

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

(A) CALL TO ORDER/ROLL CALL

The City Council for the City of Miami Gardens, Florida, met in regular session, Wednesday, July 11, 2012, beginning at 7:10 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, and Council members Aaron Campbell Jr., Lisa C. Davis, André Williams, Felicia Robinson and David Williams Jr. Vice Mayor Oliver G. Gilbert arrived at 7:15pm

Also in attendance were: City Manager Dr. Danny O. Crew, City Attorney Sonja K. Dickens and City Clerk Ronetta Taylor.

(B) INVOCATION

Invocation delivered by Councilwoman Davis.

(C) PLEDGE OF ALLEGIANCE

Recited in unison.

(D) APPROVAL OF MINUTES

Regular City Council Meeting – June 24, 2012

Motion offered by Councilman David Williams Jr., seconded by Councilwoman Davis to approve the minutes, with necessary corrections, if any. This motion passed and carried by a unanimous vote.

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

Motion offered by Councilman David Williams Jr., seconded by Councilwoman Davis to approve the official agenda, as presented. This motion passed and carried by a unanimous voice vote.

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) Councilman David Williams Jr. – Carol City Community Center Inc.

Councilman David Williams Jr. introduced Anthony Brunson, President of the Carol City Community Center Inc.

Anthony Brunson presented a check to the City of Miami Gardens in the amount of \$10,883 for the benefit of the Betty T. Ferguson Community Center. He continued shared the

vision of the Carol City Community Center Inc. was to serve as a source of private donations with the core mission of serving the Community Center. Lastly, he thanked the City Council and staff for operating and maintaining the Betty T. Ferguson Community Center. He said the City has a friend to help maximize the use while providing potential programs for the Community Center.

F-2) Skanska – Municipal Project Monthly Presentation.

Brandon DeCaro, Capital Projects Director, stated per the Council request there will be a status presentation related to the construction of the Municipal Project. The report will be provided to the Council during the first Council Meeting of every month. He continued to explain the format of the Executive Report and Arial photo provided within the Agenda Package.

Nicole Heran, representing Skanska as the Senior Project Manager, appeared before the Council to expound on the Municipal Project Report attached hereto as exhibit “A”.

Councilman André Williams requested to see more specifics with regards to Local Preference Goals and MBE Goals in future reports.

Councilman David Williams Jr. asked would it be possible to finish the project ahead of schedule.

Mr. DeCaro replied it would be very unlikely.

Councilman David Williams Jr. questioned whether the scheduling of the project substantial completion and final completion included hurricane and bad weather days?

Mr. DeCaro explained between the differences of substantial completion and final completion. He clarified City Hall would be ready for move in on August 14, 2013 and the Police Department would be ready 6 weeks after.

Mayor Gibson referencing the completion days of the City Hall and Police Department asked should the project have to go beyond the set completion days would a request for an extension have to come back to Council for approval.

Mr. DeCaro responded that is correct. He clarified how the schedule completion day was formulated to include bad weather days.

(G) PUBLIC COMMENTS

Joyce Jones, 670 NW 199th Street, Miami Gardens, FL 33169, appeared before the City Council, with regards to Item H-1. She requested clarification of Article 7 Sections 34-233(b)(6) co-designations shall not exceed five blocks in length, and 34-233(b)(7), which provides there shall be a hiatus at least five blocks in length between consecutive co-designations in numbered streets.

Mayor Gibson clarified section 34-233(b)(6) the name designation shall only be five

blocks.

Manager Crew explained that section 34-233(b)(7) provides that there will be break of five blocks between name designated streets.

Ms. Jones requested if parts of section 34-233(b)(9) could be changed from “...unanimous vote of the City Council...” to a majority vote of the City Council.

Mayor Gibson informed Ms. Jones normally public comments on Ordinances are not heard until the second reading of the Ordinance. The second reading of the Co-designation Ordinance would be on the 25th of July.

