



CITY OF MIAMI GARDENS CITY COUNCIL MEETING AGENDA

Meeting Date: December 10, 2008
1515 NW 167th St., Bldg. 5, Suite 200
Miami Gardens, Florida 33169
Next Regular Meeting Date: January 14, 2009
Phone: (305) 622-8000 Fax: (305) 622-8001
Website: www.miamigardens-fl.gov
Time: 7:00 p.m.

Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Aaron Campbell Jr.
Councilman André Williams
Councilman Melvin L. Bratton
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
City Manager Danny O. Crew
City Attorney Sonja K. Dickens, Esq.
City Clerk Ronetta Taylor, MMC

City of Miami Gardens Ordinance No. 2007-09-115 requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.

- (A) CALL TO ORDER/ROLL CALL**
- (B) INVOCATION**
- (C) PLEDGE OF ALLEGIANCE**
- (D) APPROVAL OF MINUTES**
 - D-1) Regular City Council Minutes – November 12, 2008
- (E) ORDER OF BUSINESS** (Items to be pulled from Consent Agenda at this time)
- (F) SPECIAL PRESENTATIONS (5 minutes each)**
 - F-1) FY 2007-08 Final Monthly Budget Report

- F-2) City of Miami Gardens' Police Department Monthly Report
- F-3) Special Presentation – Councilwoman Sharon Pritchett

(G) PUBLIC COMMENTS

(H) ORDINANCE(S) FOR FIRST READING

H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING AN ORDINANCE ENTITLED “CERTIFICATE OF RE-OCCUPANCY”; PROVIDING FOR AN APPLICATION PROCESS; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR AN AMNESTY PERIOD; 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 COUNCILMAN ANDRÉ WILLIAMS)

H-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 5 OF ORDINANCE NO. 2005-10-48, THE CITY’S PURCHASING ORDINANCE, IN ORDER TO PROVIDE AUTHORITY FOR THE CITY MANAGER TO EXECUTE PURCHASING SALES AGREEMENTS AND ANY AND ALL OTHER DOCUMENTS NECESSARY IN ORDER TO PURCHASE AND/OR TRANSFER PROPERTY IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM; PROVIDING FOR A SUNSET PROVISION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

(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 THE CITY’S FISCAL YEAR 2007-2008 BUDGET; AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN BUDGET ADJUSTMENTS AS SHOWN IN ATTACHMENT A; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) (1ST READING – NOVEMBER 12, 2008)

I-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING SECTION 21-28 OF THE CITY OF MIAMI-DADE COUNTY CODE, AS MADE APPLICABLE TO THE CITY OF MIAMI GARDENS; CREATING A NEW ORDINANCE ENTITLED “NOISE ORDINANCE”; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER G. GILBERT III) (1ST READING – NOVEMBER 12, 2008)

(J) CONSENT AGENDA

J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING SECTION 2 OF RESOLUTION NO. 2004-48-99 WHICH AMENDED RESOLUTION NO. 2003-05, PROVIDING FOR CITY SIGNATORIES ON VARIOUS CITY BANK ACCOUNTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

J-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON’S APPOINTMENT OF CHARLES S. MOSLEY TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS’ CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY MAYOR SHIRLEY GIBSON)

J-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON’S APPOINTMENT OF VICE MAYOR BARBARA WATSON TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS’ CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY MAYOR SHIRLEY GIBSON)

J-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON’S APPOINTMENT OF ABDUL MUHSIN TO THE DR. MARTIN LUTHER KING, JR., HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF

**REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.
(SPONSORED BY MAYOR SHIRLEY GIBSON)**

- J-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 LOCALLY FUNDED AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), THAT CERTAIN MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND FDOT, AND THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT FOR THE INSTALLATION OF TEXTURED ASPHALT PEDESTRIAL CROSSWALKS AT STATE ROAD 7 FROM NORTHWEST 176TH STREET TO NORTHWEST 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 AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN AARON CAMPBELL'S APPOINTMENT OF COUNCILMAN OLIVER G. GILBERT, III, TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN AARON CAMPBELL JR.)**
- J-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN ANDRÉ WILLIAMS' APPOINTMENT OF HIMSELF TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ANDRÉ WILLIAMS)**
- J-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE BUSH ADMINISTRATION TO GRANT TEMPORARY PROTECTED STATUS TO UNDOCUMENTED HAITIANS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN**

EFFECTIVE DATE. (SPONSORED BY COUNCILMAN ANDRÉ WILLIAMS)

- J-9) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, MAKING IT MANDATORY FOR ALL PARTICIPANTS IN YOUTH SPORTS LEAGUE PROGRAMS OPERATING AT CITY FACILITIES, WHOSE GRADES FALL BELOW A 2.0 GRADE POINT AVERAGE, TO PARTICIPATE IN A HOMEWORK ASSISTANCE AND/OR TUTORING PROGRAM, AND REQUIRING THAT ALL YOUTH LEAGUE PARTICIPANTS MAINTAIN A 2.5 CONDUCT RATING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)**
- J-10) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN OLIVER GILBERT III'S APPOINTMENT OF RODNEY SANDERS TO THE DR. MARTIN LUTHER KING, JR., HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)**
- J-11) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT EXTENSION WITH MIAMI DADE COUNTY FOR FAÇADE IMPROVEMENTS AT THE STOP N SHOP PLAZA; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-12) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY IN ORDER TO INITIATE A BOY SCOUT PACK IN THE CITY OF MIAMI GARDENS TO BE OPERATED THROUGH THE CITY'S PARKS AND RECREATION DEPARTMENT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-13) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING AND ENDORSING THE SOUTH FLORIDA PARKS COALITION'S CHARTER AND THE PRINCIPLES UPON WHICH IT STANDS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

- J-14) 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 MEMORANDUM OF UNDERSTANDING (MOU) WITH THE STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES (DHSMV), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-15) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO WAIVE COMPETITIVE BIDDING REQUIREMENTS AND EXECUTE A CONTRACT WITH METRO DADE K9 SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$17,800.00) FOR THE PURCHASE OF TWO (2) POLICE DOGS; PROVIDING FOR A NUNC PRO TUNC EFFECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-16) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF KENNY DAVIN, TO THE CITY OF MIAMI GARDENS PROGRESSIVE YOUNG ADULTS FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN SHARON PRITCHETT)**
- J-17) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF OLIVER COACHMAN TO THE PARKS AND RECREATION ADVISORY COMMITTEE FOR A ONE- YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN SHARON PRITCHETT)**
- J-18) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF SHANNON HAYNES TO THE DR. MARTIN LUTHER KING, JR.,**

HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN PRITCHETT)

J-19) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF ULYSSES HARVARD TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A TWO YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN PRITCHETT)

J-20) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF KIMBERLY LAWRENCE TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A THREE YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN SHARON PRITCHETT)

J-21) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A *MARTIN LUTHER KING, JR. CELEBRATION 2009* EVENT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE EVENT; PROVIDING FOR EXCEPTIONS/WAIVERS TO BID AND QUOTATION PROCEDURES WHERE NECESSARY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

J-22) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REAPPOINTING MARLON A. HILL, PHOEBEE R. FRANCOIS, QUENTIN E. MORGAN, MIMI V. TURIN AND OLIVIA S. BENSON TO SERVE AS CODE ENFORCEMENT SPECIAL MASTERS AND APPOINTING JIMMY L. MORALES TO SERVE AS A SPECIAL MASTER FOR CODE ENFORCEMENT FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY ATTORNEY)

J-23) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN MELVIN L. BRATTON'S APPOINTMENT OF PATRICIA

LIGHTFOOT TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN MELVIN L. BRATTON)

J-24) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA URGING THE FLORIDA LEGISLATURE TO PROHIBIT MUNICIPAL WATER AND SEWER UTILITIES FROM LEVYING A SURCHARGE TO CONSUMERS LOCATED OUTSIDE THE CITY UNLESS AN EQUAL SURCHARGE IS LEVIED ON CONSUMERS LOCATED WITHIN THE CITY; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)

J-25) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING VICE MAYOR BARBARA WATSON'S APPOINTMENT OF DANNY CREW TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR BARBARA WATSON)

J-26) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO EQUALIZE THE PROPORTIONATE AMOUNT OF FUNDING PROVIDED TO EACH JURISDICTION FROM STATE FUNDS BASED ON POPULATION TO EACH REGION OF FLORIDA, INCLUDING SOUTH FLORIDA; DIRECTING THE CITY OF MIAMI GARDENS' STATE LOBBYISTS TO ADVOCATE FOR SOUTH FLORIDA'S FAIR SHARE OF STATE SPENDING AND TO INCLUDE THIS RESOLUTION IN THE 2009 STATE LEGISLATIVE PACKAGE; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)

(K) RESOLUTION(S)

K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN BOND COUNSEL AGREEMENT WITH JEFFREY D. DECARLO OF ADORNO & YOSS RELATING TO PROVISION OF LEGAL SERVICES IN REFERENCE TO A PROPOSED TWO MILLION DOLLAR (\$2,000,000.00) EQUIPMENT BOND; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

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

L-1) City Manager's Monthly Report

(M) REPORTS OF MAYOR AND COUNCIL MEMBERS

(N) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN

(O) COMMUNICATIONS FROM THE PUBLIC

(P) ADJOURNMENT

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT./ 2228, NO LATER THAN 48 HOURS PRIOR TO SUCH PROCEEDINGS. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT. 2228. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY'S WEBSITE AT www.miamigardens-fl.gov.

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF MIAMI GARDENS WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.



City of Miami Gardens

To: The Honorable Mayor and City Council

Via: Danny O. Crew, City Manager

Fr: William Alonso, Finance Director *WPA*

Date: November 16, 2008

Re: FY2007-08 Final Monthly Budget Report

The following report is the September 2008 monthly budget report for fiscal year 2007-08 and is also the final monthly report for this fiscal year. The purpose of this report is to apprise the City's policy makers of the final budgetary status for the fiscal year ending September 30, 2008. Please keep in mind that these are unaudited numbers and there may be some changes after our external auditors complete their year end audit.

This report is organized as follows:

	<u>Page</u>
I. General Fund Revenues.....	2
II. General Fund Expenditures.....	4
III. Transportation Fund.....	6
IV. Development Services Fund.....	8
V. General Services Fund.....	10
VI. Stormwater Enterprise Fund.....	12
VII. CDBG Fund.....	14
VIII. Capital Projects Fund.....	16
IX. Special Revenue Fund.....	18
X. SHIP Fund.....	20
XI. Law Enforcement Trust Fund.....	22
XII. Monthly and YTD Expenditure Report-All Funds.....	24
XIII. Monthly and YTD Revenue Report-All Funds.....	26
XIV. City's Investment Report.....	29
XV. City's Outstanding Debt Report.....	31

NEW REPORT

Please refer to page 29A which is a new addition to the monthly budget report. Page 29A is a new chart that shows on a month to month basis how our rates of return on investments (ROI) compare to the benchmark (the benchmark is the monthly average of the Florida SBA pool). As you can see for September 2008 we achieved a 2.93% overall ROI compared to 2.41% for our benchmark.

FINANCIAL SUMMARY

The General Fund ended FY2007-08 with a fund balance of \$10,896,669 and an unreserved fund balance of \$8,863,198 which is an increase of \$753,457 from last year's ending unreserved fund balance and also represents approximately 16% of the General Fund budgeted expenditures for FY08-09.

In actuality, we ended the year with an increase of \$1,753,457, however a \$1 million transfer was made to the Capital Projects Fund in order to reserve the funds that will be needed for the State Road 441 Renovation project.

During FY2007-08, the City also had to subsidize the Development Services Fund by \$1.2 Million to cover the operating deficit.

I) GENERAL FUND REVENUES

Schedule of General Fund Budgeted and Actual Revenues
Fiscal Year Ending September 30, 2008
(100% OF YEAR COMPLETED)

Department	FISCAL YEAR 2007-2008						NOTES
	FY2005-06 ACTUAL	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	As of 9/30/2008	% OF ACTUAL VS. BUDGET	
Ad Valorem Taxes - Current	\$ 11,635,651	\$ 19,180,662	\$23,683,854	\$23,683,854	\$ 22,871,432	96.6%	
Franchise Fees-Electric	3,015,219	3,477,481	2,475,000	2,475,000	4,188,860	169.2%	
Franchise Fees-Gas	297,989	234,788	290,000	290,000	166,459	57.4%	
Franchise Fees-SolidWaste	756,499	911,762	850,000	850,000	830,226	97.7%	
Utility Tax-Electric	2,562,561	4,735,403	3,850,000	3,850,000	5,032,682	130.7%	
Utility Tax-Water	559,457	796,199	775,000	775,000	835,384	107.8%	
Utility Fees-Gas	631,722	209,874	200,000	200,000	262,001	131.0%	
Communications Tax	3,313,754	2,995,674	3,700,000	3,700,000	3,788,720	102.4%	
Occupational Licenses - City	701,176	744,314	1,214,965	1,214,965	1,078,384	88.8%	
Occupational Licenses - County	111,814	165,170	210,000	210,000	179,921	85.7%	
Certificates of Use	132,272	270,732	220,000	220,000	282,967	128.6%	
Landlord Permits	154,832	151,020	175,000	175,000	157,399	89.9%	
Lien Search/Reduction	87,374	79,954	90,000	90,000	59,364	66.0%	
Recording fees	-	436	-	-	1,563	100.0%	
Bid Spec Fees	245	8,136	2,000	2,000	13,055	652.8%	
State Revenue Sharing	3,826,368	2,846,204	3,410,615	3,410,615	2,625,165	77.0%	
Alcoholic Beverage License	17,776	13,648	15,000	15,000	16,213	108.1%	
1/2-cent Sales Tax	7,054,689	7,002,963	7,394,785	7,394,785	6,841,860	92.5%	
Parks Program fees	450,687	485,488	600,000	600,000	429,293	71.5%	
MLK Celebration	20,431	12,484	10,000	10,000	36,875	368.8%	
Special Events	-	-	-	-	46,406	100.0%	
Alarm permits	27,099	42,200	35,000	35,000	33,819	96.6%	
Local Code Violations	37,248	136,765	115,000	115,000	341,088	296.6%	
False Alarm Fines	-	-	1,000	1,000	-	0.0%	
Police service fees	-	-	-	-	15,267	100.0%	
Traffic fines	84,331	113,923	150,000	150,000	100,593	67.1%	
Parking fines	27,673	36,951	45,000	45,000	51,739	115.0%	
Towing fines	-	-	-	-	21,186	100.0%	
Police Off Duty Charges	-	-	-	-	395,660	100.0%	
School crossing guards 1	313,132	255,491	320,000	320,000	329,336	102.9%	
School crossing guards 2	5,688	4,970	15,000	15,000	5,003	33.4%	
Interest	733,714	1,011,767	900,000	900,000	508,024	56.4%	
Rent - Bus Benches	75,326	92,430	105,000	105,000	94,221	89.7%	
County Code Enforcement Grant	115,534	4,691	-	-	-	0.0%	
Byrne Grant	28,725	6,746	15,352	15,352	24,649	160.6%	
Childrens Trust Grant	-	116,363	91,109	582,215	485,643	83.4%	
Hurricane Relief	1,873,479	68,062	-	-	9,143	0.0%	
Transportation/US DOJ Grant	-	965	-	-	2,284	0.0%	
Tennis in theParks Grant	-	-	-	-	600	100.0%	
5TH Anniversary Banner Sales	-	-	-	-	12,396	100.0%	
Other Miscellaneous	137,528	244,809	20,000	20,000	120,946	604.7%	
Grants and Donations	551,305	9,600	261,000	11,000	30,174	274.3%	
Insurance Reimbursements	88,590	1,977	2,500	2,500	109,424	4377.0%	
Lobbyist registration fees	5,807	5,250	5,000	5,000	5,750	115.0%	
County Misc Fees	-	-	65,000	65,000	15	0.0%	
Transfer from Transportation QNIP	118,274	317,000	317,000	317,000	298,878	94.3%	
Transfer from Impact Fee Fund	-	135,936	-	250,000	255,000	102.0%	
Overhead Charge-Transportation	116,247	159,463	172,060	172,060	172,060	100.0%	
Overhead Charge-Development	55,644	189,309	164,284	164,284	164,284	100.0%	
Overhead Charge-Stormwater	-	190,120	196,254	196,254	196,254	100.0%	
Overhead Charge-CDBG	-	-	19,971	19,971	-	0.0%	
Overhead Charge-GSF	50,300	313,070	435,126	435,126	435,126	100.0%	
Overhead Charge-Capital Projects	-	194,550	374,637	374,637	374,637	100.0%	
Debt Proceeds	-	1,725,000	2,653,371	2,854,370	2,854,370	100.0%	
Appropriated fund balance	10,181,219	11,692,700	3,357,735	11,244,771	11,244,771	100.0%	
SUB TOTAL GENERAL FUND	\$ 49,957,381	\$ 61,392,501	\$ 59,002,618	\$ 67,581,759	\$ 68,436,569	101.3%	1
General Services Fund:							
Transfers in from other funds	880,536	2,900,027	8,679,932	8,679,933	7,142,343	82.3%	
Debt proceeds	-	5,675,000	1,845,010	1,845,630	1,845,630	100.0%	
Interest earnings	-	166,204	-	-	-	0.0%	
Misc Revenues	14,058	1,872	-	-	-	0.0%	
SUB TOTAL GENERAL SERVICES FUND	894,594	8,743,103	10,524,942	10,525,563	8,987,973	85.4%	
TOTAL GENERAL FUND	\$50,851,975	\$ 70,135,604	\$ 69,527,560	\$ 78,107,322	\$ 77,424,542	99.1%	

NOTES TO THE BUDGET REPORT

General Fund

Revenues

Page 2 is a detailed listing of all general fund revenues. It shows actual revenues received for FY2005-06 and FY2006-07, original and amended budgeted revenues for FY2007-08 and actual revenues received YTD as of September 2008. The last column shows the percentage of revenues received YTD as of September 2008 compared to the annual budget.

