

**CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
JANUARY 22, 2014**

(A) CALL TO ORDER/ROLL CALL

The City Council for the City of Miami Gardens, Florida, met in regular session, Wednesday, January 22, 2014, beginning at 7:00 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: Vice Mayor Lisa C. Davis and Council members: Lillie Q. Odom, Rodney Harris, Felicia Robinson, David Williams Jr., and Erhabor Ighodaro. Mayor Gilbert was out of town.

Motion offered by Councilman Ighodaro, seconded by Councilwoman Odom to excuse Mayor Gilbert's absence. There being no discussion, the motion to excuse the absence passed and carried by a unanimous vote of the Council members present.

Also in attendance were: City Manager Cameron Benson, City Attorney Sonja K. Dickens and City Clerk Ronetta Taylor.

(B) INVOCATION

Delivered by Councilman Williams

(C) PLEDGE OF ALLEGIANCE

Recited in unison

(D) APPROVAL OF MINUTES

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Motion offered by Councilman Williams, seconded by Councilman Ighodaro to approve the minutes, with necessary corrections, if any. There being no discussion, the motion to approve 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)

Councilwoman Odom pulled Items K-1; K-2; and K-3 from the Consent Agenda.

Councilman Ighodaro pulled Item K-5 from the Consent Agenda.

Item F-2 was removed from the official agenda and replaced with a presentation from the Chair of the Citizen Advisory Committee.

Motion offered by Councilman Ighodaro, seconded by Councilwoman Odom to approve the Consent Agenda with the necessary changes. There being no discussion, the motion to

approve the official agenda passed and carried by a unanimous vote of the members present.

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) Interim Police Chief Paul Miller – Officer of the Month & 2013 Police Report

Interim Chief Miller presented Officers Salvatore Gebbia, Juan Gonzalez and Alvin Bernard with the distinguished recognition as Officer of the Month for October 2013.

Interim Chief Miller presented Janeene Hills, and Marquita Rutherford-Lattimore with the distinguished recognition as Civilian Employee of the Month.

Interim Chief Miller did a recap of the crime stats for 2013. There was a crime reduction of between one and a half (1.5%), and two (2%) percent. The final numbers will be calculated by the end of this month (January 2014). The number of homicides and murders were reduced from twenty-five (25) to twenty-three (23), for 2013. Robberies have been reduced to the lowest level and are down twelve (12%) percent since 2012. Burglaries have also been reduced by twelve (12%) percent. The homicide clearance rate was exceptional this year, at fifty-six and a half (56.5%) percent, with five homicides being closed. This was due in part to people coming forward and providing information. Two hundred sixty-four (264) firearms were recovered. Several partnerships have been initiated, more particularly with the schools. A number of residents have taken advantage of the city's CERT Training. Councilwoman Robinson was recognized for starting the COPP (Citizens on patrol program). A series of Coffee with the Cops has been started as well.

Vice Mayor Davis asked whether the report provided to the Council is available to the residents, as well.

Interim Chief Miller in response to Vice Mayor Davis' inquiry replied, "Yes."

~~F-2) Skanska – City Hall Update~~

F-2) CAC Report

Lonnie Lawrence, Chair of the CAC appeared before the City Council to report that the Citizens Advisory Committee has scheduled a strategic planning session for Monday, February 24, 2014. This session is being conducted in order to discuss strategies to ensure each goal, objective, and responsibilities of the CAC are met. The CRB and Criminal Justice Department would be invited to facilitate the session. He encouraged the Council and public to attend as well.

(G) PUBLIC COMMENTS

Pastor Nettie B. Davis, 16400 NW 15th Avenue, Miami Gardens, Florida, appeared before the City Council to invite everyone to National Black HIV/AIDS Awareness Day scheduled for Saturday, February 8, 2014 from 9:00 a.m. – 1:00 p.m., at God's Amazing Grace Outreach Ministries. Flyers were provided to the public.

