our children **what not to do**, well I say that this Council should promote parents as role models and not give in to this idea that **our** children can only learn through the harsh reality of the streets.

City of Miami Gardens Youth Sports represents the future of this community, and it belongs to all of us, it does not belong to any one individual. **This is** the program that will groom our future leaders, residents, and business owners of tomorrow and because of this, we must set a high standard.

I ask this Council to remember when we took over our youth sports program, and why we decided to do so. I ask this Council to remember when we adopted the Academic Standards legislation amid much criticism because we wanted our program to be about one thing...Developing the **Student Athlete**.

We did not just want to teach our kids how to get to the Super bowl, we wanted to teach them the fundamentals of the game. We wanted to teach them good sportsmanship, discipline, and integrity. I ask that this Council remember the tenants that we wanted to instill in our program, and I further ask the important question...can we truly accomplish this without **at least**

bring our standards in line with the surrounding communities.

I think we deserve better. I know we can do better; it is for these ideological reasons that I bring forth this amendment to the Parks Volunteer Background Legislation for Council deliberation.”

Councilman Gilbert stated that he sponsored the initial ordinance that changed the background check ordinance. The ordinance he sponsored had standards. He made reference to Mayor Gibson’s comment about neighboring communities. From the information background information provided with this package, some cities were overlooked. The City of Miramar, Miami Beach, and North Miami Beach does it on a case by case basis. Opa-locka has a standard of five (5) years depending on the crime. But they too do it on a case by case basis. He opined Miami Gardens’ standards by no way, the most lax in the area. He shared as a former prosecutor who prosecuted individuals that did something wrong, and as punishment they were sent to prison. The system punished them for doing that thing that is wrong. But in this community when you do something wrong, and get out and actually change your life, you ought to have the opportunity to recommit yourself to being a full participant in our community. He opined it is extraordinary ironic when this Council said it would not discriminate in the hiring of former felons. The city will hire former felons because a lot of us know former felons. We have people in our families, our neighbors who have committed crimes and have righted themselves, fixed their lives and need to be re-acclimated into society. It is ironic that we will hire them but we will not allow them to give away their time. He shared that he knows a number of the coaches and the kids because he goes to the parks. He said there is this myth that there is this great number of individuals just waiting to volunteer. They are not there because that is a myth. He said if you go to the parks you will see the way the coaches interact with the kids and the parents. In many instances the coaches are visiting the schools. In an ideal world, parents would do all the parenting. Miami Gardens is not an ideal world. He said when we talk about standards he does not look at someone that has committed a crime as someone lower than himself, but rather someone who has made a mistake.

Councilman Gilbert said the proposed ordinance prohibits anyone who has committed two felonies in their entire life from volunteering. He shared the ordinance he originally proposed stated that if an individual has not committed a felony in ten years, they can coach again. He said this is a number he proposed after talking with people at the Department of Corrections. He said he had this discussion with the Department of corrections because he wanted to know at what point they stopped looking at people to recommit. He said he understand Mayor Gibson’s view. There were two incidents of violence in our parks over a very, very violent summer. He opined we should be talking about is how we perceive the violence overall in the City of Miami Gardens. While there were two incidents on the park and in one incident there were kids on the park, the incidents were not related to the youth sports program, nor were they related to the coaches. He said it was a tragedy what happened on our park. It had to do with the criminal element in that neighborhood, which the city needs to address. If we are really going to talk about raising the standards, let’s talk about having weekly crime watch walks in Bunche Park. Let’s not try to confuse the issue by saying because somebody got in trouble once that must mean by allowing them to coach is lowering the standards because I dare

not put myself that high. He stated opposition to this ordinance.

Councilman Andre Williams stated that he voted against the ordinance proposed July 2011. He conveyed appreciation of Mayor Gibson's leadership on this issue and shared that she echoed a lot of the things he was thinking when he voted against the item. He stated that he believe in redemption and second opportunities, and supported the hiring ex-felons to work for the City of Miami Gardens. He further shared that he owns a small business in Miami Gardens and he hires ex-felons. However, he does not cut corners when it comes to our children. He stated soon after this initial ordinance passed, violence erupted at our parks. He said there may not be a direct connection but he was not going to be lax about the issue. He said he would be voting in support of this ordinance. He further asked for comments from the Chief of Police about this issue.