(H) ORDINANCE(S) FOR FIRST READING:

H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE 7, SECTION 34-233 OF THE LAND DEVELOPMENT REGULATIONS, TO AMEND THE CRITERIA FOR THE CITY COUNCIL TO USE WHEN CONSIDERING WHETHER TO RENAME OR CODESIGNATE A STREET; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY MAYOR SHIRLEY GIBSON)

Mayor Gibson passed the gavel to Vice Mayor Gilbert.

Attorney Sonja Dickens stated at the last Council Meeting there was discussion among the Council regarding procedure on co-designating a street. Taking into consideration the comments of the Council, this Ordinance was drafted to amend the City’s Land Development Regulation, which dealt with when the City Council decided to rename or co-designate a street. Attorney Dickens continued to explain in detail the amendments to the Ordinance.

Motion to approve the item was offered by Mayor Gibson, and properly second by Councilwoman Robinson.

Mayor Gibson stated it would be necessary for the Council to have clarity and direction with regards to naming streets in the City of Miami Gardens in the future. Therefore she brought this item to the Council for approval.

Vice Mayor Gilbert referenced criteria No. 9, made a motion to include language that would allow the renaming of a street after an individual who had national and international significance. This motion was second by Mayor Gibson.

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There being no further discussion the amendment passed and carried by a 7-0 voice vote.

At the conclusion of this discussion, the motion to adopt with the approved amendment passed and carried by a 7-0 vote.

Councilman Aaron Campbell Jr.:	Yes
Councilwoman Lisa C. Davis:	Yes
Vice Mayor Oliver G. Gilbert III:	Yes
Councilwoman Felicia Robinson:	Yes
Councilman André Williams:	Yes
Councilman David Williams Jr.:	Yes
Mayor Shirley Gibson:	Yes

Vice Mayor Gilbert relinquished the gavel to Mayor Gibson.

(I) ORDINANCE(S) FOR SECOND READING/PUBLIC HEARING(S)

- I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING CHAPTER 14, ARTICLE V OF THE CITY'S CODE OF ORDINANCES BY ADDING DIVISION 4. "SYNTHETIC DRUGS"; BY ADDING SECTION 14-346 "PROHIBITING THE SALE AND DISPLAY OF SYNTHETIC CANNABINOIDS"; BY ADDING SECTION 14-347 "PROHIBITING THE SALE AND DISPLAY OF SYNTHETIC STIMULANT BATH SALTS, SYNTHETIC CATHINONES, SYNTHETIC AMPHETAMINES AND OTHER SYNTHETIC STIMULANTS THAT MIMIC ILLEGAL DRUGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR OLIVER G. GILBERT III) (1st Reading – June 13, 2012; 2nd Reading- June 27, 2012)**

Ronetta Taylor, City Clerk, requested the item be deferred to the next Council meeting due to there being a glitch in the advertisement. She shared that thus item was being advertised in two different papers to ensure advertisement requirements were met.

(J) RESOLUTION(S)/PUBLIC HEARING(S)

RESOLUTION NO. 2012-95-1690

- J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT SEVENTH PROGRAM YEAR**

**ACTION PLAN, ATTACHED HERETO AS EXHIBIT “A”;
PROVIDING FOR THE ADOPTION OF REPRESENTATIONS;
PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE
CITY MANAGER)**

Mayor Gibson opened the floor for this item. After there were no interested parties to speak on this item, the public hearing closed.

Daniel Rosemond, Community Development Director and Assistant City Manager, provided explanation of the Annual Action Plan regarding Community Development Block Grant dollars the City receives as an entitlement city. Additionally, he informed the Council there has been a decline of allocation in the last two years of 16% and 25% respectively.

Councilman David Williams Jr. stated on the City’s website it indicates small businesses can obtain a loan \$150,000. He questioned whether it is in the document.

