CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
JANUARY 23, 2013

(A) CALL TO ORDER/ROLL CALL

The City Council for the City of Miami Gardens, Florida, met in regular session, Wednesday, January 23, 2013, beginning at 7:06 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 Oliver Gilbert, Vice Mayor Lisa C. Davis and Council members Lillie Q. Odom, Rodney Harris, David Williams Jr., and Dr. Erhabor Ighodaro. Councilwoman Felicia Robinson arrived at 7:10 p.m.

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

(B) INVOCATION

Delivered by Assistant City Manager Daniel Rosemond

(C) PLEDGE OF ALLEGIANCE

Recited in unison

(D) APPROVAL OF MINUTES

Regular City Council Minutes – January 9, 2013

Motion offered by Councilman Williams, seconded by Vice Mayor Davis, to adopt 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)

Items K-6 and K-12 were pulled from the Consent Agenda by Councilwoman Odom.

An item was added to the official agenda as Item K-13 **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDING BIDS TO DANA SAFETY SUPPLY, INC. AND SIGNAL TECHNOLOGY ENTERPRISES, INC. FOR RETROFITTING OF POLICE VEHICLES; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS, FOR THIS PURPOSE, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000.00) AND FIFTY THOUSAND DOLLARS ($50,000.00) TO DANA SAFETY SUPPLY, INC. AND SIGNAL TECHNOLOGY ENTERPRISES, INC., RESPECTIVELY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE".**

Motion offered by Councilman Williams, seconded by Councilman Harris to adopt the official agenda with the necessary additions/deletions.

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

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) Employee Recognition – City Manager

Manager Crew presented five members of the Code Enforcement Department with their five year service pins.

F-2) City Branding - City Manager

Vernita Nelson, Assistant City Manager appeared before the City Council a copy of the PowerPoint Presentation is attached hereto as Exhibit "A", and made a part of the record thereof.

(G) PUBLIC COMMENTS

Dr. Valmarie Rhoden, 17210 NW 51st Place, Miami, Florida, a representative from Miami Alliance of Black School educators appeared before the City Council to solicit support if Item K-6.

Darius Lawshea, 745 NW 184th Street, Miami Gardens, Florida, appeared before the City Council to express concern with the lack of support and recognition on the City's behalf for the Gardens Express Track Team and the members' accomplishments.

Sharon Frazier Stephens, 145 NE 193rd Street, Miami, Florida, appeared before the City Council to comment on the Branding initiative and shared that she knew about this activity because she got a survey. She commended Vernita Nelson for doing an outstanding job. She further praised the Miami Gardens Code Enforcement Department for doing an excellent job.

Erin Healy, Youth L.E.A.D. Director, 426 NE 77th Street-Road, Miami, Florida, appeared before the City Council to solicit support in spreading the word about a Farmer's Market in Miami Gardens. The idea is to provide healthy food to areas that do not have access to a supermarket and healthy food choices.

Ulysses Harvard, 15800 NW 17th Place, Miami Gardens, Florida, appeared before the City Council to ask that the Bunche Park area is not left out of the city's "Branding" initiative. He expressed concern with the lack of landscaping on the main corridor (22nd Avenue) in his neighborhood.

(H) ORDINANCE(S) FOR FIRST READING:

H-1) AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S BUDGET FOR THE 2012-2013 FISCAL YEAR; AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN ADJUSTMENTS; AUTHORIZING THE CITY

MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE IN ACCORDANCE WITH THE CITY'S CHARTER; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Motion offered by Mayor Gilbert, seconded by Vice Mayor Davis to adopt this item on first reading.

There being no discussion, the motion to adopt passed and carried by a 7-0 voice vote.

Vice Mayor Davis:	Yes
Councilman Harris:	Yes
Councilman Ighodaro:	Yes
Councilwoman Odom:	Yes
Councilwoman Robinson:	Yes
Councilman Williams:	Yes
Mayor Gilbert:	Yes

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

ORDINANCE NO. 2013-01-289

I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, PROVIDING FOR AN ADDITIONAL FIFTY THOUSAND DOLLAR ($50,000.00) HOMESTEAD EXEMPTION FOR QUALIFYING SENIORS TO BE APPLIED TO TAXES LEVIED BY THE CITY; PROVIDING FOR THE ANNUAL SUBMISSION OF A SWORN STATEMENT TO THE PROPERTY APPRAISER; ALLOWING SUPPORTING DOCUMENTATION; PROVIDING FOR WAIVER OF EXEMPTION; PROVIDING FOR COMMENCEMENT OF EXEMPTION; PROVIDING FOR AN ANNUAL INCREASE IN THE INCOME LIMITATION; REPEALING ORDINANCE 2004-19-35; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE (SPONSORED BY COUNCILWOMAN FELICIA ROBINSON) (1st Reading – January 9, 2013)

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

Motion offered by Councilwoman Robinson, seconded by Vice Mayor Davis to adopt this item.

Councilwoman Robinson explained the previous Homestead Exemption provided by the City was no longer active.

There being no further discussion on the item, the motion to adopt passed and carried by a 7-0 voice vote.