Chief Matthew Boyd appeared before the City Council in response to Councilman Andre Williams' request. He stated in regard to this ordinance from a business perspective he can understand Mayor Gibson wanting a high standard for the city. He said as a police department, there is a responsibility to go out and deal with law enforcement. He stated that he has zero tolerance for any kind of criminal activity. With that being said, when dealing with crime he needs the assistance of the Council, Mayor and all the citizens to deal with these crimes. He said he needs the tools to be successful in the endeavor of fighting crime. If said if he is being given that will hurt the department in trying to deal with crime, you are not making this city any better. He opined from his observation, with the crimes being committed it has not gotten any better, instead it is getting worse. He said he did not need anything out there that would hurt him or the department when dealing with crime. He further stated that he welcomed anything that would help him to deal with crime is welcomed. The charges listed are not crimes being committed by young people, but charges being committed by adults. When you start committing such crimes as robbery, burglary, etc., you made a conscious decision, as an adult to go out and do that. He opined when you make that conscious decision to commit the crime there are going to be some consequences.

Councilwoman Robinson shared that she works with youth every day. She shared when we talk about violence, she has experienced it personally. Just this summer she had her house broken into, shoot-out on her street. Therefore she understands what is happening in the community as far as violence. She opined the youth committing the crimes are not eligible to participate in the city's youth sports program. She further shared that she used to volunteer in the parks and opined when you volunteer you tend to give more of yourself. She said it is important that volunteers be recognized for their efforts. She made reference to comments made by encouraging the retirees to volunteer on the parks. She said that is an excellent idea and would be great, but that doesn't happen. She said it takes a lot to work with those kids. She invited everyone to spend some time at the park to see exactly how much time and effort the volunteers put in. The coaches are committed and in many instances the coaches, parents and kids act as a family unit. She said perhaps the coaches should be screened on a case by case basis. She said the individuals volunteering on the parks are very committed.

Councilman David Williams Jr., made reference to the information provided at asked if

the convictions were separated cases.

Mayor Gibson in response to Councilman David Williams Jr. replied. “Yes they are.”

Councilman David Williams Jr., asked whether any consideration has been given to looking at these cases on an individual basis.

Mayor Gibson said there are 357 volunteers on our parks. She further said the convictions were not made when the individual was 18 and 19 years old, but when they were adults. She said she did not have this information the first time. She said when she look at the number of cases, felonies and violent felonies she was really appalled to know that out of 357 there of 96 people who for whatever reason have not had control...for whatever reason that they did it, that we have to say it’s always totally acceptable. She said when she looked at this information it gave her tremendous concern with the number of serious cases listed.

Councilman David Williams Jr., asked whether a “no valid driver’s license” was a violent crime.

Mayor Gibson said a “no valid driver’s license” is not a violent crime. It is a felony.

Councilman David Williams Jr., said this is what concerns him. This is not a violent crime. He said he would never agree to support anything involving a violent crime.

Councilwoman Robinson asked for clarification on the ordinance currently in effect.

Attorney Dickens in response to Councilwoman Robinson’s inquiry said the current ordinance allows volunteers with felony convictions as long as it was ten years ago. The change was to allow volunteers with two felony convictions as long as it was ten years ago. The other change was to allow the city no matter what to reject anybody from being on the park, at the city’s discretion.

Vice Mayor Campbell said in regard to this amendment, he thinks it is well intended. He opined there seems to be a double standard with regard to volunteers with violent felony convictions. He shared that he has been in law enforcement for many years and has out a lot of people in jail. He said he failed to see how raising the standard is going to have an impact on the problem in Miami Gardens. Even if this passes it is not going to solve the problem of violent crimes in Miami Gardens. That is well beyond this. He said he totally agreed with providing the Chief of Police with the tools to do his job. However, he did not see where this ordinance is going to be a tool because right now, they have tools to enforce the law. He said he was not in support of this amendment.

Councilman Gilbert shared the ordinance that was originally passed gave the city the ability to disqualify anybody from volunteering, for any reason. This ordinance actually takes that out. The reason why that was included was because it was foresaw that there might be a situation where a person even though they may have been clean for ten years, they really did not

need to be on our parks. He said he saw the stats and the crimes are bad, and he did not minimize them. However, those crimes were ten years ago.