Note #1

The City ended the fiscal year collecting 101.3% of budgeted revenues. Although the State revenue sharing funds came in under budget and ad valorem collections were 96.6% of budget, we were able to make up the difference with additional electric franchise fees and utility taxes which both came in almost \$3 Million over budget.

II) EXPENDITURES

Schedule of General Fund Budgeted and Actual Expenditures
Fiscal Year Ending September 30, 2008
(100% OF YEAR COMPLETED)

Department	FISCAL YEAR 2007-2008					% OF ACTUAL VS. BUDGET	Notes
	FY2005-06 ACTUAL	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
General Government:							
Mayor & City Council	653,538	717,666	997,976	1,001,576	955,921	95.4%	
Office of the City Manager	1,480,054	940,272	1,140,815	1,253,119	1,230,274	98.2%	
Office of the City Manager-Outreach	-	1,316,670	1,770,095	2,107,914	2,002,804	95.0%	
Office of the City Clerk	222,805	265,495	404,324	417,883	392,648	94.0%	
Office of the City Attorney	174,404	293,644	201,000	275,460	275,214	99.9%	
Human Resource Department	317,038	659,373	852,765	866,490	852,939	98.4%	
Finance /Budget	305,110	429,093	777,878	754,456	720,383	95.5%	
Public Works	110,756	-	-	-	-	0.0%	
Non-Departmental	898,984	9,056,988	8,199,724	10,468,384	4,348,192	41.5%	
Total General Government	<u>4,162,690</u>	<u>13,679,201</u>	<u>14,344,577</u>	<u>17,145,282</u>	<u>10,778,375</u>	62.9%	
Public Safety:							
Police Department	26,762,728	30,511,775	33,457,413	36,260,020	35,814,326	98.8%	
School Crossing Guards	618,089	716,591	1,235,840	902,136	885,100	98.1%	
Code Enforcement	937,796	1,322,495	1,967,397	1,944,474	1,910,055	98.2%	
Total Public Safety	<u>28,318,613</u>	<u>32,550,861</u>	<u>36,660,650</u>	<u>39,106,630</u>	<u>38,609,481</u>	98.7%	
Parks and Recreation:							
Administration	3,024,930	4,277,984	5,348,797	6,125,418	5,144,387	84.0%	
Park Maintenance	1,097,433	1,910,896	2,648,593	2,703,231	2,512,201	92.9%	
Total Parks and Recreation	<u>4,122,363</u>	<u>6,188,880</u>	<u>7,997,390</u>	<u>8,828,649</u>	<u>7,656,588</u>	86.7%	
SUB TOTAL GENERAL FUND	<u>36,603,666</u>	<u>52,418,942</u>	<u>59,002,617</u>	<u>65,080,561</u>	<u>57,044,444</u>	87.7%	
General Services Fund:							
Purchasing	221,035	179,082	435,462	271,417	266,325	98.1%	
City Hall	952,118	1,158,196	3,576,607	2,480,603	2,336,243	94.2%	
IT	527,170	620,147	1,497,102	2,604,217	2,478,210	95.2%	
Fleet	855,287	4,514,466	4,636,499	5,169,326	4,402,651	85.2%	
SUB TOTAL GENERAL SERVICES	<u>2,555,610</u>	<u>6,471,891</u>	<u>10,145,670</u>	<u>10,525,563</u>	<u>9,483,429</u>	90.1%	
Ending fund balance	<u>11,692,700</u>	<u>11,244,771</u>	<u>379,273</u>	<u>2,501,198</u>	<u>10,896,669</u>	435.7%	
TOTAL GENERAL FUND USES	<u>50,851,976</u>	<u>70,135,604</u>	<u>69,527,560</u>	<u>78,107,322</u>	<u>77,424,542</u>	99.1%	2

NOTES TO THE BUDGET REPORT

General Fund

Expenditures

Page 4 is a detailed listing of all general fund departments. It shows actual expenditures for FY2005-06 and FY2006-07, the amended budgeted expenditures for FY2007-08 and actual expenditures incurred YTD as of September 2008. The last column shows the percentage of expenditures incurred YTD as of September 2008 compared to the annual budget.

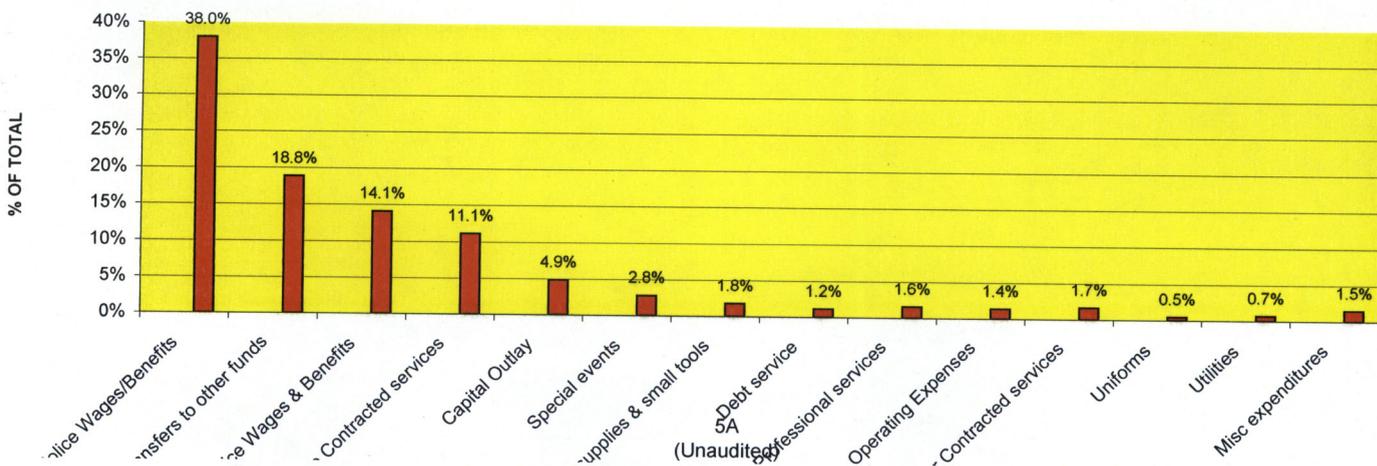
Note #1

The City ended the fiscal year expending only 96.4% of the total budgeted expenditures. No city department exceeded its budget for the fiscal year.

**CITY OF MIAMI GARDENS
EXPENDITURES BY OBJECT-GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2008**

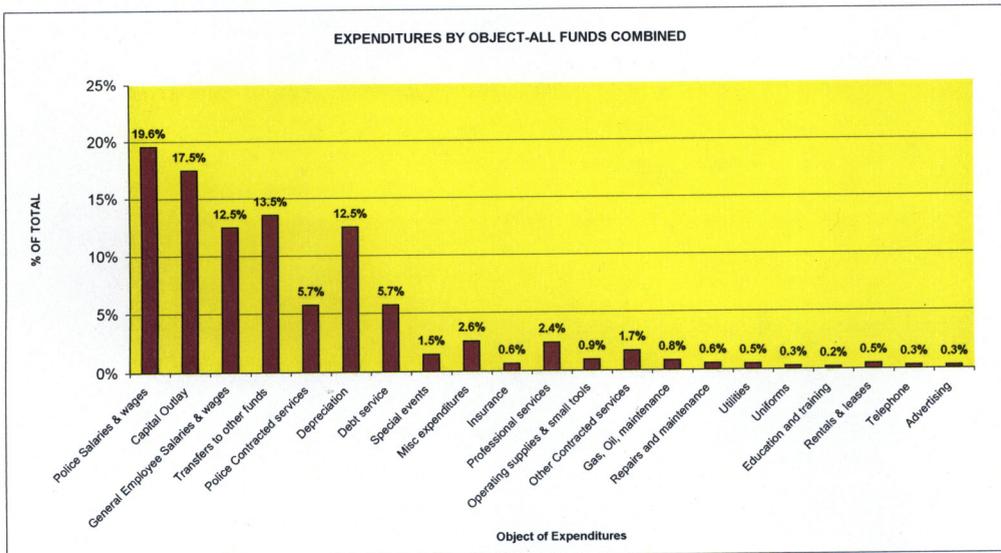
Police:	Actual Expenditures as of 9/30/08	% of Total	
Police Salaries & wages	13,393,011	23.5%	
Overtime	717,271	1.3%	
Special pay	1,094,080	1.9%	
Off Duty Services	355,305	0.6%	
Payroll taxes	1,163,230	2.0%	6,119,620
Retirement	2,816,588	4.9%	15,559,667
Life & health Insurance	990,875	1.7%	39.33%
ICMA Deferred benefits	320,623	0.6%	
Workers' compensation	828,304	1.5%	
Subtotal police wages and benefits	21,679,287	38.0%	
Non-Police:			
General Employee Salaries & wages	5,914,646	10.4%	
Council salaries	70,016	0.1%	
Special pay	53,594	0.1%	
Overtime	64,896	0.1%	
Payroll taxes	454,811	0.8%	6,103,152
Retirement	593,831	1.0%	1,911,800
Life & health Insurance	576,024	1.0%	31.32%
ICMA Deferred benefits	69,742	0.1%	
Unemployment compensation	28,310	0.0%	
Workers' compensation	189,082	0.3%	
Subtotal non-police wages and benefit	8,014,952	14.1%	
Police Contracted services	6,327,509	11.1%	
Transfers to other funds	10,734,111	18.8%	
Capital Outlay	2,778,237	4.9%	
Special events	1,617,706	2.8%	
Operating supplies & small tools	1,030,679	1.8%	
Debt service	671,360	1.2%	
Professional services	899,197	1.6%	
Operating Expenses	802,316	1.4%	
Other Contracted services	947,007	1.7%	
Uniforms	283,860	0.5%	
Utilities	404,688	0.7%	
Misc expenditures	853,435	1.5%	
Total Expenditures	57,044,344	100.0%	

GENERAL FUND EXPENDITURES BY OBJECT



CITY OF MIAMI GARDENS
EXPENDITURES BY OBJECT-ALL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2008

Police:	Actual Expenditures	% of Total	
	as of 9/30/08		
Police Salaries & wages	13,393,011	12.08%	
Overtime	717,271	0.65%	
Special pay	1,094,080	0.99%	
Off Duty Services	355,305	0.32%	
Payroll taxes	1,163,230	1.05%	25,764,393
Retirement	2,816,588	2.54%	9,729,018
Life & health Insurance	990,875	0.89%	37.76%
ICMA Deferred benefits	320,623	0.29%	
Workers' compensation	828,304	0.75%	
Subtotal police wages and benefits	21,679,287	19.56%	
Non-Police:			
General Employee Salaries & wages	9,928,485	8.96%	
Council salaries	70,016	0.06%	
Special pay	82,005	0.07%	10,204,726
Overtime	124,220	0.11%	3,609,398
Payroll taxes	790,098	0.71%	35.37%
Retirement	992,977	0.90%	
Life & health Insurance	1,004,771	0.91%	
ICMA Deferred benefits	426,792	0.39%	
Unemployment compensation	32,094	0.03%	
Workers' compensation	362,666	0.33%	
Subtotal non-police wages and benefits	13,814,124	12.46%	
Police Contracted services	6,327,509	5.71%	
Transfers to other funds	15,010,750	13.54%	
Capital Outlay	19,375,351	17.48%	
Insurance	692,862	0.63%	
Special events	1,617,706	1.46%	
Gas, Oil, maintenance	931,281	0.84%	
Advertising	295,971	0.27%	
Education and training	226,956	0.20%	
Repairs and maintenance	615,337	0.56%	
Rentals & leases	522,480	0.47%	
Telephone	349,821	0.32%	
Operating supplies & small tools	1,025,326	0.93%	
Debt service	6,302,957	5.69%	
Professional services	2,654,845	2.40%	
Other Contracted services	1,876,882	1.69%	
Uniforms	293,695	0.26%	
Utilities	554,770	0.50%	
Depreciation	13,839,701	12.49%	
Misc expenditures	2,837,491	2.56%	
Total Expenditures	110,845,102	100.00%	



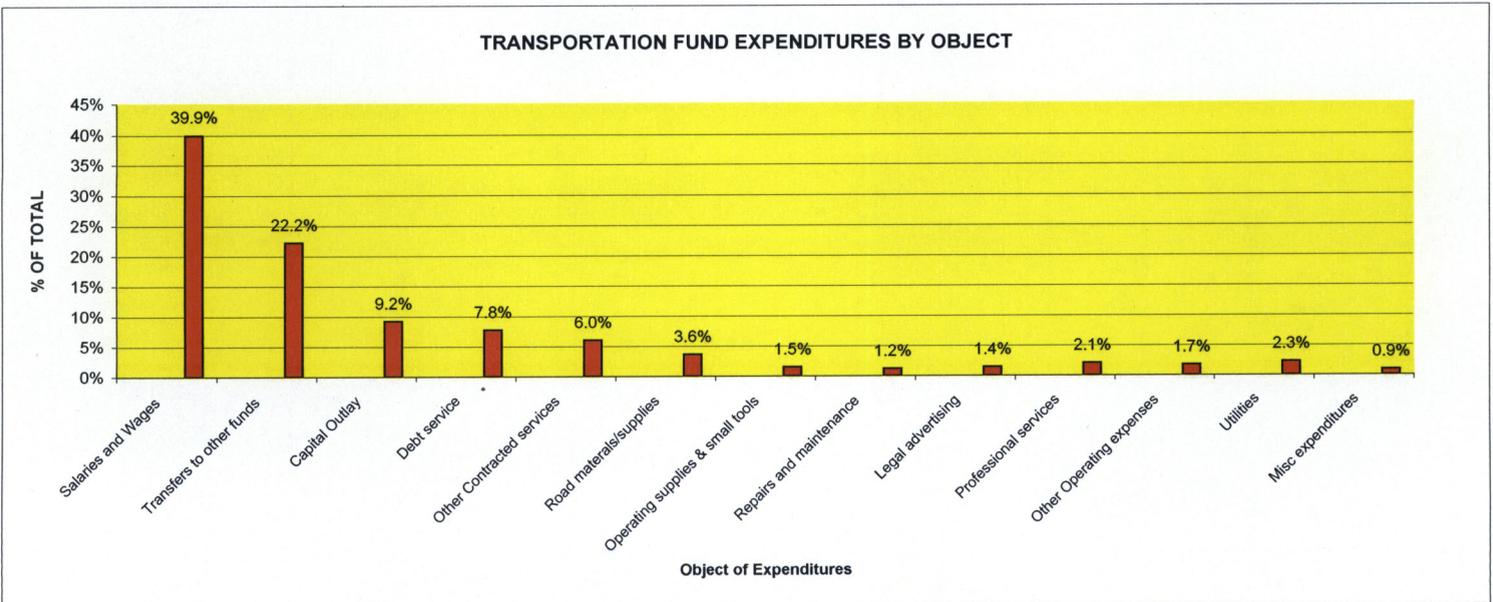
III) TRANSPORTATION FUND

CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-TRANSPORTATION
(100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008					% OF ACTUAL VS. BUDGET	Notes
	FY2005-06 ACTUAL	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
Appropriated Fund Balance	\$ 2,365,320	\$ 995,259	\$ 632,935	\$ 500,211	\$ 500,211		
Revenues:							
Local Option Gas Tax	\$ 2,154,245	\$ 2,297,107	\$ 2,385,024	\$ 2,385,033	\$ 2,270,393	95.2%	
State Revenue Sharing	1,478,690	1,063,708	1,450,000	1,450,000	993,768	68.5%	
Charges for services	6,923	80,066	100,000	100,000	79,127	79.1%	
Grant revenue	4,065,829	1,042,641	73,257	767,522	739,298	96.3%	
Interest earnings	2,237	5,453	-	-	16,617	100.0%	
Misc revenues	59,185	78,150	2,009	2,000	16,983	849.2%	
Transfers in	185,505	-	99,609	252,184	252,187	100.0%	
Total revenues & appropriated fund balance	<u>10,317,933</u>	<u>5,562,384</u>	<u>4,742,834</u>	<u>5,456,950</u>	<u>4,868,584</u>	89.2%	(1)
Expenditures:							
Administrative	947,391	1,063,560	1,542,512	2,362,816	1,062,863	45.0%	
KMGB	382,204	443,676	512,914	529,648	519,086	98.0%	
Streets	<u>7,993,080</u>	<u>3,554,937</u>	<u>2,687,408</u>	<u>2,368,745</u>	<u>2,274,046</u>	96.0%	
Total expenditures	<u>9,322,675</u>	<u>5,062,173</u>	<u>4,742,834</u>	<u>5,261,209</u>	<u>3,855,995</u>	73.3%	(1)
Ending fund balance	<u>995,258</u>	<u>500,211</u>	<u>-</u>	<u>195,741</u>	<u>1,012,589</u>		

