

**CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
JUNE 26, 2013**

(A) CALL TO ORDER/ROLL CALL

The City Council for the City of Miami Gardens, Florida, met in regular session, Wednesday, June 26, 2012, beginning at 7:01 p.m., in the City Council Chambers, 1515 NW 167th Street, Building 5, suite 200, Miami Gardens, FL.

The following members of the City Council were present: Mayor Oliver Gilbert, Vice Mayor Lisa C. Davis, and Council members Felicia Robinson and Rodney Harris.

Motion offered by Councilman Harris, seconded by Councilwoman Robinson to excuse the absence of Council Members Lillie Q. Odom, Erhabor Ighodaro and David Williams Jr. This motion passed and carried by a unanimous vote of the members present.

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

(B) INVOCATION

Mayor Gilbert delivered the Invocation.

(C) PLEDGE OF ALLEGIANCE

Recited in unison.

(D) APPROVAL OF MINUTES

Regular City Council Minutes – June 12, 2013

Motion offered by Vice Mayor Davis, seconded by Councilman Harris to approve the minutes, with necessary corrections, if any. This motion passed and carried by a unanimous vote of the members present.

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

The agenda was amended to add the Caribbean Affairs Advisory Committee presentation as Item F-2.

Motion offered by Vice Mayor Davis, seconded by Councilwoman Robinson to approve the official agenda with the necessary additions/deletions. This motion passed and carried by a unanimous voice vote of the members present.

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) Mayor Gilbert – Citizen Academy Graduates

Mayor Gilbert presented Certificates to the Graduating Class

F-2) Caribbean Affairs Advisory Committee Presentation

In honor of Caribbean Heritage Month, Miguel Murray, Chair of the City of Miami Gardens Caribbean Affairs Advisory Committee, along with Mayor Gilbert presented Certificates of Special Recognition to deserving City of Miami Gardens Caribbean Business Owners and Students.

F-3) City Manager – Employee Five (5) Year Service Pin

Manager Crew acknowledged those employees who have given five years of distinguished service to the City of Miami Gardens.

F-4) Matthew Boyd, Police Chief – Officer of the Month

Chief Boyd appeared before the City Council to recognize Officer Randy Carpenter, as Officer of the Month for June 2013.

F-4) Skanska – City Hall Update

Representative from Skanska appeared before the City Council and shared since the last update there has been a lot of progress on site. City Hall is coming along well. The mechanical building is nearing ninety-percent completion. The City Council Chamber's windows have been completely installed. The work on NW 185th Street is also nearing completion. Work to start on NW 25th Avenue in the very near future. A back to school drive is being initiated on site.

Manager Crew stated that a potential move in date for city hall is November 1st.

(G) PUBLIC COMMENTS

Patsy Green, 950 NW 203rd Street, Miami Gardens, Florida, appeared before the City Council to thank them for their support during the Rose Gardens event; more particularly Councilman David Williams for his hard work in designing and preparing the rose garden for planting. Each Council member and staff was presented with a rose as well.

(H) ORDINANCE(S) FOR FIRST READING:

None

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

ORDINANCE NO. 2013-15-303

- I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING CHAPTER 24, ARTICLE II, "DANGEROUS INTERSECTIONS" OF THE CITY'S CODE OF ORDINANCES; 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 THE CITY MANAGER) (1st Reading – June 12, 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 Vice Mayor Davis, seconded by Councilman Harris to adopt this item.

There being no discussion, the motion to adopt passed and carried by a 4-0 vote.

Vice Mayor Davis:	Yes
Councilman Harris:	Yes
Councilman Ighodaro:	Not present
Councilwoman Odom:	Not present
Councilwoman Robinson:	Yes
Councilman Williams:	Not present
Mayor Gilbert:	Yes

ORDINANCE NO. 2013-16-304

- I-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, IMPOSING A FIVE (5) YEAR PAVEMENT CUTTING AND EXCAVATION MORATORIUM, AS OUTLINED IN EXHIBIT "A" HERETO; PROVIDING FOR EXEMPTIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) (1st Reading – June 12, 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.