Councilman Harris:	Yes
Councilman Ighodaro:	Yes
Councilwoman Odom:	Yes
Councilwoman Robinson:	Yes
Councilman Williams:	Yes
Vice Mayor Davis:	Yes
Mayor Gilbert:	Yes

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

There were none.

(K) CONSENT AGENDA:

Please note, Mayor Gilbert passed the gavel to Vice Mayor Davis before the Consent Agenda was read.

RESOLUTION NO. 2013-14-1810

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 BARTOW FORD, INC., IN AN AMOUNT NOT TO EXCEED FIFTY-THREE THOUSAND, SIX HUNDRED TWELVE DOLLARS ($53,612.00) FOR THE PURCHASE OF VEHICLES, IN ACCORDANCE WITH THE FLORIDA SHERIFF'S ASSOCIATION BID NO. 12-20-0905; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2013-15-1811

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN ERHABOR IGHODARO'S APPOINTMENT OF JOSEPH A. OBADEYI TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)

RESOLUTION NO. 2013-16-1812

K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN ERHABOR IGHODARO'S APPOINTMENT OF EMMANUELA LAFRANCE TO THE CARIBBEAN AFFAIRS ADVISORY COMMITTEE FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)

RESOLUTION NO. 2013-17-1813

K-4) 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 MEMORANDUM OF AGREEMENT WITH THE CITY OF MIAMI AS A SUB-GRANTING AGENCY FOR THE FY2011 UASI GRANT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY ADDENDUMS TO EXTEND GRANT TERMS; 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. 2013-18-1814

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, AMENDMENT NO. 1 TO THAT CERTAIN AGREEMENT WITH MIAMI-DADE COUNTY FOR THE ACCEPTANCE OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS, IN THE AMOUNT OF ELEVEN THOUSAND, THREE HUNDRED AND SIXTY FOUR DOLLARS ($11,364.00) FOR THE COUNTY-WIDE PRISONER PROCESSING PROJECT, 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. 2013-19-1815

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 TO THE AGREEMENT WITH THE MIAMI-DADE AFFORDABLE HOUSING FOUNDATION, INC., 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. 2013-20-1816

K-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN ERHABOR IGHODARO'S APPOINTMENT OF DENISE WHITE TO THE CITIZENS ADVISORY COMMITTEE FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)

RESOLUTION NO. 2013-21-1817

K-9) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR OLIVER GILBERT'S APPOINTMENT OF MYKITA CHERRIE-PRIME TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY MAYOR OLIVER GILBERT)

RESOLUTION NO. 2013-22-1818

K-10) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO REPEAL THE PROVISION OF FLORIDA STATUTE 627.736 REQUIRING MANDATORY MEDICAL TREATMENT WITHIN FOURTEEN (14) DAYS OF AN AUTOMOBILE ACCIDENT; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR LISA C. DAVIS)

RESOLUTION NO. 2013-23-1819

K-11) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING CERTAIN EVENTS RELATING TO THE CITY OF MIAMI GARDENS' TEN (10) YEAR ANNIVERSARY; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR LISA C. DAVIS AND

COUNCILWOMAN LILLIE Q. ODOM)

RESOLUTION NO. 2013-24-1820

K-13) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDING BIDS TO DANA SAFETY SUPPLY, INC. AND SIGNAL TECHNOLOGY ENTERPRISES, INC. FOR RETROFITTING OF POLICE VEHICLES; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS, FOR THIS PURPOSE, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000.00) AND FIFTY THOUSAND DOLLARS ($50,000.00) TO DANA SAFETY SUPPLY, INC. AND SIGNAL TECHNOLOGY ENTERPRISES, INC., RESPECTIVELY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Motion offered by Councilwoman Odom, seconded by Councilman Harris to adopt the Consent Agenda.

There being no discussion, the motion to adopt passed and carried by a unanimous voice vote.

(L) RESOLUTION(S):

RESOLUTION NO. 2013-25-1821

K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXPRESSING SUPPORT FOR THE MIAMI ALLIANCE OF BLACK SCHOOL EDUCATORS FIRST MENTORING COLLABORATION CONFERENCE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)

Councilwoman Odom stated that she had pulled this item because she wanted to know what type of support the city would be providing. The backup documentation is asking for monetary support.

Councilman Ighodaro said the backup documentation is provided for information purposes only. There is no fiscal impact. The city is not being asked to provide monetary support.

At the conclusion of this discussion, a motion was offered Councilwoman Odom, seconded by Councilman Williams to adopt this resolution.

The motion to adopt passed and carried by a unanimous voice vote.

RESOLUTION NO. 2013-26-1822

K-12) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ADOPT LEGISLATION TO LEVY AN ADDITIONAL PENNY OF THE PROFESSIONAL SPORTS FRANCHISE FACILITY TAX FOR THE PURPOSE OF FUNDING A PORTION OF UPGRADES TO SUN LIFE STADIUM; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY MAYOR GILBERT)

Councilwoman Odom asked how will this tax impact the City of Miami Gardens.