CITY OF MIAMI GARDENS
 TRANSPORTATION FUND EXPENDITURES BY OBJECT
 FOR YEAR ENDED SEPTEMBER 30, 2008

<u>Police:</u>	<u>Actual Expenditures</u> <u>as of 9/30/08</u>	<u>% of Total</u>	
Salaries and Wages	1,091,912	28.3%	
Overtime	13,037	0.3%	
Payroll taxes	84,886	2.2%	
Retirement	110,345	2.9%	1,104,949
Life & health Insurance	156,861	4.1%	434,867
ICMA Deferred benefits	15,284	0.4%	39.36%
Unemployment compensation	-	0.0%	
Workers' compensation	<u>67,491</u>	1.8%	
Subtotal wages and benefits	1,539,816	39.9%	
Transfers to other funds	856,993	22.2%	
Capital Outlay	354,653	9.2%	
Road materials/supplies	140,036	3.6%	
Operating supplies & small tools	58,754	1.5%	
Repairs and maintenance	46,492	1.2%	
Legal advertising	55,692	1.4%	
Debt service	298,878	7.8%	
Professional services	80,234	2.1%	
Other Contracted services	232,234	6.0%	
Other Operating expenses	67,300	1.7%	
Utilities	88,602	2.3%	
Misc expenditures	<u>36,311</u>	0.9%	
Total Expenditures	<u>3,855,995</u>	100.0%	



NOTES TO THE BUDGET REPORT

Transportation Fund

Page 6 is a detailed budget report for the Transportation Fund. This fund is used to account for all revenues and expenditures related to streets and road maintenance, Keep Miami gardens Beautiful, and other public works activities.

Note#1

Revenues as of fiscal year end were 89.2% of budget and expenditures were at 73.3% of budget. The fund ended the year with a fund balance of \$1,012,589 which will be carried over to FY2008-09.

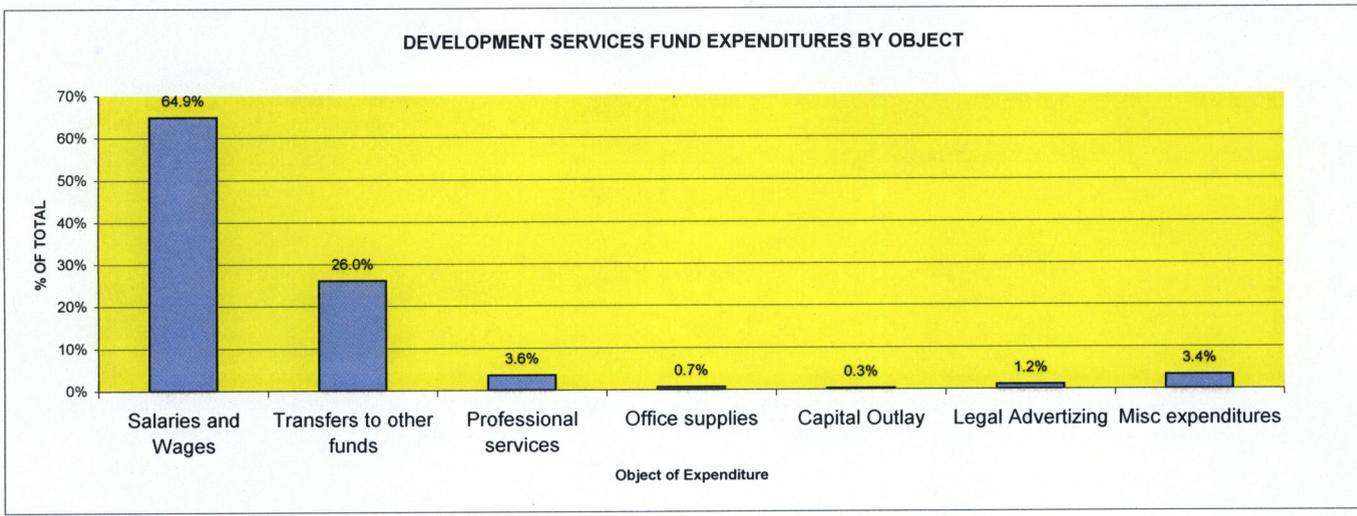
IV) DEVELOPMENTAL SERVICES FUND

CITY OF MIAMI GARDENS
 ACTUAL VS BUDGET REPORT-DEVELOPMENT SERVICES FUND
 (100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008					% OF ACTUAL VS. BUDGET	Notes
	FY2005-06 ACTUAL	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
Appropriated Fund Balance	\$ 952,040	\$ 2,095,620	\$ 1,180,828	\$ 682,443	\$ 682,443		
Revenues:							
Planning and Zoning Fees	476,443	272,901	300,000	300,000	249,566	83%	
Building permits	3,112,352	2,100,939	2,700,000	2,700,000	1,547,205	57%	
Surcharge	163,916	148,696	150,000	150,000	142,371	95%	
BCCO	73,709	37,184	50,000	50,000	33,818	68%	
Grants	69,000	94,965	-	-	27,343	0%	
Intrest earnings	-	21,128	-	-	7,766	100%	
Transfers in from General Fund	-	-	-	1,200,000	1,200,000	100%	
Misc revenues	-	12,410	2,000	2,000	8,076	404%	
Total revenues & appropriated fund balance	<u>4,847,461</u>	<u>4,783,843</u>	<u>4,382,828</u>	<u>5,084,443</u>	<u>3,898,588</u>	77%	
Expenditures:							
Administrative	1,211,110	1,857,360	2,810,365	2,537,176	2,512,976	99%	
Operating expenses	1,599,164	1,959,742	1,567,463	2,609,770	1,329,783	51%	
Capital Outlay	116,145	284,298	5,000	48,543	28,165	58%	
Total expenditures	<u>2,926,420</u>	<u>4,101,400</u>	<u>4,382,828</u>	<u>5,195,489</u>	<u>3,870,924</u>	75%	
Ending fund balance	\$ 1,921,041	\$ 682,443	\$ -	\$ (111,046)	\$ 27,664		

CITY OF MIAMI GARDENS
DEVELOPMENT SERVICES FUND EXPENDITURES BY OBJECT
FOR YEAR ENDED SEPTEMBER 30, 2008

<u>Police:</u>	<u>Actual Expenditures</u> <u>as of 9/30/08</u>	<u>% of Total</u>	
Salaries and Wages	1,906,781	49.3%	
Overtime	25,945	0.7%	
Payroll taxes	147,031	3.8%	1,932,726
Retirement	172,331	4.5%	580,250
Life & health Insurance	158,294	4.1%	30.02%
ICMA Deferred benefits	23,991	0.6%	
Unemployment compensation	3,785	0.1%	
Workers' compensation	<u>74,818</u>	1.9%	
Subtotal wages and benefits	2,512,976	64.9%	
Transfers to other funds	1,008,220	26.0%	
Professional services	138,673	3.6%	
Office supplies	25,540	0.7%	
Capital Outlay	10,381	0.3%	
Legal Advertizing	44,767	1.2%	
Misc expenditures	<u>130,367</u>	3.4%	
Total Expenditures	<u>3,870,924</u>	100.0%	



NOTES TO THE BUDGET REPORT

Development Services Fund

Page 8 is the detailed budget report for the Developmental Services Fund. This fund is used to account for all revenues and expenditures related to building and planning services for our city. This function **should** be self sufficient, meaning that the fees charged should cover the operating costs of the department.

Referring to page 8, the fund ended the year with revenues of 69% of budget and expenditures of 75% of budget. The net result was an operating deficit of 1,172,336 that required the general fund to subsidize the operation with a \$1.2 Million transfer.

V) GENERAL SERVICES FUND

CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-GENERAL SERVICES FUND
(100% OF YEAR COMPLETED)

FISCAL YEAR 2007-2008

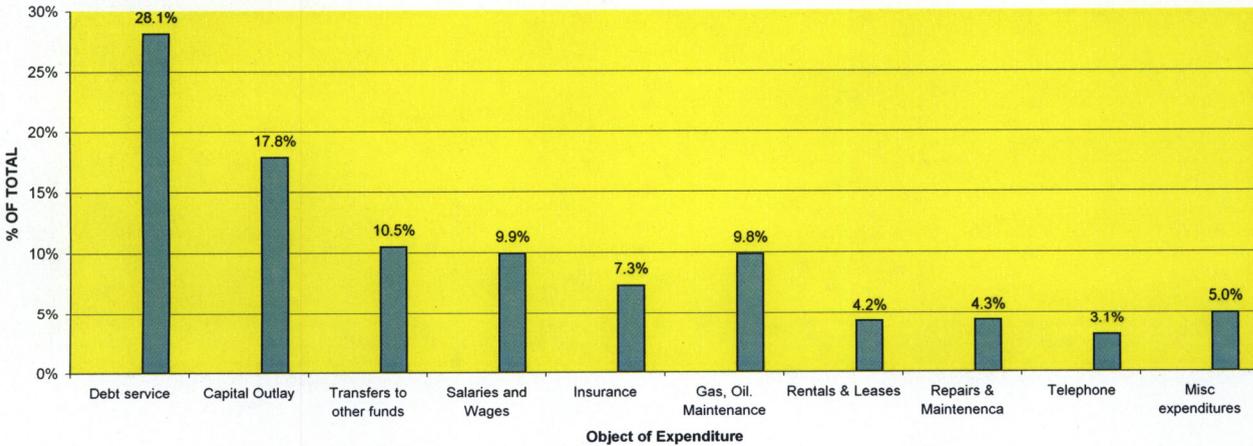
	FISCAL YEAR 2007-2008				% OF ACTUAL VS. BUDGET	Notes
	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
Appropriated Fund Balance	\$ -	\$ -	\$ -	\$ -		
Revenues:						
Transfers in from other funds	3,692,140	8,644,770	8,679,933	7,142,343	82%	
Debt proceeds	5,675,000	1,500,900	1,845,630	1,845,630	100%	
Interest earnings	166,204	-	-	-	0%	
Misc Revenues	1,872	-	-	-	0%	
Total revenues & appropriated fund balance	<u>9,535,216</u>	<u>10,145,670</u>	<u>10,525,563</u>	<u>8,987,973</u>	85%	
Expenditures:						
Purchasing:						
Administrative	155,746	222,590	223,753	223,194	100%	
Operating expenses	23,336	212,872	47,664	43,131	90%	
Subtotal Purchasing	<u>179,082</u>	<u>435,462</u>	<u>271,417</u>	<u>266,325</u>	98%	
City Hall						
Operating expenses	806,366	3,228,293	2,128,773	1,984,413	93%	
Debt service	351,830	351,830	351,830	351,830	100%	
Subtotal City Hall	<u>1,158,196</u>	<u>3,580,123</u>	<u>2,480,603</u>	<u>2,336,243</u>	94%	
IT						
Administrative	238,693	728,966	618,837	609,113	98%	
Operating expenses	349,041	738,136	1,183,816	1,133,033	96%	
Capital Outlay	32,413	30,000	801,564	736,064	92%	
Subtotal IT	<u>620,147</u>	<u>1,497,102</u>	<u>2,604,217</u>	<u>2,478,210</u>	95%	
Fleet						
Administrative	52,824	138,081	107,520	106,932	99%	
Operating expenses	591,978	1,715,544	1,447,252	1,455,822	101%	
Capital Outlay	4,619,078	538,738	1,293,727	526,338	41%	
Debt service	326,141	2,240,620	2,320,827	2,313,559	100%	
Subtotal Fleet	<u>5,590,021</u>	<u>4,632,983</u>	<u>5,169,326</u>	<u>4,402,651</u>	85%	
Total expenditures all divisions	<u>7,547,446</u>	<u>10,145,670</u>	<u>10,525,563</u>	<u>9,483,429</u>	90%	
Ending fund balance(deficit) (added/deducted from General Fund)	\$ 1,987,770	\$ -	\$ -	\$ (495,456)		

THIS FUND IS CLOSED AND INCORPORATED INTO THE GENERAL FUND AT YEAR END.

CITY OF MIAMI GARDENS
 GENERAL SERVICES FUND EXPENDITURES BY OBJECT
 FOR YEAR ENDED SEPTEMBER 30, 2008

<u>Police:</u>	<u>Actual Expenditures</u> <u>as of 9/30/08</u>	<u>% of Total</u>	
Salaries and Wages	716,756	7.6%	
Overtime	20,009	0.2%	
Payroll taxes	56,986	0.6%	
Retirement	62,306	0.7%	736,765
Life & health Insurance	62,284	0.7%	202,418
ICMA Deferred benefits	16,727	0.2%	27.47%
Workers' compensation	4,115	0.0%	
Subtotal wages and benefits	939,183	9.9%	
Debt service	2,665,389	28.1%	
Insurance	689,203	7.3%	
Capital Outlay	1,691,002	17.8%	
Transfers to other funds	993,610	10.5%	
Gas, Oil, Maintenance	931,281	9.8%	
Rentals & Leases	402,680	4.2%	
Repairs & Maintenance	408,491	4.3%	
Telephone	292,502	3.1%	
Misc expenditures	470,088	5.0%	
Total Expenditures	9,483,429	100.0%	

GENERAL SERVICES FUND EXPENDITURES BY OBJECT



NOTES TO THE BUDGET REPORT

General Services Fund

Page 10 is the General Services Fund, this fund is used to account for various services that are provided to all city departments and other funds. The total costs are then allocated to the other funds and departments based on a detail allocation formula, the departments and funds then transfer their portion of the allocated costs to this fund.

The revenues of this fund come from transfers from other departments and fund as well as debt proceeds related to vehicle and equipment purchases.

It is important to note that this is a temporary fund and is consolidated with the General Fund at year end. The main purpose is to be able to keep track of the costs for allocation purposes. The four main areas of costs in this fund are as follows:

- a) Purchasing-to allocate cost of the purchasing department to users, costs are allocated based on purchase orders issued.
- b) City Hall-To allocate costs of the facility-rent, insurance, maintenance. Costs are allocated based on square footage.
- c) Information Technology-to allocate costs of computer related activities as well as telephone and cell phone expenditures. Costs are allocated based on users and equipment allocations.
- d) Fleet-to allocate costs of vehicle purchases and ongoing repairs and maintenance. Costs are allocated based on vehicles assigned to each fund or department.

As you can see, the operation ended the fiscal year with a deficit of \$495,456, this deficit is already netted out of the General Fund fund balance discussed above.