(H) ORDINANCE(S) FOR FIRST READING:

None

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

None

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

None

(K) CONSENT AGENDA:

RESOLUTION NO. 2014-15-1993

K-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY THAT THIRD 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. 2014-16-1994

K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY THAT CERTAIN INTERLOCAL AGREEMENT NO. 3 BETWEEN THE CITY OF MIAMI GARDENS AND MIAMI-DADE COUNTY FOR FUNDING FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (GOB) PROGRAM, IN THE AMOUNT OF THREE HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$373,000.00), FOR CONSTRUCTION AT NORTH DADE OPTIMIST PARK, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR 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 vote of the members present.

(L) RESOLUTION(S):

RESOLUTION NO. 2014-17-1995

K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING A PARTNERSHIP WITH THE 5000 ROLE MODELS OF EXCELLENCE PROJECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN IGHODARO)

Councilwoman Odom said the 5000 Role Models of Excellence Project is an event that has been going on for twenty-plus years. She asked whether this was being done to seek additional mentors or additional funds for this organization. She said she did not quite understand the resolution.

Councilman Ighodaro in response to Councilwoman Odom's inquiry said the item was in support of the mentoring recruitment effort. He shared that at the breakfast event on Monday, Mayor Gilbert and Major Lewers were inducted into the mentoring program. Council members received a letter from the Executive Director of the 5000 Role Models of Excellence Project asking for support to recruit mentors for the Miami Gardens area.

Councilman Williams further expounded on this item and shared that the schools in the Miami Gardens have the lowest mentorship than any other schools in Miami-Dade County. The Executive Director has asked for support in recruiting mentors for Miami Gardens, and for the city to be active in that process.

Councilwoman Odom conveyed understanding of the intent of this legislation.

Motion offered by Councilman Williams, seconded by Councilwoman Robinson to adopt this item.

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

RESOLUTION NO. 2014-18-1996

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING A SPONSORSHIP IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00), TO KINAD, INC., FROM THE WORKING CAPITAL RESERVE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN IGHODARO)

Councilwoman Odom asked whether the City would be funding every non-profit organization request, received.

Councilman Ighodaro in response to Councilwoman Odom's inquiry said he did not know about all non-profit organizations. However he did know about this particular organization, which has been doing good work in this community.

Councilwoman Odom asked whether the money for this sponsorship would be coming from the reserve funds.

Patricia Varney, Finance Director appeared before the Council in response to Councilwoman Odom's question. She shared that in the 2013-2014 budget, a \$70,000.00 line item was approved for the Council's use. The funds would be allocated from that line item.

Motion offered by Councilwoman Robinson, seconded by Councilman Williams to adopt this item.

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

RESOLUTION NO. 2014-19-1997

- K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RECOGNIZING THE WEEK OF FEBRUARY 3-9, 2014, AS FLORIDA MEMORIAL UNIVERSITY HOMECOMING WEEK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN IGHODARO)**

Councilwoman Odom asked for clarification of this item. She said Florida Memorial University has been in existence for decades. Homecoming events at this university have been on-going for over 35 years.

Councilwoman Robinson in response to Councilwoman Odom's comments stated that even though Florida Memorial University has been doing this for years, this is a university in the City of Miami Gardens. She said there is no fiscal impact involved with this item, and opined it is good to convey support.

Motion offered by Councilwoman Robinson, seconded by Councilman Harris to adopt this item. There being no further discussion, the motion to adopt passed and carried by a unanimous vote of the members present.

RESOLUTION NO. 2014-20-1998

- K-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY THAT CERTAIN INTERLOCAL AGREEMENT**

NO. 3 BETWEEN THE CITY OF MIAMI GARDENS AND MIAMI-DADE COUNTY FOR FUNDING FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (GOB) PROGRAM, IN THE AMOUNT OF THREE HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$373,000.00), FOR CONSTRUCTION AT NORTH DADE OPTIMIST PARK, 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 Ighodaro reference page 28 of 125 of the agenda package, more particularly the first paragraph under “Current Situation”, and asked about the completion date of February 2013.