There being no discussion, the motion to adopt passed and carried by a 4-0 vote.

Councilman Harris:	Yes
Councilman Ighodaro:	Not present
Councilwoman Odom:	Not present
Councilwoman Robinson:	Yes
Councilman Williams:	Not present
Vice Mayor Davis:	Yes
Mayor Gilbert:	Yes

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

(K) CONSENT AGENDA:

RESOLUTION NO. 2013-160-1956

- K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO APPLY FOR THE 2013 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT THROUGH THE MIAMI-DADE METROPOLITAN PLANNING ORGANIZATION; AUTHORIZING A TEN PERCENT (10%) MATCH IN FUNDING; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO ACCEPT GRANT FUNDS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2013-161-1957

- K-2) 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 ONE HUNDRED FIFTY-NINE THOUSAND, FOUR HUNDRED TWENTY-ONE DOLLARS AND TWENTY-FOUR CENTS (159,421.24), TO SOFTWARE HOUSE INTERNATIONAL CORP. (SHI), THE STATE OF FLORIDA APPROVED VENDOR FOR MICROSOFT LICENSES FOR COMPUTERS, SERVERS AND OTHER DEVICES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2013-162-1958

- K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RECOGNIZING THE MONTH OF JUNE AS CARIBBEAN AMERICAN HERITAGE MONTH IN THE CITY OF MIAMI GARDENS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)**

RESOLUTION NO. 2013-163-1959

- 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 ADDENDUM TO**

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND AMERICAN TRAFFIC SOLUTIONS (“ATS”), A COPY 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. 2013-164-1960

- K-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO METRO EXPRESS INC., AND STRAIGHTLINE ENGINEERING GROUP LLC., FOR SIDEWALK REPLACEMENT; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS, ON AN AS NEEDED BASIS, FOR THIS PURPOSE IN AN AMOUNT NOT TO EXCEED THE ANNUAL ALLOCATED BUDGETED AMOUNT WITH AN OPTION TO AUTOMATICALLY RENEW THE SAME FOR A MAXIMUM OF TWO (2) YEARS, SUBJECT TO AN APPROPRIATION BY THE CITY COUNCIL; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2013-165-1961

- K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING ADMINISTRATIVE FEES FOR SPECIAL MASTER RED LIGHT CAMERA PROCEEDINGS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY DOLLARS (\$150.00) PER VIOLATION; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 2013-166-1962

- K-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO APPLY FOR A HISTORIC PRESERVATION GRANT THROUGH THE FLORIDA DEPARTMENT OF STATE’S DIVISION OF HISTORICAL RESOURCES, IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00); AUTHORIZING A CASH MATCH IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00); AUTHORIZING AN IN-KIND MATCH IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00); AUTHORIZING THE CITY MANAGER TO EXECUTE ALL REQUIRED DOCUMENTS AND TO TAKE ANY AND ALL STEPS NECESSARY TO ACCEPT THE GRANT FUNDS; PROVIDING**

FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2013-167-1963

- K-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RECOGNIZING NOVEMBER AS NATIONAL DIABETES PREVENTION MONTH IN THE CITY; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY TO IMPLEMENT A SECOND ANNUAL DIABETES PREVENTION EVENT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR LISA C. DAVIS)**

Motion offered by Vice Mayor Davis, 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 of the members present.

(L) RESOLUTION(S):

None

QUASI-JUDICIAL ZONING HEARINGS:

Cyril Saiphoo, Zoning Administrator for the City of Miami Gardens appeared before the Council to expound on the process used for this Quasi-Judicial Proceeding.

The City Clerk swore in all parties participating in this Quasi-Judicial Proceeding.

Attorney Dickens explained that it is the practice of the Council to allow the applicant of Quasi-Judicial matters to request and be granted a deferral when there are members of the Council not present. At this particular meeting there are three Council Members not present.