VI) STORMWATER ENTERPRISE FUND

CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-STORMWATER
(100% OF YEAR COMPLETED)

FISCAL YEAR 2007-2008

	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08	% OF ACTUAL VS. BUDGET
Appropriated Fund Balance	\$ -	\$ 466,914	\$ 466,914	\$ 466,914	
Revenues:					
Stormwater fees	\$ 1,400,804	\$ 3,395,000	\$ 3,395,000	\$ 3,473,951	102%
Misc Income	4,701	-	-	19,901	0%
Total revenues & appropriated fund balance	<u>1,405,505</u>	<u>3,861,914</u>	<u>3,861,914</u>	<u>3,960,766</u>	
Expenditures:					
Administrative costs	10,367	543,894	306,370	293,236	96%
Operations and maintenance	83,355	1,349,988	1,360,186	1,276,835	94%
Capital outlay	-	1,247,578	691,284	525,393	76%
Interest expense and fees	388,563	418,341	418,341	418,344	100%
Transfer to other funds	<u>456,306</u>	<u>854,688</u>	<u>1,007,263</u>	<u>1,007,263</u>	100%
Total expenditures	<u>938,591</u>	<u>4,414,489</u>	<u>3,783,444</u>	<u>3,521,071</u>	93%
Excess (deficit) revenues over expenditures	<u>466,914</u>	<u>(552,575)</u>	<u>78,470</u>	<u>439,695</u>	
Non-cash budget items:					
Depreciation	-	<u>339,400</u>	<u>356,400</u>	<u>356,553</u>	100%

NOTES TO THE BUDGET REPORT

Stormwater Fund

Page 12 presents the detail budget for the stormwater system which was transferred to the city by Miami Dade County in April 2007. For reporting purposes within these monthly reports, this fund is shown using the budgetary basis of accounting, for financial reporting purposes at year end, this fund will be reported as an enterprise fund.

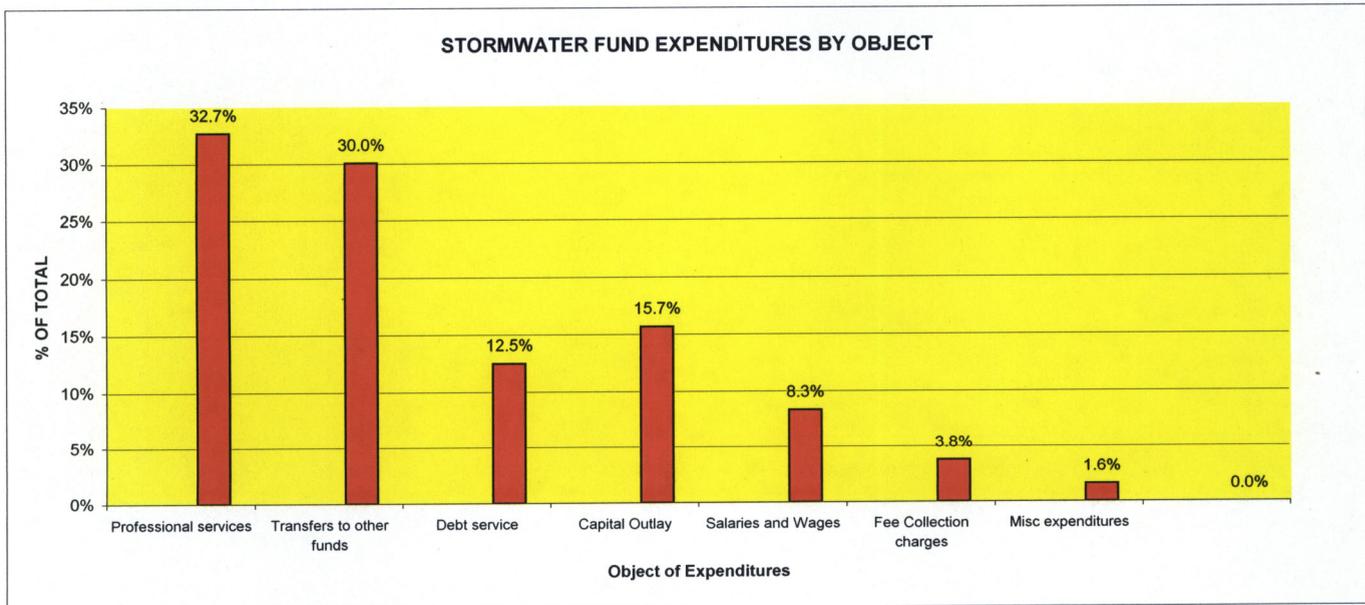
Revenues for this fund come from user assessed fees based \$4 per Equivalent Residential Unit (ERU) for each property. The revenues are collected and forwarded to the city by Miami Dade Water and Sewer, North Miami Beach Water & Sewer, and about 1,050 are billed directly by the City of Miami Gardens on a quarterly basis.

At year end, revenues collected were 102% of budget, while operating expense were approximately 93% of budget.

The year end fund balance is \$7,131,358, however almost all of this amount is invested in capital assets net of related debt, and as such are not available to the city for cash flow purposes. It is important that this fund builds up its reserve balances in order to be able to meet the infrastructure repairs and replacements needs of the future.

CITY OF MIAMI GARDENS
STORMWATER FUND EXPENDITURES BY OBJECT
FOR YEAR ENDED SEPTEMBER 30, 2008

<u>Police:</u>	<u>Actual Expenditures</u>	<u>% of Total</u>	
	<u>as of 9/30/08</u>		
Salaries and Wages	201,312	6.0%	
Overtime	243	0.0%	
Compensated absences	24,538	0.7%	
Payroll taxes	15,426	0.5%	201,555
Retirement	15,741	0.5%	67,143
Life & health Insurance	14,960	0.4%	33.31%
ICMA Deferred benefits	3,625	0.1%	
Workers' compensation	<u>17,391</u>	0.5%	
Subtotal wages and benefits	293,236	8.3%	
Debt service	418,344	12.5%	
Transfers to other funds	1,007,263	30.0%	
Capital Outlay	525,393	15.7%	
Fee Collection charges	127,102	3.8%	
Professional services	1,095,555	32.7%	
Misc expenditures	<u>54,178</u>	1.6%	
Total Expenditures	<u>3,521,071</u>	104.6%	



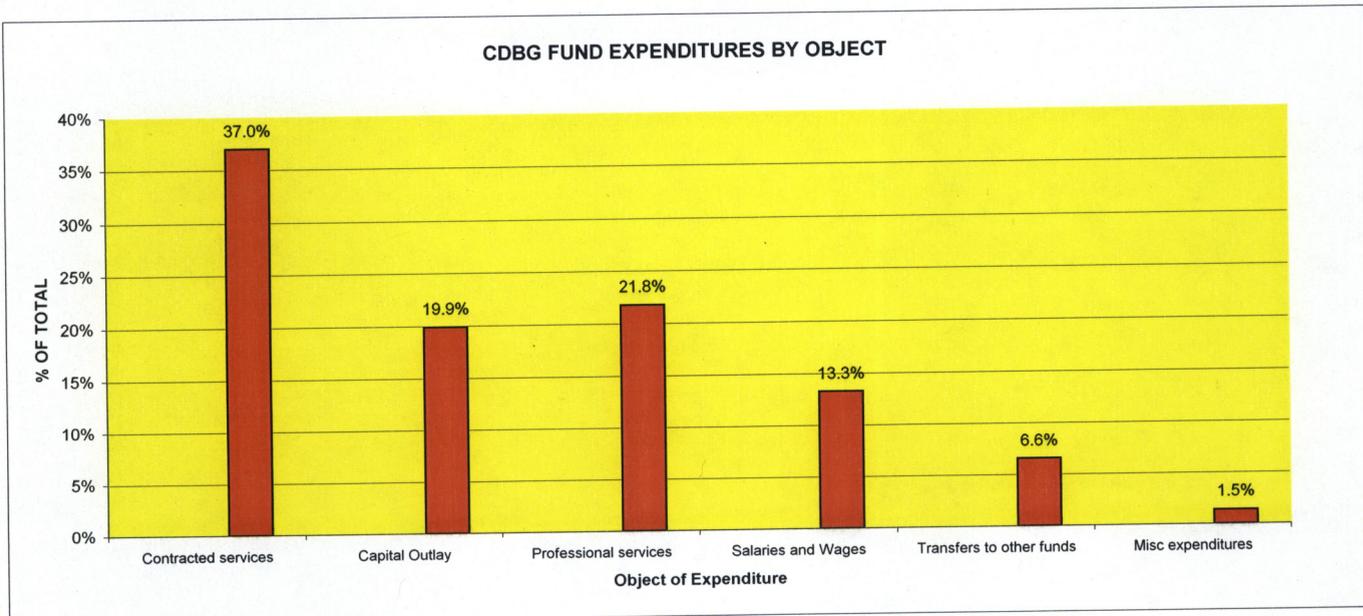
VII) CDBG FUND

CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-CDBG
(100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008				% OF ACTUAL VS. BUDGET	Notes
	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
Appropriated Fund Balance	\$ -	\$ 270,656	\$ (32,681)	\$ (32,681)		
Revenues:						
Program Revenue	657,065	1,420,330	2,291,549	1,442,913	63%	
OCED Grant	10,291	300,000	1,000,000	368,737	37%	
Façade renovation grant	3,949	-	123,427	2,688	2%	
Facade Business Contribution	-	-	-	32,286	100%	
Misc revenues	3,168	-	-	2,711	100%	
EDI	-	247,500	247,500	-	0%	
Total revenues & appropriated fund balance	<u>674,473</u>	<u>2,238,486</u>	<u>3,629,795</u>	<u>1,816,654</u>	50%	
Expenditures:						
Administrative	195,999	200,100	233,250	212,085	91%	
Operating expenses	500,864	425,001	2,752,636	1,066,969	39%	
Capital Outlay	10,291	1,613,385	643,909	317,906	49%	
Total expenditures	<u>707,154</u>	<u>2,238,486</u>	<u>3,629,795</u>	<u>1,596,960</u>	44%	
Ending fund balance	<u>\$ (32,681)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 219,694</u>		

**CITY OF MIAMI GARDENS
CDBG FUND EXPENDITURES BY OBJECT
FOR YEAR ENDED SEPTEMBER 30, 2008**

<u>Police:</u>	<u>Actual Expenditures</u> <u>as of 9/30/08</u>	<u>% of Total</u>	
Salaries and Wages	158,154	9.9%	
Overtime	49	0.0%	
Payroll taxes	12,748	0.8%	158,203
Retirement	17,642	1.1%	53,883
Life & health Insurance	18,344	1.1%	34.06%
ICMA Deferred benefits	2,356	0.1%	
Workers' compensation	<u>2,793</u>	0.2%	
Subtotal wages and benefits	212,086	13.3%	
Transfers to other funds	104,898	6.6%	
Capital Outlay	317,906	19.9%	
Contracted services	590,724	37.0%	
Professional services	347,724	21.8%	
Misc expenditures	<u>23,622</u>	1.5%	
Total Expenditures	<u>1,596,960</u>	100.0%	



NOTES TO THE BUDGET REPORT

CDBG Fund

Page 14 is the detailed budget for the CDBG fund. This fund is used to account for the funding received from HUD and other grants in order to provide housing assistance to low income residents and the needy. In addition, this fund accounts for the costs related to the façade renovation projects in our commercial districts.

Revenues from HUD are paid on a reimbursement basis to the city, we periodically submit reimbursement requests to HUD and receive funding within 72 hours of submission.

The fund ended the year with a fund balance of \$219,694 to be carried forward to FY08-09.

VIII) CAPITAL PROJECTS FUND

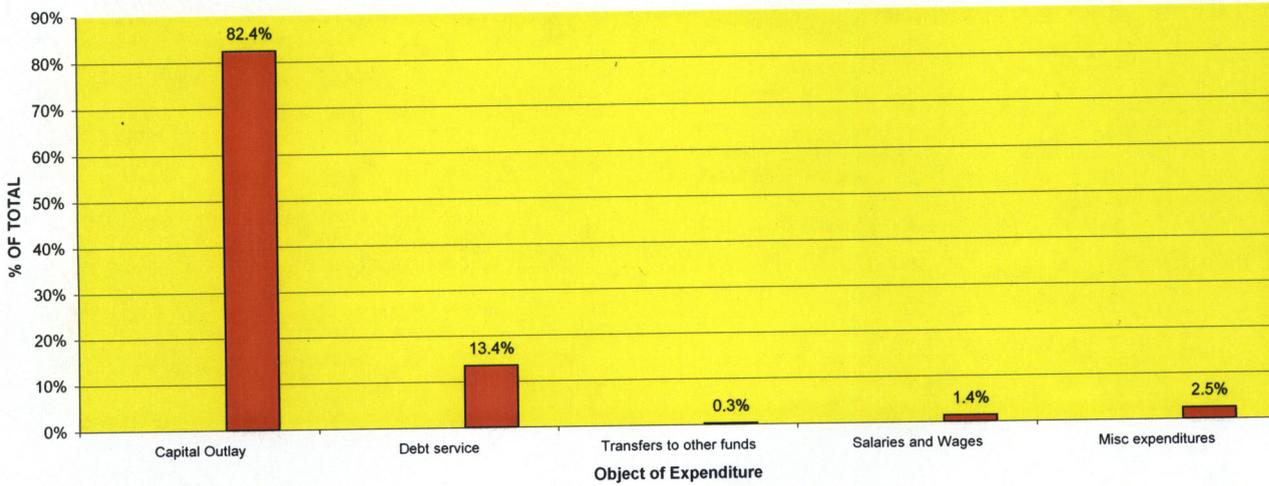
CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-CAPITAL PROJECTS FUND
(100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008					% OF ACTUAL VS. BUDGET
	FY2005-06 ACTUAL	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08	
Appropriated Fund Balance	\$ -	\$ (1,428,726)	\$ -	\$ 13,595,976	\$ 13,595,976	
Revenues:						
Grant funds	287,934	3,160,677	38,044,840	37,288,857	11,109,656	30%
Debt proceeds	-	14,400,000	9,879,668	-	-	0%
Transfers in from other funds	376,380	8,752,000	4,010,756	5,010,756	4,884,197	97%
Interest earnings	-	201,258	-	183,621	431,274	100%
Misc revenues	-	-	-	-	3,500	100%
Land sale	-	-	2,160,000	2,160,000	-	0%
Total revenues & appropriated fund balance	<u>664,314</u>	<u>25,085,209</u>	<u>54,095,264</u>	<u>58,239,210</u>	<u>30,024,603</u>	52%
Expenditures:						
Administrative	-	80,244	100,648	230,014	228,154	99%
Operating expenses	189,292	331,357	439,450	480,964	474,742	99%
Capital Outlay	1,903,748	10,715,790	48,050,776	55,165,842	13,797,363	25%
Debt service	-	361,842	5,504,390	2,362,390	2,248,987	95%
Total expenditures	<u>2,093,039</u>	<u>11,489,233</u>	<u>54,095,264</u>	<u>58,239,210</u>	<u>16,749,246</u>	29%
Ending fund balance	<u>\$ (1,428,725)</u>	<u>\$ 13,595,976</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 13,275,357</u>	

CITY OF MIAMI GARDENS
CAPITAL PROJECTS FUND EXPENDITURES BY OBJECT
FOR YEAR ENDED SEPTEMBER 30, 2008

<u>Police:</u>	<u>Actual Expenditures</u> <u>as of 9/30/08</u>	<u>% of Total</u>	
Salaries and Wages	172,413	1.0%	
Payroll taxes	13,232	0.1%	
Retirement	14,951	0.1%	
Life & health Insurance	15,884	0.1%	55,742
ICMA Deferred benefits	5,068	0.0%	32.33%
Workers' compensation	<u>6,607</u>	0.0%	
Subtotal wages and benefits	228,155	1.4%	
Transfers to other funds	50,654	0.3%	
Capital Outlay	13,797,363	82.4%	
Debt service	2,248,987	13.4%	
Misc expenditures	<u>424,087</u>	2.5%	
Total Expenditures	<u>16,749,246</u>	100.0%	

CAPITAL PROJECTS FUND EXPENDITURES BY OBJECT



NOTES TO THE BUDGET REPORT

Capital Projects Fund

Page 16 is the actual to budget comparison for the Capital Projects Fund. This fund is used to account for the revenues and expenditures related to ongoing city-wide projects. The FY2007-08 budget contains a detailed listing of all projects budgeted in the current fiscal year.

Revenues for this fund come mostly from grants, debt proceeds, and transfers from other funds. The General fund transferred \$2.5 million into this fund for the current year. Since most of the grants budgeted are "reimbursement" grants, we do not realize any revenues until actual expenditures are incurred.

As of fiscal year-end, we had received 52% of the budgeted annual revenues while expenditures were 29%, this provided an ending fund balance of \$13,275,357 to be carried forward to FY08-09.