Councilwoman Davis shared that she is a single parent, with two daughters whom she has raised alone. Her daughters have never been arrested or gotten into any trouble. She said it is the parent's responsibility to ensure their children receive proper training on what is right and wrong. She conveyed understanding of the coaches' role. She said if this ordinance doesn't pass and something happens, the parents are going to look at the City of Miami Gardens. She said her concern is for the children.

Mayor Gibson directed her comments to Councilman David Williams Jr., and said when he asked about the "invalid driver's license" offense, there were several charges associated with that particular individual (e.g. cocaine possession, selling cocaine, etc.). She said the crimes listed are not just ten years, they five years or less. There are many times, people on the streets are committing crimes, and not ten years ago. When we talk about not being forgiven, she shared that she was the first elected official on this Council that went to the City Manager and said to him, we will have felons working for this city. No having volunteer coaches on the parks is not taking away anybody's job. We are not telling you that you cannot take care of your families. She said she was not saying they could not work with our children. She emphasized the people who we need to develop to influence children's lives are their parents. It is the parents' responsibility to make sure their children do what they need to do. What is it when we need to change some standards in our community, it becomes why cannot, we forgive black folk who look like us. This has nothing to do with forgiving somebody that look like us. It is about where we start and where we want to go. She stated, we said that it starts in the parks, so if this change is going to roll in Miami Gardens, it has to start in the parks. As far as she is concerned, it can start in the parks. She said when something happens to a child, she gets the emails about what she is not doing or the police are not doing to protect the children. This is another step being started to protect our children. She stated are changing standards and when you change them there are going to be some fall out. She conveyed belief that if we change the standard to do it this way, it will benefit all of us. She shared after the last incident people were asking her why there were not enough police officers at the parks. She commented by having every police officer around the park is not making our children safe. She said our children are the most precious asset that we have. If we are going to set some standards, they need to be set. It is not about a coach. It is not about how well you are doing. It is not about how many football games you have won. It is not about the coach at Norland. She said she did not know Mr. Heiledburg, but she said his dad probably would have kicked his behind if he had gotten into trouble. She said she would bet the role models in Mr. Heiledburg's house were not his coach but his dad and his mom. She stressed the importance of setting higher standards and moving this city forward.

There being no further discussion on this item, the motion to adopt on first reading passed and carried by a 4-3 vote.

Councilwoman Lisa Davis:	Yes
Councilman Oliver G. Gilbert III:	No
Councilwoman Felicia Robinson:	No

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Councilman Andre Williams: Yes  
Councilman David Williams Jr.: Yes  
Mayor Shirley Gibson: Yes  
Vice Mayor Aaron Campbell Jr.: No

(I) **ORDINANCE(S) FOR SECOND READING/PUBLIC HEARING(S)**  
None

(J) **RESOLUTION(S)/PUBLIC HEARING(S)**  
None

(K) **CONSENT AGENDA**

**RESOLUTION NO. 2012-01-1596**

K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXPEND TWENTY FOUR THOUSAND (\$24,000.00) FROM THE LAW ENFORCEMENT TRUST FUND TO PURCHASE BALLISTIC VESTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

**RESOLUTION NO. 2012-02-1597**

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN INTERLOCAL AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A", WITH THE METROPOLITAN PLANNING AGENCY FOR THE ACCEPTANCE OF A GRANT AWARD IN AN AMOUNT NOT TO EXCEED SEVENTY-TWO THOUSAND DOLLARS (\$72,000.00) FOR A BICYCLE/PEDESTRIAN MOBILITY PLAN STUDY; AUTHORIZING A MATCH IN FUNDING IN AN AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND DOLLARS (\$18,000.00) FOR THIS PURPOSE; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

**RESOLUTION NO. 2012-03-1598**

K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING VICE MAYOR AARON CAMPBELL, JR.'S RE-APPOINTMENT OF CLAUDETTE BRINSON TO THE NUISANCE ABATEMENT

BOARD FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR AARON CAMPBELL JR.)