Mr. Rosemond responded it is part of the Action Plan. He continued to explain how the allocation is provided and repayment, if any.

Councilman André Williams asked how are the allocations determined.

Mr. Rosemond indicated the Public Services and Program Administration are formula driven at 15% and 20% respectively. The remainder is based upon on what has been identified as priority projects. He continued to provide examples.

Councilman André Williams referenced page 50 of the Agenda Package, more particularly “Basis for Allocating Funding” and asked how does the City connect the dots between the neighborhoods and the project dollars.

Mr. Rosemond provided a detailed explanation on how CDBG dollars are spent through target areas and how target areas are designated.

Councilman André Williams requested that in the future if information can be more specific prospectively on how the dollars have been spent and how they will be spent in the future. Therefore it would allow him to demonstrate the City has devoted more effort to Census Tracts with a high concentration to low and moderate income areas.

Mr. Rosemond stated he will provide the information as requested.

Motion offered by Vice Mayor Gilbert, seconded by Councilman David Williams Jr., to adopt this item.

At the conclusion of this discussion, the motion to adopt passed and carried by a unanimous voice vote.

Please note, Councilman André Williams left the meeting at 7:45 p.m.

(K) CONSENT AGENDA:

RESOLUTION NO. 2012-96-1691

- K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO WINGERTER LABORATORIES, INC., IN AN AMOUNT NOT TO EXCEED FIFTY-EIGHT THOUSAND, EIGHTY DOLLARS (\$58,080.00), TO PROVIDE THRESHOLD INSPECTION SERVICES FOR GMP#2 FOR THE NEW CITY OF MIAMI GARDENS MUNICIPAL COMPLEX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2012-97-1692

- K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO GFA INTERNATIONAL, INC., IN AN AMOUNT NOT TO EXCEED SEVENTY-THREE THOUSAND, FIVE HUNDRED SIXTY-TWO DOLLARS AND SEVENTY-EIGHT CENTS (\$73,562.78), TO PROVIDE INSPECTION AND TESTING LAB SERVICES FOR CONSTRUCTION OF THE NEW CITY OF MIAMI GARDENS MUNICIPAL COMPLEX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2012-98-1693

- K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO TALLY ENGINEERING, INC., IN AN AMOUNT NOT TO EXCEED EIGHTY-SIX THOUSAND, EIGHT HUNDRED SEVENTEEN DOLLARS AND FIFTY CENTS (\$86,817.50), FOR INSPECTION AND TESTING LAB SERVICES FOR ASPHALT CONCRETE, SOILS, STRUCTURAL STEEL AND ENGINEERING SERVICES FOR THE CONSTRUCTION OF THE NEW CITY OF MIAMI GARDENS MUNICIPAL COMPLEX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2012-99-1694

- K-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE MIAMI GARDENS HOUSING PROGRAM POLICIES TO ADD AN “EXTERIOR SAFEGUARD PROGRAM” TO THOSE POLICIES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2012-100-1695

- K-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING A “RESIDENT ACCESS TO WORK PROGRAM” TO ENCOURAGE THE HIRING OF CITY RESIDENTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR OLIVER G. GILBERT III)

RESOLUTION NO. 2012-101-1696

- K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DIRECTING THE CITY MANAGER AND THE CITY ATTORNEY TO INVESTIGATE AND TAKE ANY AND ALL STEPS NECESSARY TO CREATE A MIAMI GARDENS HOUSING AUTHORITY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY MAYOR SHIRLEY GIBSON)

RESOLUTION NO. 2012-102-1697

- K-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A CHANGE ORDER TO SKANSKA BUILDING USA, INC., FOR A ONE HUNDRED EIGHT (108) DAY EXTENSION REQUIRED TO ACHIEVE FINAL COMPLETION FOR THE GMP#1 EARTHWORK CONSTRUCTION PHASE FOR THE MIAMI GARDENS MUNICIPAL COMPLEX PROJECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2012-103-1698