IX) SPECIAL REVENUE FUND

CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-SPECIAL REVENUE FUND
(100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008					% OF ACTUAL VS. BUDGET
	FY2005-06 ACTUAL	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08	
Appropriated Fund Balance	\$ 735,562	\$ 1,181,901	\$ 1,404,545	\$ 1,576,698	\$ 1,576,698	
Revenues:						
Impact fee-Police	31,081	50,505	40,000	40,000	45,125	113%
Impact fee-Open spaces	107,123	271,131	150,000	150,000	74,114	49%
Impact fee-improvements	114,032	44,292	150,000	150,000	62,970	42%
General admin fees	-	-	-	-	9,529	6%
CMG Junior Council	-	16,695	-	4,043	7,670	190%
LETTF	13,348	22,843	15,100	15,100	14,280	95%
Jazz festival	163,916	97,399	250,000	250,000	428,599	171%
Event revenues	24,020	9,028	10,024	5,957	-	0%
Interest earnings	-	25,856	-	-	52,557	100%
Total revenues & appropriated fund balance	<u>1,189,081</u>	<u>1,719,650</u>	<u>2,019,669</u>	<u>2,191,798</u>	<u>2,271,542</u>	104%
Expenditures:						
Operating expenses	-	17,082	1,400,526	1,235,827	-	0%
Police	-	1,035	40,000	220,700	165,518	75%
Parks Open Spaces	-	-	150,000	67,000	3,450	5%
LETTF-Police	-	-	15,100	15,000	-	0%
Parks Improvements	-	-	150,000	208,000	3,450	2%
CMG Junior Council	-	5,981	4,043	13,143	8,679	66%
Transfer to other funds	-	118,854	255,000	255,000	255,000	100%
Reading incentive program	7,180	-	-	-	-	0%
Other events	-	-	5,000	5,000	-	0%
Total expenditures	<u>7,180</u>	<u>142,952</u>	<u>2,019,669</u>	<u>2,019,670</u>	<u>436,097</u>	22%
Ending fund balance	\$ 1,181,901	\$ 1,576,698	\$ -	\$ 172,128	\$ 1,835,445	

NOTES TO THE BUDGET REPORT

Special Revenue Fund

Page 18 of this report contains the budget report for the Special Revenue fund. This fund is used to account for the impact fees charged for Police and Parks, and for revenues related to the annual jazz festival, other donations, and the junior council. In addition the fund also receives LETTF funds from fines, these funds are restricted to law enforcement training purposes only.

As of September 30 31, 2008, the fund had an ending fund balance of \$1,836,259. The following is a breakdown of the fund balance by source so that we can define how much money is available for each activity:

Police impact fees.....	\$ 70,557
Parks Improvements.....	\$ 682,750
Parks-Open Spaces.....	\$ 676,532
LETF.....	\$ 52,290
Junior Council.....	\$ 9,771
Other.....	<u>\$ 344,359</u>
Total	<u>\$ 1,836,259</u>

X) SHIP FUND

CITY OF MIAMI GARDENS
ACTUAL VS BUDGET REPORT-SHIP
(100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008				% OF ACTUAL VS. BUDGET	Notes
	FY2006-07 ACTUAL	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
Appropriated Fund Balance	\$ -	\$ 313,090	\$ 73,526	\$ 73,526		
Revenues:						
SHIP funds	\$ 91,893	\$ 600,000	\$ 613,090	\$ 657,872	107%	
Interest earnings	433	-	-	2,823	100%	
Total revenues & appropriated fund balance	<u>92,326</u>	<u>913,090</u>	<u>686,616</u>	<u>734,221</u>	107%	
Expenditures:						
Administrative	7,819	10,050	119,191	73,723	62%	
Operating expenses	10,981	903,040	493,899	542,453	110%	
Total expenditures	<u>18,800</u>	<u>913,090</u>	<u>613,090</u>	<u>616,176</u>	101%	
Ending fund balance	<u>\$ 73,526</u>	<u>\$ -</u>	<u>\$ 73,526</u>	<u>\$ 118,045</u>		

NOTES TO THE BUDGET REPORT

SHIP Fund

On page 20 this report is the budget report for the State Housing Initiative Program (SHIP). This fund accounts for the revenues and expenditures related to housing assistance to eligible residents.

Revenues are received in advance on a quarterly basis from the State, as you can see by fiscal year end we had already received an allotment of \$657,872.

This fund ended the year with a fund balance of \$118,045 to be carried forward to FY08-09.

XI) LAW ENFORCEMENT TRUST FUND

CITY OF MIAMI GARDENS
 ACTUAL VS BUDGET REPORT-LAW ENFORCEMENT TRUST FUND
 (100% OF YEAR COMPLETED)

	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET	Notes
	ADOPTED BUDGET	AMENDED BUDGET	AS OF Sep-08		
Appropriated Fund Balance	\$ -	\$ -	\$ -		
Revenues:					
Forfeiture funds	\$ -	\$ -	\$ 16,900	0%	
Interest earnings	-	-	141	0%	
Total revenues & appropriated fund balance	-	-	17,041	0%	
Expenditures:					
Administrative	-	-	-	0%	
Operating expenses	-	-	-	0%	
Total expenditures	-	-	-	0%	
Ending fund balance	\$ -	\$ -	\$ 17,041		

NOTES TO THE BUDGET REPORT

Law Enforcement Trust Fund

Page 20 is the new Law Enforcement Trust Fund which will be used to account for all revenues coming from Police forfeitures. These funds are strictly reserved for specific law enforcement uses and expenditures must be approved by Council via a resolution.

As of fiscal year end, the City had already received \$16,900 in funds from the County and from Departmental forfeitures.

XII) MONTHLY AND YTD EXPENDITURE REPORT

CITY OF MIAMI GARDENS

Monthly and YTD Expenditure Report

Operating Budget Summary by Fund- SEPTEMBER 2008

Fund	FY2007-08 Amended Budget	FY2007-08 Current month actual spent	Current month % spent	FY2007-08 YTD Actual spent	YTD % spent	FY2007-08 Outstanding encumbrances	FY2007-08 YTD committed	YTD % committed	Unencumbered Balance
GENERAL FUND									
GENERAL GOVERNMENT									
Legislative	1,001,576	86,134	8.60%	955,921	95.44%	-	955,921	95.44%	45,655
City Manager	1,253,119	132,192	10.55%	1,230,274	98.18%	-	1,230,274	98.18%	22,845
Media & Special Events	2,107,914	89,507	4.25%	2,002,804	95.01%	-	2,002,804	95.01%	105,110
City Clerk	417,883	46,610	11.15%	392,648	93.96%	-	392,648	93.96%	25,235
Finance	754,456	68,208	9.04%	720,383	95.48%	-	720,383	95.48%	34,073
Human Resources	866,490	78,839	9.10%	852,939	98.44%	-	852,939	98.44%	13,551
City Attorney	275,460	57,555	20.89%	275,214	99.91%	-	275,214	99.91%	246
Non-Departmental	10,468,384	1,002,638	9.58%	4,348,192	41.54%	-	4,348,192	41.54%	6,120,192
Total General Government	17,145,282	1,561,683	9.11%	10,778,375	62.86%	-	10,778,375	62.86%	6,366,907
PUBLIC SAFETY									
School Crossing Guards	902,136	116,358	12.90%	885,100	98.11%	-	885,100	98.11%	17,036
Police	36,260,020	3,468,222	9.56%	35,814,326	98.77%	-	35,814,326	98.77%	445,694
Code Enforcement	1,944,474	191,980	9.87%	1,910,055	98.23%	-	1,910,055	98.23%	34,419
Total Public Safety	39,106,630	3,776,560	9.66%	38,609,481	98.73%	-	38,609,481	98.73%	497,149
RECREATION									
Administration	6,125,418	608,459	9.93%	5,144,387	83.98%	-	5,144,387	83.98%	981,031
Maintenance	2,703,231	453,895	16.79%	2,512,201	92.93%	-	2,512,201	92.93%	191,030
Total Recreation	8,828,649	1,062,354	12.03%	7,656,588	86.72%	-	7,656,588	86.72%	1,172,061
TOTAL GENERAL FUND	65,080,561	6,400,597	9.83%	57,044,444	87.65%	-	57,044,444	87.65%	8,036,117
TRANSPORTATION									
Administration	2,306,973	62,021	2.69%	1,062,863	46.07%	-	1,062,863	46.07%	1,244,110
Keep Miami Gardens Beautiful	545,158	71,422	13.10%	519,086	95.22%	-	519,086	95.22%	26,072
Streets	2,409,077	234,537	9.74%	2,274,046	94.39%	-	2,274,046	94.39%	135,031
TOTAL TRANSPORTATION	5,261,208	387,980	7.36%	3,855,995	73.29%	-	3,855,995	73.29%	1,405,213
DEVELOPMENT SERVICES									
Planning	1,023,685	89,052	8.70%	965,848	94.35%	-	965,848	94.35%	57,837
Building Services	4,171,805	288,291	6.91%	2,905,076	69.64%	-	2,905,076	69.64%	1,266,729
TOTAL DEVELOPMENT	5,195,490	377,343	7.28%	3,870,924	74.51%	-	3,870,924	74.51%	1,324,566
GENERAL SERVICE									
Purchasing	271,417	28,182	10.38%	266,325	98.12%	-	266,325	98.12%	5,092
City Hall	2,480,603	412,562	16.63%	2,336,243	94.18%	-	2,336,243	94.18%	144,360
IT	2,604,217	170,180	6.53%	2,478,210	95.16%	-	2,478,210	95.16%	126,007
Fleet	5,169,326	452,162	8.75%	4,402,651	85.17%	-	4,402,651	85.17%	766,675
TOTAL GENERAL SERVICES	10,525,563	1,063,086	10.10%	9,483,429	90.10%	-	9,483,429	90.10%	1,042,134
OTHER FUNDS									
Stormwater	4,139,844	388,861	9.39%	3,352,231	80.97%	-	3,352,231	80.97%	787,613
Capital Projects Fund	56,239,210	2,644,318	4.54%	16,749,246	28.76%	-	16,749,246	28.76%	41,489,964
GOBG	3,629,795	168,532	4.64%	1,596,960	44.00%	-	1,596,960	44.00%	2,032,835
SHIP	613,090	160,707	26.21%	616,176	100.50%	-	616,176	100.50%	(3,086)
Lae Enforcement Trust Fund	-	-	0.00%	-	0.00%	-	-	0.00%	-
Special Revenue Fund	2,019,670	109,119	5.40%	436,097	21.59%	-	436,097	21.59%	1,583,573
TOTAL OTHER FUNDS	68,641,609	3,471,537	5.06%	22,750,710	33.14%	-	22,750,710	33.14%	45,890,899
Total All Funds	154,704,431	11,680,543	7.55%	97,005,502	62.70%	-	97,005,502	62.70%	57,698,929

*As of September 2008, 100% of FY2007-08 has been completed

NOTES TO THE BUDGET REPORT

Monthly and YTD Expenditures Report-All Funds

Page 24 is a summary expenditure report for all funds. This report differs from the individual fund reports previously presented in that the individual reports show actual expenditures "paid" during September 2008, while this summary report shows the actually spent as well as outstanding encumbrances (purchase orders issued but not paid). The "YTD committed" column shows for each department and fund the total amount expended for the fiscal year just ended. Notice that the encumbrance column is blank since at year end any open encumbrances are rolled over to the following fiscal year's budget.

The totals row at the bottom shows that for the fiscal year, total expenditures actually paid were \$97,005,502 or 62.7% of the annual budget.

XIII) MONTHLY AND YTD REVENUE REPORT

CITY OF MIAMI GARDENS
REVENUES ALL FUNDS
Sep-08

Revenue Categories	Total FY07-08 Amended Budget	Monthly Received FY2008	% of total budget received	Monthly Received FY2007	Over (Under) from FY2007	YTD Received FY2008	% of total budget received	YTD Received FY2007	Over (Under) from FY2007
GENERAL FUND									
Ad Valorem	23,683,854	794,920	3.36%	357,251	437,669	22,871,432	96.57%	19,180,666	3,690,766
Franchise Fees	3,615,000	75,892	2.10%	117,764	(41,872)	5,185,543	143.45%	4,624,031	561,512
Utility Taxes	4,825,000	1,592,731	33.01%	2,512,926	(920,195)	6,130,059	127.05%	5,741,477	388,582
Communications tax	3,700,000	664,326	17.95%	893,624	(229,298)	3,788,718	102.40%	2,992,674	796,044
License, fees & permits	1,947,965	130,598	6.70%	30,944	99,654	2,237,847	114.88%	1,457,024	780,823
Half cent sales tax	7,394,785	1,044,340	14.12%	1,063,491	(19,151)	6,841,861	92.52%	7,002,963	(161,102)
State Revenue sharing	3,425,615	402,919	11.76%	930,931	(528,012)	2,641,379	77.11%	2,856,215	(214,836)
Investment earnings	900,000	32,993	3.67%	1,028,849	(995,856)	508,024	56.45%	1,028,849	(520,825)
Recreation revenues	600,000	22,896	3.82%	74,639	(51,743)	429,291	71.55%	485,490	(56,199)
Grant revenue	602,567	83,322	13.83%	39,801	43,521	550,495	91.36%	203,862	346,633
Fines and judgements	310,000	75,481	24.35%	32,711	42,770	513,794	165.74%	287,644	226,150
Other revenues	208,500	30,871	14.81%	498,342	(467,471)	408,436	195.89%	680,053	(271,617)
School crossing guards	335,000	85,371	25.48%	456	84,915	334,339	99.80%	260,461	73,878
Debt proceeds	2,854,370	-	0.00%	-	-	2,854,370	100.00%	1,725,000	1,129,370
Interfund transfers	1,934,332	112,281	5.80%	-	112,281	1,896,210	98.03%	1,173,392	722,818
App. Fund balance	11,244,771	-	0.00%	-	-	11,244,771	100.00%	11,692,700	(447,929)
SUBTOTAL GENERAL FUND	67,581,759	5,148,941	7.62%	7,581,729	(2,432,788)	68,436,569	101.26%	61,392,501	7,044,068
TRANSPORTATION FUND									
Local Option GasTax	2,385,033	363,021	15.22%	367,406	(4,385)	2,270,393	95.19%	2,297,107	(26,714)
Charges for services	100,000	13,325	13.33%	645	12,680	79,127	79.13%	80,030	(903)
State Revenue sharing	1,450,000	147,056	10.14%	344,055	(196,999)	993,768	68.54%	1,063,710	(69,942)
Grant/Donations revenue	767,522	54,486	7.10%	68,257	(13,771)	739,298	100.00%	1,042,368	(303,070)
Interest earnings	-	1,794	100.00%	5,453	(3,659)	16,617	100.00%	5,453	11,164
Other revenues	2,000	658	32.90%	-	658	16,983	849.15%	78,460	(61,477)
Interfund transfers	252,184	8,301	3.30%	-	8,301	252,187	100.00%	252,187	-
App. Fund balance	500,211	-	0.00%	-	-	500,211	100.00%	-	500,211
SUBTOTAL TRANSPORTATION FUND	5,456,950	588,641	10.79%	785,816	(197,175)	4,868,584	88.31%	4,567,128	301,456
DEVELOPMENTAL SERVICES									
Planning & Zoning fees	300,000	9,941	3.31%	19,577	(9,636)	249,566	83.19%	272,900	(23,334)
Building permits	2,700,000	203,031	7.52%	47,062	155,969	1,547,205	57.30%	2,112,511	(565,306)
Surcharge	150,000	1,449	0.97%	8,467	(7,018)	142,371	94.91%	148,697	(6,326)
BCCO	50,000	1,606	3.21%	1,130	476	33,818	67.64%	37,185	(3,367)
Investment earnings	-	505	0.00%	21,128	(20,623)	7,766	0.00%	21,128	(13,362)
Certificate of completion	-	-	0.00%	838	(838)	3,586	0.00%	838	2,748
Community development fees	-	-	0.00%	-	-	4,490	0.00%	-	4,490
Other revenues/Grants	2,000	625	31.25%	-	625	27,343	1367.15%	94,965	(67,622)
General Fund subsidy	1,200,000	-	0.00%	-	-	1,200,000	100.00%	-	1,200,000
App. Fund balance	682,443	-	0.00%	-	-	-	0.00%	-	-
SUBTOTAL DEVELOPMENTAL GENERAL SERVICES	5,084,443	217,157	4.27%	98,202	118,955	3,216,145	63.25%	2,688,224	527,921
GENERAL SERVICES									
Debt proceeds	1,845,630	-	0.00%	-	-	1,845,630	100.00%	5,675,000	(3,829,370)
Interfund transfers	8,679,932	478,471	5.51%	162,636	315,835	7,142,342	82.29%	3,717,499	3,424,843
Investment earnings	-	-	0.00%	2,375	(2,375)	-	0.00%	142,718	(142,718)
SUBTOTAL GENERAL SERVICES	10,525,562	478,471	4.55%	165,011	313,460	8,987,972	85.39%	9,535,217	(547,245)