RESOLUTION NO. 2012-04-1599

- K-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF SEVENTY THOUSAND, SIX HUNDRED THIRTY-TWO DOLLARS AND EIGHT CENTS (\$70,632.08) TO TYLER TECHNOLOGIES, INC., FOR FISCAL YEAR 2012 EDEN SOFTWARE MAINTENANCE SUPPORT AND LICENSES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2012-05-1600

- K-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY THAT CERTAIN AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS' WORK SQUAD #WS746 FOR PUBLIC WORKS SERVICES IN THE AMOUNT OF FIFTY-EIGHT THOUSAND, FOUR DOLLARS (\$58,004.00), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2012-06-1601

- K-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY THAT CERTAIN AMENDMENT ONE TO THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF MIAMI GARDENS FOR FRICTION TESTING OF TEXTURED ASPHALT PEDESTRIAN CROSSWALKS AT STATE ROAD 7 FROM N.W. 176TH STREET TO N.W. 215TH STREET, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS;

PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

**RESOLUTION NO. 2012-07-1602**

- K-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, OPPOSING ANY REDISTRICTING PROPOSALS FROM THE FLORIDA SENATE OR HOUSE OF REPRESENTATIVES WHICH WOULD DIVIDE THE REPRESENTATION OF THE CITY OF MIAMI GARDENS INTO MULTIPLE STATE HOUSE AND SENATE DISTRICTS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER GILBERT, III)

**RESOLUTION NO. 2012-08-1603**

- K-10) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD FOR THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) FOR THE MIAMI GARDENS HONORS INTERNSHIP PROGRAM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER GILBERT, III)

**RESOLUTION NO. 2012-09-1604**

- K-11) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA CANCELLING THE FEBRUARY 1, 2012 ZONING MEETING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.(SPONSORED BY THE CITY MANAGER)

**RESOLUTION NO. 2012-10-1605**

- K-12) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, NAMING THE NEW CITY HALL BUILDING TO BE LOCATED ON NORTHWEST 27TH AVENUE, AS “SHIRLEY M. GIBSON CITY HALL”; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.(SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)

Motion offered by Councilman Gilbert, seconded by Councilwoman Davis to adopt the Consent Agenda. This motion passed and carried by a unanimous voice vote. Please note

Mayor Gibson was recused from voting on the Consent Agenda (6-0).

**(M) RESOLUTION(S)**

**RESOLUTION NO. 2012-11-1606**

**K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED THE BID TO QUALITY PAVING, INC. IN THE AMOUNT OF TWO HUNDRED FIFTY- SEVEN THOUSAND, ONE HUNDRED TWENTY-SEVEN DOLLARS AND SEVENTY-FIVE CENTS (\$257,127.75), WHICH INCLUDES A TEN PERCENT (10%) CONTINGENCY, FOR THE N.W. 191ST STREET STORMWATER DRAINAGE PROJECT; AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY THAT CERTAIN AGREEMENT WITH QUALITY PAVING CORP., A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Councilman Andre Williams asked for clarification on the bid process and how this particular contract was awarded to this company.

Pam Thompson, Procurement Manager appeared before the City Council in response to Councilman Andre Williams’ inquiry and stated the bid was awarded to the most responsible low bid.

Councilman Andre Williams shared whenever the city awards a bid of any significance, he always asked about hiring unemployed Miami Gardens’ residents. He said from the documentation presented this company is going to make a good faith effort to hire an unemployed resident. He asked whether the bid documents provided that a bidder would get more points if they committed to hiring residents.

Ms. Thompson in response to Councilman Andre Williams’ inquiry said only if they have additional fees.

Councilman Andre Williams asked whether the commitment to hire one unemployed Miami Gardens’ resident is the best this company can do.

Manager Crew said most of these companies have their own basic team that they use. Those individuals are already employed by the company.

Councilman Andre Williams said he understood however, there are unskilled positions available and he is sure this company can hire more than one individual.

Ms. Thompson commented, all we can do is ask.

Motion offered by Councilman Andre Williams, seconded by Councilman Gilbert to adopt this item.

Councilman David Williams Jr., made reference to the documentation provided and asked about the tree provision.

Tom Ruiz, Public Works Director appeared before the City Council in response to Councilman David Williams Jr.'s inquiry and shared that sometime when there are drainage project, there might be trees in the way. Therefore, a line item is required to deal with this type of situation, which might include removal of the tree. In most cases the trees will be planted someplace else.