Manager Benson in response to Councilman Ighodaro’s inquiry said the correct date is February 2014.

Motion offered by Councilman Ighodaro, seconded by Councilman Harris and Councilwoman Odom to adopt this item. There being no other discussion, the motion to adopt passed and carried by a unanimous vote of the members present.

QUASI-JUDICIAL ZONING HEARINGS:

Cyril Saiphoo, Zoning Administrator appeared before the Council to state the process used for this Quasi-Judicial Proceeding.

Clerk Taylor administered the Oath to those participating in this Quasi-Judicial Proceeding.

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

M-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY ANTIOCH MISSIONARY BAPTIST CHURCH OF CAROL CITY INC., FOR REZONING OF PROPERTY GENERALLY LOCATED AT NW 213 STREET AND NW 34 AVENUE, MIAMI GARDENS, FLORIDA, MORE PARTICULARLY DESCRIBED ON EXHIBIT “A”, ATTACHED HERETO, FROM R-1, SINGLE FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY

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

Mr. Saiphoo, Zoning Administrator informed the Council that the applicant has requested a deferral of this item until the February 26, 2014 City Council Meeting.

Motion offered by Councilman Ighodaro, seconded by Councilman Harris to defer this item to the February 26, 2014 City Council Meeting.

There being no discussion, the motion to defer passed and carried by a unanimous vote of the members present.

Vice Mayor Davis announced for the benefit of those individuals interested in speaking on this item that Item M-1 has been deferred to the February 26 2014 City Council meeting.

M-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY HARVEST FIRE WORSHIP CENTER, INC., FOR REZONING OF PROPERTY GENERALLY LOCATED AT NW 183 STREET AND NW 23 AVENUE, MIAMI GARDENS, FLORIDA, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A", ATTACHED HERETO, FROM R-1, SINGLE FAMILY RESIDENTIAL, AND R-25, MULTI-FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Vice Mayor Davis opened the floor for the public hearing.

Ruben Burke, 2320 NW 182nd Terrace, Miami Gardens, Florida, appeared before the City Council and stated that he can understand the confusion between Items M-1 and M-2 because they are both churches and are asking for the rezoning of residential areas. He stated that he stand in opposition to this request just like he did nine (9) years ago when the issue came up to build a multi-use building. He said nine years later he is here before a new council. He thanked the council for the opportunity to come before them. He said this request did not make any sense before and it does not make any sense now. He presented a petition with 35 signatures opposing this rezoning application. He said the notice for the public hearing was received late therefore the signatures were collected over the weekend. He shared that most of the individuals who signed the petition would have been present if they had been advised earlier of what was happening. Two minutes is not enough time to tell what is happening in this area. He stated that the residents were opposing this application because the area is residential. He said the property values would be tremendously affected by this rezoning. The rezoning to commercial would allow undesirable commercial use in the area such as a strip club. Furthermore this rezoning

would affect the quality of life for the residents. He asked that the council deny the application.

Alethea Gatlin, 2310 NW 182nd Terrace, Miami Gardens, Florida, appeared before the City Council in opposition to this application. She shared that her residence is right across the street from this property. She shared that her understanding is that the building is going to be used to generate extra income for the church. The subject property is already home to several single men, which from her understanding are ex-offenders. She said this rezoning will bring her property value down and there is also an issue of safety, as she has young daughters to be concerned about.

Councilman Williams asked whether it was appropriate for the residents to speak first without the benefit of knowing the exact perimeters of the request.

Bishop Clark, Pastor of Harvest Fire Worship Center, Inc., the applicant of this request appeared before the City Council and shared that he came to this community over thirty-five (35) years ago. He conveyed his commitment to the neighborhood. He stated that more than half of his life has been service to the community. He said that he is not an enemy to the community. His emphasized that his passion and his purpose is to help his people and the church does help people who need it.