XIII) MONTHLY AND YTD REVENUE REPORT

CITY OF MIAMI GARDENS
REVENUES ALL FUNDS
Sep-08

Revenue Categories	Total FY07-08 Amended Budget	Monthly Received FY2008	% of total budget received	Monthly Received FY2007	Over (Under) from FY2007	YTD Received FY2008	% of total budget received	YTD Received FY2007	Over (Under) from FY2007
STORMWATER FUND									
Stormwater fees	3,395,000	718,861	21.17%	961,627	(242,766)	3,473,951	102.33%	1,400,804	2,073,147
Interest Income	-	2,239	100.00%	4,701	(2,462)	19,901	100.00%	4,701	15,200
Debt proceeds	-	-	100.00%	8,954,785	(8,954,785)	-	100.00%	8,954,785	(8,954,785)
App. Fund balance	466,914	-	0.00%	-	-	466,914	79.22%	-	466,914
SUBTOTAL STORMWATER	3,861,914	721,100	18.10%	9,921,113	(9,200,013)	3,960,766	99.41%	10,360,290	(6,399,524)
CDBG									
HUD	2,291,549	454,538	19.84%	183,169	271,369	1,442,913	62.97%	657,065	785,848
OCED grant	1,000,000	136,884	13.69%	10,291	126,593	368,737	36.87%	10,291	358,446
EDI	247,500	-	0.00%	-	-	-	0.00%	-	-
Facade renovation	123,427	-	0.00%	3,949	(3,949)	2,688	2.18%	3,949	(1,261)
Facade Business Contribution	-	750	0.00%	-	750	32,286	0.00%	-	32,286
Misc revenues	(32,681)	-	0.00%	2,068	(2,068)	2,711	0.00%	3,168	(457)
App. Fund balance	-	-	0.00%	-	-	(32,681)	100.00%	-	(32,681)
SUBTOTAL CDBG	3,629,795	592,172	16.31%	199,477	392,695	1,816,654	50.05%	674,473	1,142,181
CAPITAL PROJECTS									
Grant funds	38,353,533	4,319,407	11.26%	883,199	3,436,208	11,109,656	28.97%	3,163,677	7,945,979
Bond proceeds	-	-	0.00%	-	-	-	0.00%	14,397,000	(14,397,000)
Interfund transfers	4,035,756	1,000,000	24.78%	7,572,000	(6,572,000)	4,884,197	121.02%	8,752,000	(3,867,803)
Interest Income	-	22,838	0.00%	201,258	(178,420)	431,274	0.00%	201,258	230,016
Misc revenues	-	-	0.00%	-	-	3,500	0.00%	-	3,500
Land sale	2,160,000	-	0.00%	-	-	-	0.00%	-	-
App. Fund balance	13,595,976	-	0.00%	-	-	-	0.00%	-	-
SUBTOTAL CAPITAL PROJECTS	58,145,265	5,342,245	9.19%	8,656,457	(3,314,212)	16,428,627	28.25%	26,513,935	(10,085,308)
IMPACT FEES									
Jazz Festival	250,000	-	0.00%	-	-	428,599	171.44%	97,399	331,200
LETFF	15,100	1,203	7.97%	8,415	(7,212)	14,280	94.57%	22,844	(8,564)
Police impact fees	40,000	3,881	9.70%	259	3,622	45,125	112.81%	50,507	(5,382)
Parks-Open Space	150,000	13,698	9.13%	-	13,698	74,114	49.41%	271,131	(197,017)
Park Imp. Impact	150,000	12,627	8.42%	-	12,627	62,970	41.98%	44,291	18,679
Interest Income	-	4,045	0.00%	25,856	(21,811)	52,557	0.00%	25,856	26,701
CMG Junior Council	-	6,920	0.00%	1,350	5,570	7,670	0.00%	16,695	(9,025)
Other revenues	10,000	1,974	19.74%	-	1,974	9,529	95.29%	9,028	501
App. Fund balance	1,576,698	-	0.00%	-	-	1,576,698	100.00%	-	1,576,698
SUBTOTAL IMPACT FEES	2,191,798	44,348	2.02%	35,880	8,468	2,271,542	103.64%	537,751	1,733,791
SHIP funds									
SHIP funds	613,090	-	0.00%	-	-	657,872	107.30%	91,893	565,979
App. Fund balance	73,526	-	0.00%	-	-	73,526	100.00%	-	73,526
Interest Income	-	17	100.00%	433	(416)	2,823	100.00%	433	2,390
SUBTOTAL SHIP	686,616	17	0.00%	433	(416)	734,221	106.93%	92,326	641,895
Law Enforcement Trust Fund									
Foreitures	-	-	0.00%	-	-	16,900	0.00%	-	16,900
App. Fund balance	-	-	0.00%	-	-	-	0.00%	-	-
Interest Income	-	36	100.00%	-	36	141	100.00%	-	141
SUBTOTAL LETF	-	36	0.00%	-	36	17,041	100.00%	-	17,041
TOTAL ALL REVENUES	157,164,102	13,133,128	8.36%	27,444,118	(14,310,990)	110,738,121	70.46%	116,361,845	(5,623,724)

NOTES TO THE BUDGET REPORT

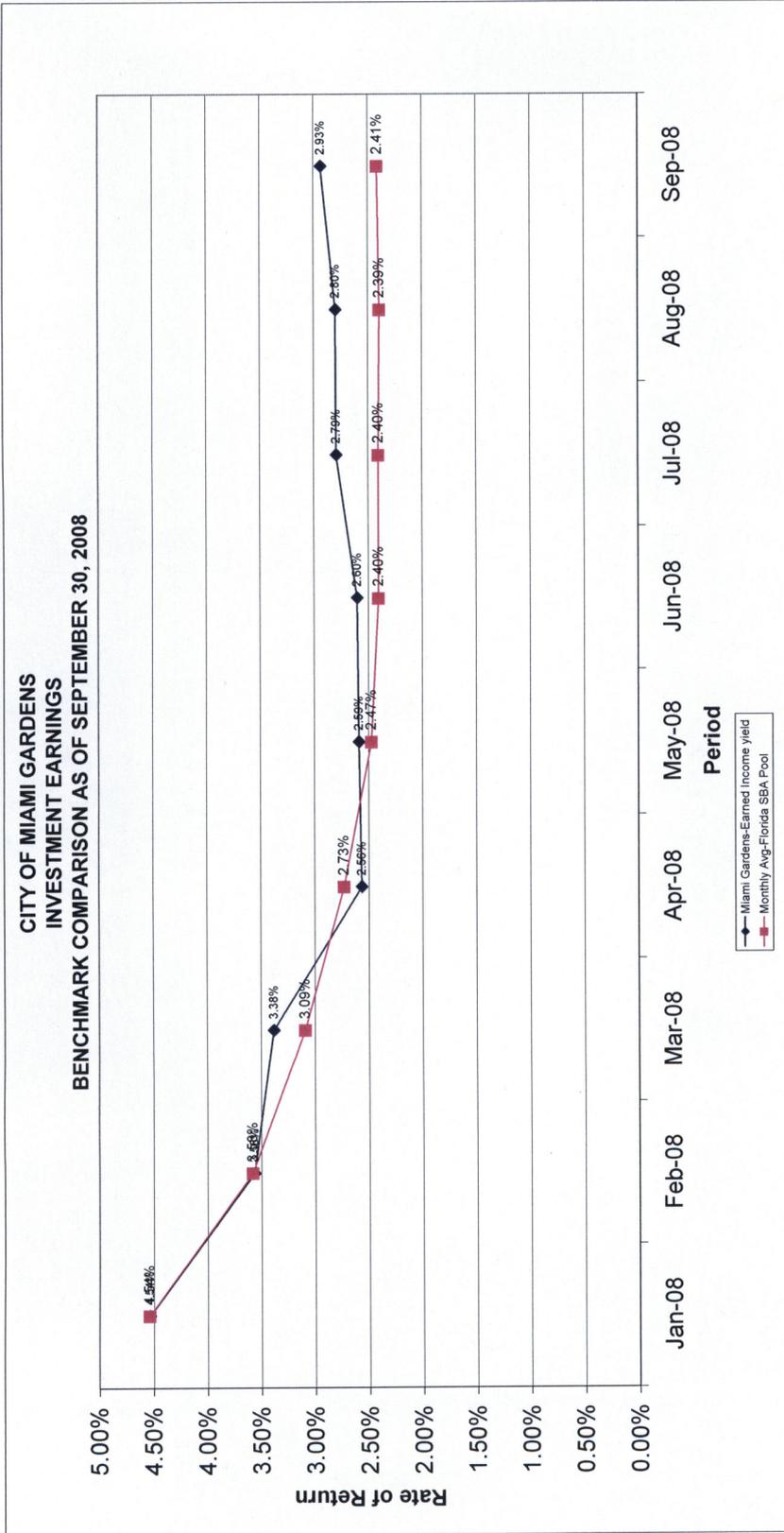
Monthly and YTD Revenue Report-All Funds

Pages 26 and 27 provide a detailed revenue report for all funds. This report differs from the individual fund reports previously presented in that this report provides a comparison of revenues received in September 2008 versus September 2007 as well as year to date amounts.

On page 26 you can see that total General Fund revenues for FY 2007 were \$7 million higher than FY2006 mainly due to increases in ad valorem, franchise fee, and utility tax revenues.

XIII INVESTMENT REPORT

<u>Financial Institution</u>	<u>Public Depository</u>	<u>Type</u>	<u>Investment Amount</u>	<u>Date Opened</u>	<u>Rate</u>	<u>Term</u>	<u>Maturity</u>	<u>Interest at Maturity</u>
Colonial Bank	Yes	CD	\$ 2,000,000.00	5/6/2008	3.20%	6 month	11/2/2008	31,769.81
Colonial Bank	Yes	CD	\$ 3,000,000.00	5/11/2008	3.20%	6 month	11/7/2008	47,660.19
Colonial Bank	Yes	CD	\$ 2,000,000.00	5/6/2008	3.20%	6 month	11/2/2008	31,773.45
First National Bank of Homestead	Yes	CD	\$ 2,000,000.00	8/25/2008	4.13%	1 yr	8/23/2009	76,497.78
First National Bank of Homestead	Yes	CD	\$ 3,000,000.00	8/25/2008	3.78%	6 month	2/24/2009	56,971.80
First National Bank of Homestead	Yes	CD	\$ 2,000,000.00	5/6/2008	3.18%	6 month	11/2/2008	31,278.68
Community Bank of Florida	Yes	CD	\$ 2,000,000.00	5/6/2008	3.31%	1 year	5/6/2009	67,216.07
Wachovia	Yes	MMA	\$ 7,524,590.74	12/3/2007	1.77%	N/A	N/A	133,185.26
SBA		Pool	\$ 67,442.34	10/1/2007	N/A	N/A	N/A	
Tax Certificates Purchased			\$ 125,116.19	7/1/2008	18%	N/A	N/A	
			\$ 23,717,149.27					



NOTES TO THE BUDGET REPORT

CASH AND INVESTMENTS

As of September 30, 2008, the City had approximately \$ 23.7 million invested in various investment vehicles. Page 29 is an investment report showing each investment along with the interest rate being earned and the maturity dates. Please note that we have included the investment in tax certificates purchased from the Miami Dade Tax collector. These certificates are for vacant lots and/or commercial properties only and provide an 18% interest rate.

For the fiscal year ended September 30, 2008, the City had earned approximately \$1,039,108 in interest on its investments.

Page 29A is a new chart that shows on a month to month basis how our rates of return on investments (ROI) compare to the benchmark (the benchmark is the monthly average of the Florida SBA pool). As you can see for September 2008 we achieved a 2.93% overall ROI compared to 2.41% for our benchmark.

As you can see, with the exception of the tax certificates purchased this month, all investments are short-term with maturities of less than one year. Furthermore, all of the current investments are with financial institutions that are classified by the State as "Public Depositories" and as such our principal balances are fully collateralized and protected.

It is important to note that a significant part of these funds are restricted for certain uses and projects. The City's cash balance includes funds restricted for, among other things, capital projects, street and road maintenance, development services, housing assistance, stormwater, and impact fees for police and recreation.

CITY OF MIAMI GARDENS, FLORIDA

OUTSTANDING DEBT

AS OF SEPTEMBER 30, 2008

<u>Amount of debt outstanding:</u>	<u>Outstanding at 9/30/2008</u>	<u>Maturity Date</u>
Land Acquisition Revenue Bonds, Series 2005	\$ 7,045,900	10/1/2025
Capital Improvement Revenue Bonds, Series 2005	1,666,667	5/31/2010
Interlocal Agreement with Miami Dade County	2,110,980	9/30/2014
Miami Dade County Public Service Tax Revenue Bonds	6,566,329	9/30/2027
Miami Dade County Stormwater Utility Bond	8,621,525	9/30/2029
Land Acquisition and Improvement Revenue Bonds, Series 2007	13,683,742	12/30/2026
Banc of America Master Equipment Lease/Purchase Agreement 2007	4,329,159	12/1/2011
Bank of America Equipment Loan FY2008	4,700,000	3/26/2013
Total outstanding debt	<u>\$ 48,724,302</u>	

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: **December 10, 2008**

Fiscal Impact: No Yes x

Public hearing x

Quasi-Judicial

Ordinance X

Resolution

Funding Source: Development Services Fund

1st Reading x 2nd Reading

Contract/P.O. Requirement: Yes No

advertising requirement: Yes x No

Sponsor Name: **Councilman Andre' Williams**

Department: Planning and Zoning Department

Title

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING AN ORDINANCE ENTITLED "CERTIFICATE OF RE-OCCUPANCY"; PROVIDING FOR AN APPLICATION PROCESS; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Staff Summary

Background

Due to the City's aging housing stock, many property owners have over time, modified the structure. In several instances, these modifications were done without appropriate building permits and resulted in the housing unit being out of compliance with current zoning and building requirements. Over time as these units were sold, the new owners inherited conditions for which they were not responsible or aware. The purpose of this ordinance is to ensure that housing units are primarily in compliance with current zoning requirements, specifically as it pertains to use.

The intent of this legislation is to insure that new homeowners in Miami Gardens will know that they are purchasing a home free from any major zoning violations, which ultimately would become that property owner's responsibility to correct. The proposed legislation would also provide an avenue for the City to

uncover and correct unlawful violations of the zoning code, which often involves illegal dwelling units that can become a nuisance to the surrounding community.

The proposed effective date of this Ordinance is October 1, 2009. By establishing this delayed effective date, the City will have an opportunity to prepare property owners for its implementation. Preparations will include:

1. Publicity and Community Outreach Campaign

- Brochure Handout/Mailer similar to Sign Code Brochure. Estimate 4-5,000 copies.
- Contact with Realtors, Title Companies, Lawyers, Banks, and related businesses, Miami Gardens and surrounding area
- Advertisement in Herald
- Public Meetings

2. Establishment of Administrative Procedures

The re-occupancy process will involve the hiring of dedicated staff to administer the program, the creation of a new permit type in the Eden permitting system, and the creation of clear policies and procedures for the inspection and administration of the program.

Comparison of fees and administration

City staff has completed a preliminary comparison of fees charged by other municipalities for this service. A tabular summary of other jurisdictions' experience is provided below.

**Table of Cities
with Re-Occupancy inspection programs
December 2008**

Jurisdiction	Fee Schedule	Process Time (Days)	# Staff	Total Housing Units: Per 2000 Census	Annual Applications (Estimated)	Approx. Weekly App's	Estimated Revenue
North Miami	Single Family \$75.00/\$300.00 expedited Apt (4 units) \$150.00/\$600.00 expedited; Each Addt'l unit \$7.50/\$20.00 expedited	10 days or 2 days if expedited	2	22,281	2004-2005: 2100	22	\$ 85,800.00
Hialeah	\$50.00/\$100.00	30 days or 10 if expedited	2	72,142	2004-2005: 1352 2005-2006:1386 2006-2007: 446	24	\$ 62,400.00
Biscayne Park	\$75.00/\$100.00	30 days / 1-2 if expedited	2	1,341	2005-2006: 2000	2	\$ 7,800.00
El Portal	\$70.60	2-3 days	1	878	2006-2007: 52	3	\$ 11,013.60
Miami Shores	\$60.60	7 days	2	3,836	2005-2006: 34	4	\$ 12,604.80

Based on this data two (2) full-time positions may be necessary to implement the program; this would include one inspector and one administration/clerk position with office equipment, office space and a

vehicle. Staff estimates that the cost of implementing this program will be approximately \$200,000 - \$300,000 annually.

If adopted, staff will continue to conduct an in-depth analysis of the fee structure in order to make recommendations to Council for the adoption of a fee resolution in conjunction with this program.