The applicant for Capo and Sons, Corp decided to not defer, and to continue with tonight's public hearing.

(M) ORDINANCES ON FOR FIRST READING/PUBLIC HEARING (S):

- M-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY CAPO AND SONS, CORP FOR THE REZONING OF PROPERTY LOCATED AT 16300 N. W. 42ND AVENUE, MIAMI GARDENS, FLORIDA MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM GP GOVERNMENT PROPERTY TO I-2, INDUSTRIAL DISTRICT-HEAVY; PROVIDING FOR ADOPTION OF**

REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Cyril Saiphoo, Zoning Administrator appeared before the City Council and explained this item is the rezoning of a 1.67acre parcel that is directly configures to the Eldorado Furniture site. It is being developed as a tractor trailer parking facility for the site.

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 Councilman Harris, seconded by Vice Mayor Davis to adopt this item on first reading.

At the conclusion of this discussion, the motion to adopt passed and carried by a 4-0 vote.

Councilwoman Odom:	Not present
Councilwoman Robinson:	Yes
Councilman Williams:	Not present
Vice Mayor Davis:	Yes
Councilman Harris:	Yes
Councilman Ighodaro:	Not present
Mayor Gilbert:	Yes

(N) ORDINANCES ON FOR SECOND READING/PUBLIC HEARING(S)
None

(O) RESOLUTION(S)/PUBLIC HEARING(S)

O-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY ANTHONY AMOS FOR A SPECIAL EXCEPTION TO ALLOW A NIGHTCLUB USE TO BE LOCATED LESS THAN 1500 FEET FROM ANOTHER ESTABLISHMENT THAT SALES ALCOHOLIC BEVERAGES; A SPECIAL EXCEPTION TO ALLOW A NIGHTCLUB USE TO BE LOCATED LESS THAN 2500 FEET FROM A PLACE OF RELIGIOUS ASSEMBLY; A SPECIAL EXCEPTION TO ALLOW A NIGHTCLUB USE TO BE LOCATED LESS THAN 500 FEET FROM A RESIDENTIAL ZONED PROPERTY, FOR THAT PROPERTY GENERALLY LOCATED AT N.W. 2ND AVENUE AT N.W. 195TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

The applicant of this item decided to request a deferral until the next regularly scheduled City Council meeting, at which time it is anticipated that more members of the Council would be present.

Motion offered by Mayor Gilbert, seconded by Vice Mayor Davis to defer this item to July 10, 2013. There being no further discussion, the motion to defer passed and carried by a unanimous voice vote of the members present.

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

- P-1) City Manager's Monthly Report
- P-2) Police Department Monthly Report

(Q) REPORTS OF MAYOR AND COUNCIL MEMBERS

Mayor Gilbert shared this week the United States Supreme Court essentially invalidated the Voting Rights Act. He opined the best way to ensure your right to vote is to actually vote. He emphasized the importance of voting. He further shared that while attending the National Black Mayors Conference he saw a presentation about an application that could be downloaded to any, which allows an individual to report a code violation, ask any city question. This application puts the city's services and contacts within an individual's reach through their cell phone. He asked the City Manager to investigate making this city interactive in that way. He said it is time to move this city forward from the technology side.

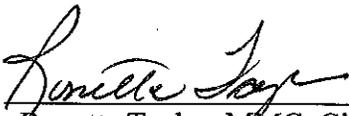
(R) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC

None

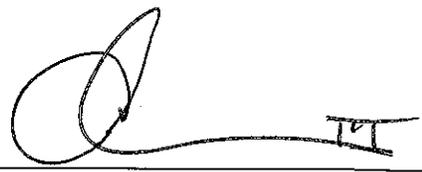
(S) ADJOURNMENT

There being no further business to come before this Body, and upon a motion being duly made, the meeting adjourned at 7:40 p.m.

Attest:



Ronetta Taylor, MMC, City Clerk



Oliver Gilbert, Mayor