There being no other interested parties to speak on this item, the public hearing closed.

Motion offered by Councilman Williams, seconded by Councilwoman Odom to discuss the item.

Councilman Williams asked whether the Council would be hearing from the City with regard to this item.

Attorney Dickens in response to Councilman Williams' question said this is not the City's application to present. It is the applicant's position to present.

Mr. Saiphoo, Zoning Administrator appeared before the Council and advised that staff is recommending approval of this request. This request is to bring the existing property into compliance with the City's current zoning regulations. Several years ago the City's Zoning Regulations changed so that churches or religious assemblies would no longer be permitted in the R-1 Zoning. This application allows the owner to be in compliance. In the event there are any future development or building on this property, a list of permitted uses would apply. There are also special exception uses, which would have to be approved by the Council. Such items as parking spaces, setbacks etc., would be approved administratively through the Planning and Zoning Department.

Councilman Harris said he would like to propose a motion to defer this item until February 26, 2014. This would provide an opportunity for both parties, as well as residents to sit down to discuss what is going to take place on this particular property.

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Councilwoman Robinson stated what staff has indicated is that the purpose of this application is to bring the property into compliance. The fact that the City changed its code put the property out of compliance. She said all that is being requested by the applicant is to be able to come into compliance with the City's current Zoning Code. She reiterated the applicant is not trying to do something that is new and different. This is being done because the City changed its zoning regulations, which placed the church out of compliance.

Mr. Saiphoo stated that Councilwoman Robinson's assessment was correct.

Councilwoman Odom opined getting the residents to understand the application by providing the essence of the application and background is vitally important. She encouraged having all parties meet to discuss the item to get a better understanding.

Motion offered by Councilman Harris to defer this item to the February 26, 2014, City Council meeting. This motion was seconded by Councilwoman Odom.

There being no further discussion, the motion to defer passed and carried by a 5-1 vote.

Councilman Harris:	Yes
Councilman Ighodaro:	Yes
Councilwoman Odom:	Yes
Councilwoman Robinson:	No
Councilman Williams:	Yes
Mayor Gilbert:	Not present
Vice Mayor Davis:	Yes

Councilman Harris informed Bishop Clark that it would be a great idea to convene a meeting at his church and invite the residents so that a better understanding can be garnered about this application.

Bishop Clark said he was in agreement with the meeting and wanted the residents to understand that he would not build anything that would negative impact the community.

(N) ORDINANCES ON FOR SECOND READING/PUBLIC HEARING(S)

None

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

None

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

P-1) City Manager Report – Bus Circular Program

(Q) REPORTS OF MAYOR AND COUNCIL MEMBERS

Councilwoman Robinson shared this past weekend during the MLK Holiday celebration,

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several great events took place in Miami Gardens. She reminded residents that the second Monday of every month her Meet Me On Monday meetings are held at Carol City Park from 6:00 – 8:00 PM.

Councilman Ighodaro thanked everyone for their support of the Youth Summit, held January 14, 2014, at Carol City High School. This was a great opportunity to engage our young people. He thanked members of the City Council as well as the Charter Officers and the police department sworn staff for their attendance and participation.

Vice Mayor Davis said we have talked about our young men and they are indeed important. She said she also wanted to do something for the young ladies and opined that it is important to have positive male role models in their lives. She asked Councilwoman Robinson to co-partner with her on this initiative. She wants to target students from elementary to high school. She emphasized the importance of getting our men involved.

Councilwoman Robinson indicated that she would work with Vice Mayor Davis on this initiative.

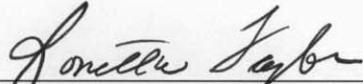
(R) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC

None

(S) ADJOURNMENT

There being no other business to come before this Body, and upon a motion being duly made, the meeting adjourned at 7:53 p.m.

Attest:



Ronetta Taylor, MMC, City Clerk



Oliver Gilbert, Mayor