Recommendation:

That the City Council adopt the attached ordinance creating a Certificate of re-occupancy in the City of Miami Gardens.

ORDINANCE No. 2008-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING AN ORDINANCE ENTITLED "CERTIFICATE OF RE-OCCUPANCY"; PROVIDING FOR AN APPLICATION PROCESS; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR AN AMNESTY PERIOD; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, it is incumbent upon the City to ensure that properties are
2 constructed in accordance with the City's Building and Zoning regulations, and

3 WHEREAS, it has been brought to the City's attention that, on several occasions,
4 properties that are not in compliance with the City's Building and Zoning regulations
5 have been transferred to new owners without their knowledge, and

6 WHEREAS, the City of Miami Gardens, along with other cities across the Nation,
7 is experiencing a high foreclosure rate and at some point these homes will be
8 transferred to new owners, and

9 WHEREAS, the purpose of this Ordinance is to ensure that prior to residential
10 properties being transferred, the City is able to confirm that the properties meet the
11 current City zoning and building requirements, and

12 WHEREAS, staff intends to undertake an educational component prior to
13 enforcing this Ordinance, to make the public aware of the existence of the Ordinance
14 and its requirements,

15 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
16 OF MIAMI GARDENS, FLORIDA, as follows:

17 SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
18 Clauses are hereby ratified and confirmed as being true, and the same are hereby
19 made a specific part of this Ordinance.

20 SECTION 2. CREATION OF ORDINANCE: There is hereby created in the City
21 of Miami Gardens an Ordinance entitled "Certificate of Re-Occupancy" as follows:

22 **Section 1. Purpose**

23
24 The Purpose of this Ordinance is to ensure that prior to a
25 residential property being conveyed to a new ownership, that the City is
26 able to confirm that the property meets the current City zoning
27 requirements; that the premises are being used solely for residential
28 purposes; and that the premises have not been unlawfully altered, in
29 violation of the City's Building or Zoning Codes. Furthermore, this
30 Ordinance will prevent innocent purchasers from purchasing properties
31 that have been illegally altered.

32

33 **Section 2. Certificate of Re-Occupancy Required**

34

35 Prior to the purchase, sale, conveyance and transfer of title to any
36 single-family, condominium, duplex, triplex townhouse dwelling unit, or
37 apartment complex consisting of four (4) or more units, a certificate of re-
38 occupancy must be obtained. The certificate of re-occupancy, if issued,
39 shall state that the city has inspected the dwelling and determined that the
40 dwelling complies with the residential occupancy regulations of the zoning
41 district in which the property wherein the dwelling unit is located and does
42 not contain any uncorrected building violations.

43

44 **Section 3. Application**

45

46 1. It shall be unlawful for any person, firm or corporation to buy,
47 sell convey, transfer or occupy or cause the occupancy of any
48 single-family, condominium, duplex, triplex or townhouse dwelling
49 unit, or apartment complex consisting of four (4) or more units
50 owned by such person, firm or corporation, which property has
51 been sold, transferred or conveyed to such person, firm or
52 corporation after the effective date of this ordinance unless a
53 certificate of re-occupancy has been issued by the director of the
54 Development Services Department or his/her designee. The
55 certificate of re-occupancy, if issued, shall state that a city inspector
56 has inspected the dwelling and has determined that the dwelling

57 meets the residential occupancy regulations of the zoning district in
58 which the dwelling unit is located.

59
60 2. It shall be unlawful for any person, firm or corporation to
61 close on the transfer or conveyance of any single family,
62 condominium, duplex, triplex, or townhouse dwelling unit, or
63 apartment complex consisting of four (4) or more units owned by
64 such person, firm or corporation, without first disclosing by written
65 notice to the buyer, grantee or transferee the fact that a certificate
66 of re-occupancy is required in accordance with this Ordinance.
67 Such notice shall be issued on a form to be provided by the City.
68

69 3. Application for a certificate of re-occupancy shall be made by
70 the seller or owner or the designated agent, upon a form provided
71 by the city and the payment of an inspection fee to be determined
72 by a separate resolution of the City Council. Said fees shall be paid
73 by the applicant. If dwelling must be inspected within fifteen (15)
74 business days of receipt of the application, an expedited inspection
75 may be requested. There shall also be a fee for expedited
76 inspections, which shall be established by a separate resolution of
77 the City Council.
78

79 4. Upon receipt of the application and fee, a city inspector shall
80 inspect the dwelling within thirty (30) days and, if such dwelling is
81 found to be in conformance with the provisions of paragraph 1(a)
82 above, a certificate of re-occupancy shall be issued. If the dwelling
83 is not in conformance with such provisions, the director or the
84 director's designee shall indicate by itemized list corrective action
85 and the certificate of re-occupancy shall be withheld unless and
86 until such provisions are complied with, to the reasonable
87 satisfaction of the director or the director's designee.
88

89 **Section 4. Restriction on inspection**
90

91 Information gained or conditions observed in the course of any
92 inspection conducted pursuant to the authority of this ordinance shall not
93 be utilized by the code enforcement officers of the city as the basis for
94 bringing code enforcement violation proceedings other than as to the
95 residential occupancy regulations of the zoning district in which the
96 dwelling unit is located, and the safety violations directly addressed by the
97 inspection made under this ordinance, as applicable. This shall not
98 preclude other enforcement actions brought upon the basis of information
99 gained or violations observed by other lawful means.
100
101
102

103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147

Section 5. Exemption

A certificate of re-occupancy shall not be required for the original transfer or conveyance of a newly constructed single family, duplex, triplex dwelling unit, or apartment complex to any firm, corporation, or individual, or to any transfer that represents the first transaction since the issuance of the original certificate of occupancy.

Section 6. Limitation of Liability

The issuance of a certificate of re-occupancy does not constitute any representation or warranty as to the condition of the dwelling or other structures on said premises described herein (or any aspect of such condition), and interested persons are advised and encouraged to make their own inspection of the premises in order to determine the condition thereof.

Section 7. Payment of Outstanding Lien Amounts

No re-occupancy certificate shall be issued for any property unless the property is in compliance with any outstanding warning notices or notices of violation issued by the City and until the owner of the property has satisfied any and all City of Miami Gardens liens against the property.

Section 8. City Manager Authority

The City Manager shall have authority to enter into settlement agreements and issue conditional certificates of re-occupancy, which shall be executed by the buyer and seller. A conditional certificate of re-occupancy shall not be issued where life-safety violations exist on the property. The fee for a conditional certificate of re-occupancy shall be established by separate resolution. The property owner to whom the property is transferred agrees to be bound by the terms of this ordinance and in the event the requisite remedial action does not occur within the timeframe stipulated in the conditional certificate, agrees to be subject to the penalties outlined in Paragraph I below.

Section 9. Penalties

Any person convicted of a violation of this section shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00), or by imprisonment not to exceed sixty (60) days, or both, in the discretion of the County Court. In addition, any property for which an application for re-occupancy inspection and certificate is not filed prior to the sale of said

148 property shall be subject to a fine equivalent to the expedited application
149 fee, payable at the time the late application is filed.

150

151 **Section 10. Amnesty Period**

152

153 The provisions of this Ordinance take effect until October 1, 2009. Prior to
154 that date, City staff will undertake steps to educate City residents about the
155 Ordinance and its implementation. Commencing October 1, 2009, all persons or
156 entities transferring properties that are subject to this ordinance must comply with
157 its provisions.

158

159 SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith
160 are hereby repealed.

161 SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause,
162 phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by
163 any court of competent jurisdiction, such portion shall be deemed a separate, distinct
164 and independent provision and such holding shall not affect the validity of the remaining
165 portions of this Ordinance.

166 SECTION 5. INCLUSION IN CODE: It is the intention of the City Council of the
167 City of Miami Gardens that the provisions of this Ordinance shall become and be made
168 a part of the Code of Ordinances of the City of Miami Gardens and that the sections of
169 this Ordinance may be renumbered or relettered and the word "Ordinance" may be
170 changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the
171 use of which shall accomplish the intentions herein expressed; provided, however, that
172 Section 1 hereof or the provisions contemplated thereby shall not be codified.

173 SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective
174 immediately upon its final passage.

175 PASSED ON FIRST READING ON THE 10TH DAY OF DECEMBER, 2008.

176 PASSED ON SECOND READING ON THE _____ DAY OF _____,
177 2008.

178 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI
179 GARDENS AT ITS REGULAR MEETING HELD ON THE _____ DAY OF
180 _____, 2008.

181
182
183
184
185
186
187
188
189
190

SHIRLEY GIBSON, MAYOR

ATTEST:

191 RONETTA TAYLOR, CMC, CITY CLERK

192
193 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
194 City Attorney

195
196
197 SPONSORED BY: COUNCILMAN ANDRÉ WILLIAMS

198
199 MOVED BY: _____

200
201 **VOTE:** _____

202			
203	Mayor Shirley Gibson	___(Yes)	___(No)
204	Vice Mayor Barbara Watson	___(Yes)	___(No)
205	Councilman Melvin L. Bratton	___(Yes)	___(No)
206	Councilman Aaron Campbell	___(Yes)	___(No)
207	Councilman Oliver Gilbert, III	___(Yes)	___(No)
208	Councilwoman Sharon Pritchett	___(Yes)	___(No)
209	Councilman André Williams	___(Yes)	___(No)

210
211 SKD/teh
8268921_1.DOC

212

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman André Williams
Councilman Oliver Gilbert III

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: CDBG (NSP) Funds

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: **Danny Crew, City Manager**

Public hearing

Ordinance

1st Reading

Advertising requirement:

Quasi-Judicial

Resolution

2nd Reading

Yes No

RFP/RFQ/Bid # N/A

Title

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 5 OF ORDINANCE NO. 2005-10-48, THE CITY'S PURCHASING ORDINANCE, IN ORDER TO PROVIDE AUTHORITY FOR THE CITY MANAGER TO EXECUTE PURCHASING SALES AGREEMENTS AND ANY AND ALL OTHER DOCUMENTS NECESSARY IN ORDER TO PURCHASE AND/OR TRANSFER PROPERTY IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM; PROVIDING FOR A SUNSET PROVISION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Staff Summary

Background

In accordance with the Neighborhood Stabilization Program (NSP), the City of Miami Gardens is expected to receive \$6,866,119.02 to carry out the activities approved in the City's plan. Said plan was to be incorporated as a Substantial Amendment to the City's 3rd Year Annual Action Plan. City Council approved the resolution approving the Substantial Amendment at its meeting of November 12, 2008 and City staff submitted the Amendment document to HUD prior to the December 1st deadline. We are now awaiting HUD's approval of the plan, which is expected to be completed within 30-45 days.

**ITEM H-2) ORDIANNCE
FIRST READING
Amending Purchasing Ordinance**

The primary purpose of the NSP Funds is to purchase abandoned/boarded up houses with the intent of rehabbing and reselling them to income eligible buyers. The City's plan estimates the purchase of approximately 40 single family housing units. Due to the time constraints imposed by the NSP (18 months to use the funds), City staff must work diligently to ensure program compliance.

To that end, staff has been assembling the necessary resources to be ready to proceed immediately upon receipt of HUD approval. A critical component of our ability to proceed will be our ability to approve the purchases of identified properties in a timely manner. Currently, the City's Ordinance NO. 2005-10-48 requires that all property transfers be approved by City Council. Staff recommends that said Ordinance be amended to authorize the City Manager to execute purchase/sale agreements in relation to the NSP. The proposed amendment will sunset as of January 1, 2010 and will only be applicable for property transfers done thru the NSP.

Recommendation

City staff recommends the approval of the attached Ordinance for first reading. Once approved by City Council, the second reading of this Ordinance will be scheduled for the January 14, 2009, City Council meeting.

ORDINANCE No. 2008-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 5 OF ORDINANCE NO. 2005-10-48, THE CITY'S PURCHASING ORDINANCE, IN ORDER TO PROVIDE AUTHORITY FOR THE CITY MANAGER TO EXECUTE PURCHASING SALES AGREEMENTS AND ANY AND ALL OTHER DOCUMENTS NECESSARY IN ORDER TO PURCHASE AND/OR TRANSFER PROPERTY IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM; PROVIDING FOR A SUNSET PROVISION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with the Neighborhood Stabilization Program, the City
2 of Miami Gardens will receive Six Million Eight Hundred Sixty-Six Thousand One
3 Hundred Nineteen Dollars and 02/100 (\$6,866,119.02) which the City intends to use for
4 the acquisition and redevelopment of foreclosed property in an effort to decrease the
5 level of blight within the City caused as a result of foreclosures, and

6 WHEREAS, recently the City Council adopted an amendment to its Third-Year
7 Action Plan to account for the additional funding and to provide a plan for use of the
8 funding, and

9 WHEREAS, in accordance with the Plan, the City has authorized the purchase
10 and sale of foreclosed properties, and

11 WHEREAS, it would be appropriate to amend the City's Purchasing Ordinance to
12 permit the City Manager to have the authority to execute purchase and sales
13 agreements and any and all attendant documents relating to the Neighborhood
14 Stabilization Program, and

15 WHEREAS, it would be time consuming and inefficient if all purchase and sales
16 agreements had to come before the City Council for review and approval, in light of the
17 deadlines that are part and parcel to closing real estate transactions,

18 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
19 OF MIAMI GARDENS, FLORIDA, as follows:

20 SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
21 Clauses are hereby ratified and confirmed as being true, and the same are hereby
22 made a specific part of this Ordinance.

23 SECTION 2. AMENDMENT: Section 5 of Ordinance 2005-10-48 is hereby
24 amended as follows:

25 Section 5: Purchasing agent.

26 The City Manager is the purchasing agent for the City. The City manager
27 may delegate some or all of the purchasing authority, except the authority
28 to make the final decision, to any City employee. The City Manager shall
29 have the authority to do as follows:

30 (A) Purchase or lease or contract for the purchase or lease of
31 commodities or services required for or by the City, in accordance with
32 purchasing procedures prescribed by this division and in accordance with
33 such administrative policies and procedures as the City Manager may
34 prescribe for internal management and operation of the purchasing office;

35 (B) Negotiate and recommend execution of contracts for the purchase
36 of commodities or services;

37 (C) Act to procure for the City the needed quality in commodities or
38 services at lease expense;

39 (D) Discourage uniform bidding and encourage full and open
40 competition on all purchases;

41 (E) Prepare revisions and amendments to the purchasing regulations
42 set forth herein, as necessary, and recommend such revisions and
43 amendments to the City Council;

44 (F) Prepare policies and procedures governing the purchase of
45 commodities or services for the City;

46 (G) Keep informed of current developments in the field of purchasing,
47 prices, market conditions and new projects;

48 (H) Prescribe and maintain such forms as may be reasonably
49 necessary to the operation of this division and other rules and regulations;

50 (I) Supervise the inspection of all commodities and services
51 purchased to ensure conformance with specifications;

52 (J) Transfer surplus commodities between departments as needed;

53 (K) Maintain a vendors list, vendors catalog file and records needed for
54 the efficient operation of the purchasing office;

55 (L) Conduct all sales of surplus property that the City Council may
56 authorize to be sold as having become unnecessary or unfit for the City's
57 use;

58 (M) Upon direction by the City Council, the City Manager shall have the
59 power to negotiate options on real property for consideration by the City
60 Council so long as any good faith deposit money does not exceed the City
61 Manager's purchasing limits; however, the City Manager may not
62 purchase or close on the purchase of real property without the direct
63 authorization of City Council. All statutory requirements governing the
64 purchase of real property by a municipality shall be complied with.

65 (N) To execute Purchase and Sales Agreements and any and all other
66 attendant documents that are necessary in order to transfer and purchase
67 properties in accordance with the Neighborhood Stabilization Program and
68 the City's Amendment to its Third-Year Program Action Plan. This section
69 of the Ordinance shall automatically sunset as of January 1, 2010, and
70 should be of no further force and effect.

71 This section does not authorize the City Manager to borrow any money on
72 the City's behalf, including the financing of any purchases that may be
73 made pursuant to this Ordinance, without the direct authorization of the
74 City Council.

75 SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith
76 are hereby repealed.

77 SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause,
78 phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by

79 any court of competent jurisdiction, such portion shall be deemed a separate, distinct
80 and independent provision and such holding shall not affect the validity of the remaining
81 portions of this Ordinance.

82 SECTION 5. INCLUSION IN CODE: It is the intention of the City Council of the
83 City of Miami Gardens that the provisions of this Ordinance shall become and be made
84 a part of the Code of Ordinances of the City of Miami Gardens and that the sections of
85 this Ordinance may be renumbered or relettered and the word "Ordinance" may be
86 changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the
87 use of which shall accomplish the intentions herein expressed; provided, however, that
88 Section 1 hereof or the provisions contemplated thereby shall not be codified.