Vice Mayor Campbell recalled at a previous meeting staff was directed to include in the memorandum whether a company had committed to hiring residents, which has been Councilman Andre Williams' concern.

Manager Crew said that information is provided in the cover memorandum.

Councilman Andre Williams acknowledged seeing the information however, he was concern because it stated the company committed to hiring only one resident.

There being no further discussion, the motion to adopt passed and carried by a unanimous voice vote. Mayor Gibson was not present when this vote was taken (6-0)

**RESOLUTION NO. 2012-12-1607**

- K-9) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING GUIDING PRINCIPLES FOR THE CITY OF MIAMI GARDENS YOUTH SPORTS PROGRAM AS OUTLINED IN THE AGENDA COVER MEMO ATTACHED TO THIS RESOLUTION; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY MAYOR SHIRLEY GIBSON)**

Councilman Gilbert said he thought it was interested that this item talks about what the principals should be for the parks program, city staff, volunteers, parents and spectators, but there were no principals for the City Council, as the policy maker. He offered a friendly amendment as follows "The City Council, and when appropriate, the city administration shall enact policy \_\_\_ we shall continue to provide for the academic, as well as athletic advancement of programs---

Motion offered by Councilman Gilbert, seconded by Councilwoman Davis to amend the

resolution as provided. This motion passed and carried by a unanimous voice vote.

There being no further discussion on the resolution as a whole, the motion to adopt passed and carried by a unanimous voice vote.

**(N) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK**  
No reports.

**(O) REPORTS OF MAYOR AND COUNCIL MEMBERS**

Councilman Gilbert shared heartfelt thoughts about Dexter Foster, a Miami Gardens resident, friend and partner with Skanska, who passed away recently. He said Mr. Foster was an extraordinary individual who will be greatly missed.

Councilwoman Robinson inquired about the Women's Impact Luncheon event, which is a part of the Jazz in the Gardens activities and whether it will impact this year's budget.

Vernita Nelson, Assistant City Manager appeared before the Council in response to Councilwoman Robinson's inquiry, and asked for clarification on the question.

Councilman Robinson clarified that the event last year did not make any money for the City and wanted to know whether this year's event would also impact the budget negatively. She said for some reason she thought this event would not take place this year.

Ms. Nelson said the overall budget approved for this year's Jazz in the Gardens event and activities is approximately 2 Million Dollars. The Women's Impact Luncheon is included as part of this year's event. There are changes being made with regard to the location, speaker selection and sponsorships/.

Councilwoman Robinson said she was in support of Jazz in the Gardens but her concern was she did not want to hold an event that was not going to make Jazz in the Gardens as profitable as it could be.

Renee Crichton, Deputy City Manager appeared before the City Council to further expound on this matter. She said that Councilwoman Robinson's point is well taken and that is why this year's Women's Impact Luncheon is being restructured.

Vernita Nelson, Assistant City Manager appeared before the City Council to highlight the MLK Event scheduled for Monday January 16<sup>th</sup>, at the Betty T. Ferguson Recreational Complex, which will be on the Oratorical aspect, which has taken a forefront to the celebration. There will also be a breakout artist contest. All events will start at 12 noon.

Mayor Gibson announce the second annual Health Fair will take place, Saturday, January 21<sup>st</sup> at the Betty T. Ferguson Recreational Complex. She invited everyone out for this event.

**(P) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN**

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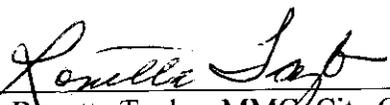
**COMMUNICATIONS FROM THE PUBLIC**

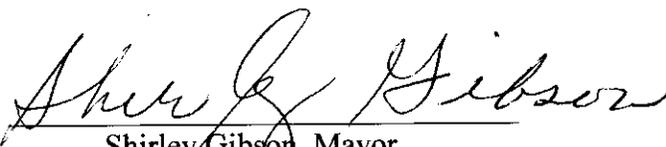
Mayor Gibson requested the written communication from the public be attached the minutes.

**(Q) ADJOURNMENT**

There being no further business to come before this Body, and upon a motion be duly seconded the meeting adjourned at 9:26 p.m.

Attest:

  
\_\_\_\_\_  
Ronetta Taylor, MMC, City Clerk

  
\_\_\_\_\_  
Shirley Gibson, Mayor