- K-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF A CHANGE ORDER IN THE AMOUNT OF TWENTY-FOUR THOUSAND FIVE HUNDRED NINETY-FIVE DOLLARS (\$24,595.00) TO THAT CERTAIN AGREEMENT WITH URS

CORPORATION FOR EXTENDED CONSTRUCTION ADMINISTRATION SERVICES, AGENCY REVISIONS AND CONSTRUCTION ADMINISTRATION ASSOCIATED WITH REQUIRED FIRE DEPARTMENT REVISIONS FOR THE MIAMI GARDENS MUNICIPAL COMPLEX APPROVED IN ACCORDANCE WITH RESOLUTION NO. 2010-138-1319; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2012-104-1699

- K-9) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF A CHANGE ORDER TO URS CORPORATION IN THE AMOUNT OF SIXTEEN THOUSAND, FIVE HUNDRED NINETY-TWO DOLLARS (\$16,592.00) FOR SECOND BIDDING PHASE WORK FOR THE MIAMI GARDENS MUNICIPAL COMPLEX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2012-105-1700

- K-10) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF A CHANGE ORDER TO URS CORPORATION IN THE AMOUNT OF TWENTY-SEVEN THOUSAND, SIXTEEN DOLLARS (\$27,016.00) TO INCORPORATE ALL SELECTED VALUE ENGINEERING ITEMS INTO THE CONSTRUCTION DOCUMENTS FOR THE MIAMI GARDENS MUNICIPAL COMPLEX PROJECT, AS AUTHORIZED IN ACCORDANCE WITH RESOLUTION NO. 2010-138-1319; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2012-106-1701

- K-11) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO ALL AMERICAN SPORTS CORPORATION FOR THE MIAMI GARDENS YOUTH SPORTS FOOTBALL AND CHEERLEADING PROGRAM; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED SIXTY-FOUR THOUSAND, THREE HUNDRED FIFTY-SIX DOLLARS (\$64,356.00) FOR THIS PURPOSE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2012-107-1702

K-12) 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 MIAMI- DADE COUNTY PUBLIC SCHOOLS' PROJECT VICTORY PROGRAM, 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)

Motion offered by Vice Mayor Gilbert, seconded by Councilman David Williams Jr., to adopt the Consent Agenda. There being no discussion, the motion to adopt passed and carried by a 6-0 voice vote. Councilman Andre Williams was not present during the vote.

(L) RESOLUTION(S):
None

(M) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK

City Manager reminded the Council of the Budget Workshop to be held on July 16, 2012 at 9:30 a.m. He further informed the Council that he plans to provide a balance budget, which would allow the City to go to the Roll Back Rate.

(N) REPORTS OF MAYOR AND COUNCIL MEMBERS

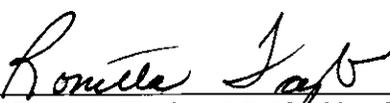
Mayor Gibson announced the Ground Breaking Ceremony of the City Complex on July 13, 2012 and the Budget Hearing to be held on July 16, 2012.

(O) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC
None

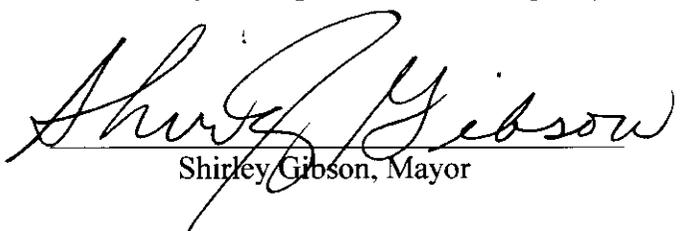
(P) ADJOURNMENT

There being no further business to come before this Body, and upon a motion being duly made, the meeting adjourned at 8:08 p.m.

Attest:



Ronetta Taylor, MMC, City Clerk



Shirley Gibson, Mayor