Mayor Gilbert in response to Councilwoman Odom's question said this is not a penny tax. It is a bed tax (a tourist state tax). He shared the Council has already approved this in theory in the City's Legislative Agenda. He said Miami Beach has a Convention Center. The City of Miami Gardens has a Stadium. We have to allow for as much usage as possible because the city is trying to develop that land. As the land is developed it creates jobs, and opportunity. This would allow the stadium to be used more. Senator Oscar Braynon is the sponsor of the item.

At the conclusion of this discussion, motion offered by Councilman Ighodaro, seconded by Mayor Gilbert to adopt this item.

The motion to adopt passed and carried by a unanimous voice vote.

Mayor Gilbert shared with the residents that if they have an issue they did not have to wait to the Council meeting to bring that issue up. There are seven (7) very responsive elected officials serving this community. The Council Members spends countless hours responding to concerns of residents via email.

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

M-1) City Manager Monthly Report

M-2) Police Department Monthly Report

Attorney Dickens announced the need to call a couple of Executive Sessions before the Council as follows: 1) Wanda Gilbert v. City of Miami Gardens; 2) City of Miami Gardens v. Judson.

By unanimous consent of the Council the Executive Session/Shade Meetings were scheduled as follows: Wednesday, February 6, 2013, beginning at 6:00 p.m., Council will

consider the matter of Wanda Gilbert v. City of Miami Gardens; Wednesday, February 6, 2013, beginning at 6:30 p.m., Council will consider the matter of City of Miami Gardens v. Judson Architect.

Attorney Dickens shared the Council had approved Attorney Lynn Washington as one of the city's outside counsel. The city may be using Attorney Washington in an upcoming matter. Attorney Washington is requesting a Waiver of Conflict, as he has indicated that Antioch Missionary Baptist Church is a client, which he represented in a Land Use Matter. She stated that she did not have a problem with this waiver of conflict because what Attorney Washington will be doing for the city has nothing to do with Antioch Missionary Baptist Church.

Motion offered by Mayor Gilbert, seconded by Councilman Ighodaro to Waiver the Conflict. There being no discussion, the motion passed and carried by a unanimous voice vote of the Council.

(N) REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilman Ighodaro thanked those for coming out to the all-night prayer vigil, January 20th. He acknowledged Councilman Harris and the Miami Gardens Police Department for their participation. He further announced that he is hosting the 2nd Annual Black History Extravaganza, Saturday, February 9, 2013 at the Betty T. Ferguson Recreation Complex from 11:00 a.m. – 1:00 p.m. Women who have done extraordinary things in this community will also be honored.

Councilman Williams thanked Vernita Nelson, Assistant City Manager, staff and the MLK Steering Committee for putting on a remarkable event in honor of Dr. Martin Luther King Jr. He opined this was a great step forward and anticipates an even better event next year.

Councilman Harris announced that he will be hosting a Town Hall Meeting, Tuesday, February 19, 2013, for residents of Residential Area Seat -3. The meeting will take place from 6:00 – 8:00 p.m., at Mt. Zion A.M.E. Church.

Vice Mayor Davis encouraged everyone to support the upcoming events commemorating the city's tenth year anniversary. A schedule of events will be forthcoming.

Mayor Gilbert shared that he had received an email from Pastor Lomax with regard to a dialog with the Beacon Council "One Community One Goal", Thursday, February 7, 2013, from 7:00 p.m. -8:30 p.m., at the Fountain of New Life, 4601 NW 167th Street, Miami Gardens, Florida.

N-1) City Council Meetings (Number of Meetings)

Mayor Gilbert commented we have not had many zoning meetings scheduled lately. Right now we are still on the schedule where we have the zoning meeting on the first Wednesday of the month, with the City Council meetings on the second and fourth Wednesday. In speaking with the City Attorney he was advised that the Council could do all of the city's business, including zoning, on the second or fourth Wednesdays.

Councilwoman Odom conveyed agreement with conducting all city business on the second or fourth Wednesday. She asked, if there is a large zoning agenda, would it be possible to start the meeting earlier.

Mayor Gilbert said we can do that. However, it the zoning agenda get too large, another meeting can be called.

Vice Mayor Davis asked when would this take effect.

Mayor Gilbert said this would have to be coordinated with consideration on what has been noted for zoning projects. The Attorney and City Clerk would have to make sure all notices are advertised accordingly.

By unanimous consent of the Council staff was directed to review the process of conducting all city business on the second or fourth Wednesday of the month.

Mayor Gilbert announced that he will be hosting a Town Hall Meeting, Tuesday, January 29, 2013, from 6:00 – 8:00 p.m., at the Betty T. Ferguson Recreation Complex, to discuss the FDOT improvements to take place on 826 (Palmetto Expressway) and the NW 12th Avenue corridor. Everyone is encouraged to attend.

Vice Mayor Davis announced that her birthday is January 27th. She was rewarded with a rendition of Steven Wonder's Happy Birthday song, by Mayor Gilbert.

Councilwoman Odom recognized former Councilman Melvin L. Bratton in the audience.

Councilman Williams thanked Assistant City Manager Rosemond for what he has done for the city during his tenure.

(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.

Mayor Oliver Gilbert

Attest:

Ronetta Taylor, MMC, City Clerk