89 SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective
90 immediately upon its final passage.

91 PASSED ON FIRST READING ON THE 10TH DAY OF DECEMBER, 2008.

92 PASSED ON SECOND READING ON THE _____ DAY OF _____,
93 2008.

94 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI
95 GARDENS AT ITS REGULAR MEETING HELD ON THE _____ DAY OF
96 _____, 2008.

97
98
99
100
101
102
103
104
105
106

SHIRLEY GIBSON, MAYOR

ATTEST:

107 RONETTA TAYLOR, CMC, CITY CLERK

108

109 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.

110 City Attorney

111

112

113 SPONSORED BY: DANNY CREW, CITY MANAGER

114

115 MOVED BY: _____

116

117 **VOTE:** _____

118

119 Mayor Shirley Gibson _____(Yes) _____(No)

120 Vice Mayor Barbara Watson _____(Yes) _____(No)

121 Councilman Melvin L. Bratton _____(Yes) _____(No)

122 Councilman Aaron Campbell _____(Yes) _____(No)

123 Councilman Oliver Gilbert, III _____(Yes) _____(No)

124 Councilwoman Sharon Pritchett _____(Yes) _____(No)

125 Councilman André Williams _____(Yes) _____(No)

126

127 SKD/teh
8276181_1.DOC

128

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: December 10, 2008

Fiscal Impact: Yes

(If yes, explain in Staff Summary)

Funding Source: N/A

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Dr. Danny O. Crew, City Manager

Public hearing x

Ordinance X

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution

2nd Reading X

YesX No

Title

AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S BUDGET FOR 2007-2008 FISCAL YEAR; AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN BUDGET ADJUSTMENTS AS SHOWN IN ATTACHMENT A; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE."

Staff Summary

In accordance with the City charter, and established policies regarding the process for amending the budget during the year, it has been determined that the FY 2007-2008 budget needs to be amended in accordance with Attachment A, included herein.

- A. Since the City appropriates the full amount of the fund balance in the following year's budget, and since these amounts are based on estimates, a correction is required once the final audited fund balance numbers are available. The following adjustments were made as shown on attachment A: a \$400,000 decrease in the Transportation fund, \$300,250 decrease in the SHIP fund, and a \$476,000 decrease in the Development Services fund.

- B. There was an increase in the Stormwater fund of \$152,575 in order to account for an increase in the management fee that fund was required to pay to the Transportation fund.
- C. The General fund was required to provide a subsidy to the Development Services fund of \$1.2 million in order to cover the operating deficit.
- D. A \$1 million transfer was made from the General fund to the Capital Projects fund in order to fund the State Road 441 renovation project with the Florida Department of Transportation (FDOT).

Recommendation:

Staff recommends that Council approve these amendments in accordance with City policies and the City charter.

ORDINANCE NO

AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S FISCAL YEAR 2007-2008 BUDGET; AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN BUDGET ADJUSTMENTS AS SHOWN IN ATTACHMENT A; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 4.5 of the City of Miami Gardens Charter, the City Council adopted a Budget for Fiscal Year 2007-2008, and

WHEREAS, in accordance with Section 166.241, Florida Statutes, municipalities may at any time within a fiscal year or within up to 60 days following the end of the fiscal year may amend a budget for that year, and

WHEREAS, it is appropriate to provide for certain transfers, appropriations and authorizations as shown on Attachment A to the Fiscal Year 2007-2008 Budget, and

WHEREAS, the City Council has determined that it is necessary to amend the budget to reflect these changes,

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT TO BUDGET:

- A. Since the City appropriates the full amount of the fund balance in the following year's budget, and since these amounts are based on estimates, a correction is required once the final audited fund balance numbers are available. The following adjustments were made as shown on attachment A: a \$400,000 decrease in the Transportation fund, \$300,250 decrease in the SHIP fund, and a \$476,000 decrease in the Development Services fund.

1
2
3 B. There was an increase in the Stormwater fund of \$152,575 in order to account
4 for an increase in the management fee that fund was required to pay to the
5 Transportation fund.

6
7 C. The General fund was required to provide a subsidy to the Development
8 Services fund of \$1.2 million in order to cover the operating deficit.

9
10 D. A \$1 million transfer was made from the General fund to the Capital Projects fund
11 in order to fund the State Road 441 renovation project with the Florida
12 Department of Transportation (FDOT).

13
14
15 SECTION 3. INSTRUCTIONS TO THE CITY MANAGER: The City Manager
16 shall take all actions necessary to implement the terms and conditions of this ordinance.

17 SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith
18 are hereby repealed.

19 SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase
20 or portion of this Ordinance is for any reason held invalid or unconstitutional by any court
21 of competent jurisdiction, such portion shall be deemed a separate, distinct and
22 independent provision and such holding shall not affect the validity of the remaining
23 portions of this Ordinance.

24 SECTION 6. EFFECTIVE DATE: This ordinance shall take effect immediately
25 upon its passage.

26 PASSED on first reading this 12TH day of NOVEMBER, 2008.

27
28 PASSED AND ADOPTED on second reading this ____— day of____, 2008.

29
30
31 _____
32 SHIRLEY GIBSON, MAYOR

33 ATTEST:

34 _____
35 RONETTA TAYLOR, CMC, CITY CLERK
36

COUNCIL BUDGET AMENDMENT #3

**Attachment A
City of Miami Gardens
FY 2007-2008 Budget Amendment
All Operating Funds**

Fund/Classification	Amended Budget	Amendment No. 3	Ref	Amended Budget
General Fund	\$62,880,560	\$1,200,000	C	\$65,080,560
		1,000,000	D	
Special Revenue Funds:				
Transportation	5,661,208	(\$400,000)	A	\$5,261,208
SHIP	913,340	(300,250)	A	\$613,090
CDBG	3,629,795			\$3,629,795
Development Services	4,471,490	(476,000)	A	\$5,195,490
Impact Fees	2,019,670	1,200,000	C	\$2,019,670
		0		
Total Special Revenue Funds	\$16,695,503	\$23,750		\$16,719,253
Enterprise Funds:				
Stormwater	3,987,269	152,575	B	\$4,139,844
		-		
Total Enterprise Funds	\$3,987,269	\$152,575		\$4,139,844
Other Funds:				
General Services Fund	10,525,562			\$10,525,562
Capital projects	57,239,210	1,000,000	D	\$58,239,210
Law Enforcement Trust Fund	-	-		\$0
		-		
Total Other Funds	\$67,764,772	\$1,000,000		\$68,764,772
GRAND TOTAL ALL FUNDS	\$151,328,104	\$2,376,325		\$154,704,429

Legend:

- A) Since the City budgets the full amount of the fund balance in the following years budget, and since these amounts are based on estimates, a correction is required once the final fund balance numbers are available in the year end CAFR. The adjustments listed below were due to the final fund balance being less than estimated when the original budget was adopted.
- B) Additional management fee due to the Transportation Fund based on allocation of Transportation Fund administrative budget to the Stormwater Fund.
- C) General fund subsidy to the Development Services Fund to cover deficit in operations.
- D) Transfer to Capital Projects to fund the State Road 441 renovation project

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Meeting Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilman Oliver G. Gilbert, III

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING SECTION 21-28 OF THE MIAMI-DADE COUNTY CODE, AS MADE APPLICABLE TO THE CITY OF MIAMI-GARDENS"; CREATING A NEW ORDINANCE ENTITLED "NOISE ORDINANCE"; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary

Excessive and raucous noises affect the health, safety and welfare of the City's residents. Recently, the City has received a number of complaints relating to excessive noise, and it revealed that it would be beneficial if the City enacted its own Noise Ordinance. The purpose of the attached Ordinance is to protect, preserve, and promote the health, safety, welfare, peace, and quiet of the residents of Miami Gardens through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of the City's residents.

**ITEM I-2) ORDINANCE
SECOND READING/PUBLIC HEARING
Noise Ordinance**

Recommendation: It is recommended that the City Council adopt the attached Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING SECTION 21-28 OF THE MIAMI-DADE COUNTY CODE, AS MADE APPLICABLE TO THE CITY OF MIAMI-GARDENS"; CREATING A NEW ORDINANCE ENTITLED "NOISE ORDINANCE"; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a number of complaints relating to excessive noise, and

WHEREAS, excessive and raucous noises affect the health, safety and welfare of the citizens, and

WHEREAS, it is in the best interest of the City to provide for regulations relating to noise within the City,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. REPEAL: Section 21-28 of the Miami Dade County Code, as made applicable to the City of Miami Gardens, is hereby Repealed in its entirety.

SECTION 3. PURPOSE: This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, peace, and quiet of the residents of Miami Gardens through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity.

SECTION 4. FINDINGS.

(a) Loud and raucous noise degrades the environment of Miami Gardens to a degree that:

- (1) Is harmful to the health, welfare, and safety of its inhabitants and visitors;
- (2) Interferes with the comfortable enjoyment of life and property;
- (3) Interferes with the well being, tranquility, and privacy of the home; and
- (4) Both causes and aggravates health problems.

(b) Both the effective control and the elimination of loud and raucous noise are essential to the health and welfare of Miami Gardens' inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, and communication.

(c) The use of sound amplification equipment creates loud and raucous noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to Miami Gardens.

(d) Certain short-term easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of Miami Gardens.

SECTION 5. SCOPE

This ordinance applies to the control of all sound originating within the jurisdictional limits of Miami Gardens.

SECTION 6. DEFINITIONS.

[The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Emergency means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

Emergency work means any work performed for the purpose of preventing or alleviating physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.

Noise sensitive area includes, but is not limited to, a posted area where a school, hospital, nursing home, church, court, public library, or similar institution is located.

Person means any individual, firm, association, partnership, joint venture, or corporation.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public, which is owned or controlled by a government entity.

Public space means any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks and other recreational areas.

Residential area means any real property, which contains a structure or building in which one, or more persons reside, if the structure or building is properly zoned, or is legally nonconforming, for residential use in accordance with the terms and maps of Miami Gardens' Zoning Articles.

SECTION 7. GENERAL PROHIBITION

(a) No person shall make, continue, or cause to be made or continued:

- (1) Any unreasonably loud or raucous noise;
- (2) Any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within Miami Gardens; or,
- (3) Any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons within the neighborhood from which said noises emanate, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.

(b) Factors for determining whether a sound is unreasonably loud and raucous include, but are not limited to, the following:

- (1) The proximity of the sound to sleeping facilities, whether residential or commercial;
- (2) The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
- (3) The time of day or night the sound occurs;
- (4) The duration of the sound; and
- (5) Whether the sound is recurrent, intermittent, or constant.

SECTION 8. NOISES PROHIBITED.

The following acts are declared to be per se violations of this ordinance. This enumeration does not constitute an exclusive list:

(a) *Unreasonable noises:* The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park, or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent residences or which will

not detrimentally affect the operators of adjacent places of business or unreasonably disturb adjacent residents are exempted from this section.

(b) *Vehicle horns, signaling devices, and similar devices:* The sounding of any horn, signaling device, or other similar device, on any automobile, motorcycle, or other vehicle on any right-of-way or in any public space of Miami Gardens for more than ten consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.

(c) *Non-emergency signaling devices:* Sounding or permitting sounding of any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for non-emergency purposes, from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship, ice cream trucks, seasonal contribution solicitors, or by law enforcement for traffic control purposes are exempt from the operation of this provision.

(d) *Emergency signaling devices:* The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in any emergency or except as provided in Subsections a. and b., below.

1. Testing of an emergency signaling device shall occur between 7:00 a.m. and 8:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.

2. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this ordinance.

(e) *Radios, televisions, boom boxes, phonographs, stereos, musical instruments, and similar devices:* The use or operation of a radio, television, boom box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any person in a commercial, industrial area, or public space. The use or operation of a radio, television, boom box, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person

other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and unreasonably disturbs the peace, quiet, and comfort of neighbors in residential or noise sensitive areas, including multi-family or single-family dwellings.

(f) *Loudspeakers, amplifiers, public address systems, and similar devices:* No loudspeakers, amplifiers, public address systems or similar devices shall be permitted without a permit from the Police Department. Even with a permit, the unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 10:00 a.m. on weekends and holidays is prohibited in the following areas:

1. Within or adjacent to residential or noise-sensitive areas; and
2. Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud and raucous.

This shall not apply to any public performance, gathering, or parade for which a permit has been obtained from a governmental agency with jurisdiction.

(g) *Yelling, shouting, and similar activities:* Yelling, shouting, hooting, whistling, or singing in residential or noise sensitive areas or in public places, between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities.

(h) *Animals and birds:* Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible. A person is responsible for an animal if the person owns, controls or otherwise cares for the animal or bird. Sounds made by animals or birds in animal shelters, kennels, veterinary hospitals, pet shops, or pet kennels licensed under and in compliance with any applicable licensing and permitting provisions are exempt from this subsection.

(i) *Loading or unloading merchandise, materials, equipment:* The creation of unreasonably loud, raucous, and excessive noise in connection with the loading or unloading of any vehicle at a place of business or residence.

(j) *Construction or repair of buildings, excavation of streets and highways:* The construction, demolition, alteration or repair of any building or the excavation of streets and highways other than between the hours of 7:00 a.m. and 8:00 p.m. on weekdays. In cases of emergency, construction or repair noises are exempt from this provision. In non-emergency situations, the city manager, or his/her

designee may issue a permit, upon application, if the city manager, or his/her designee, determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 8:00 p.m. and 7:00 a.m. will not be impaired, and if the city manager, or his/her designee, further determines that loss or inconvenience would result to a party in interest. The permit shall grant permission in non-emergency cases for a period of not more than three days. The permit may be renewed once for a period of three days or less.

(k) *Noise sensitive areas--Schools, courts, churches, hospitals, and similar institutions:* The creation of any unreasonably loud and raucous noise adjacent to any noise sensitive area while it is in use, which unreasonably interferes with the workings of the institution or which disturbs the persons in these institutions; provided that conspicuous signs delineating the boundaries of the noise sensitive area are displayed in the streets surrounding the noise sensitive area.

(l) *Blowers, and similar devices:* In residential or noise sensitive areas, between the hours of 8:00 p.m. and 7:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is unreasonably loud and raucous and can be heard across the property line of the property from which it emanates. This section does not apply to the operation of a generator in the aftermath of a natural disaster.

(m) *Commercial establishments adjacent to residential property:* Unreasonably loud and raucous noise from the premises of any commercial establishment, including any outdoor area which is part of or under the control of the establishment, between the hours of 10:00 p.m. and 7:00 a.m. which is plainly audible at a distance of five feet from any residential property.

SECTION 9. EXEMPTIONS.

Sounds caused by the following are exempt from the prohibitions set out in Section 8 above:

(a) Motor vehicles on traffic ways of Miami Gardens, provided that the prohibition of section 8(b) above continues to apply.

(b) Repairs of utility structures, which pose a clear and immediate danger to life, health, or significant loss of property.

(c) Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent

danger, provided that the prohibition contained in section 8(d) above continues to apply.

(d) The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.

(e) Repairs or excavations of bridges, streets or highways by or on behalf of any local government, the state, or the federal government, between the hours of 8:00 p.m. and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 8:00 p.m.

(f) Outdoor school and playground activities. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.

(g) Other outdoor events. Outdoor gatherings, public dances, shows and sporting events, and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority.

(h) City-initiated events that are approved by the City Council.

(i) Noise attendant to an existing commercial use that either predates the effective date of this ordinance or a subsequent development, shall be presumed to be in prima facie compliance with the terms of this ordinance.

SECTION 10. ENFORCEMENT

(a) The following individuals shall enforce this ordinance: City of Miami Gardens' Code Enforcement Officers and City of Miami Gardens Police Officers will have the primary responsibility for the enforcement of the noise regulations contained herein. Nothing in this ordinance shall prevent a code enforcement or police officer from obtaining voluntary compliance by way of warning, notice, or education.

(b) If a person's conduct would otherwise violate this ordinance and consists of speech or communication; of a gathering with others to hear or observe speech or communication; or of a gathering with others to picket or otherwise express in a non-violent manner a position on social, economic, political, or religious questions, then the person must be ordered to, and have the opportunity to, move, disperse, or otherwise remedy the violation prior to a citation being issued.

SECTION 11. PENALTIES

Any person convicted of a violation of this section shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed sixty (60) days, or both, in the discretion of the County Court.

SECTION 12. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 13. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 14. INCLUSION IN THE CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 15. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 12th DAY OF NOVEMBER 2008.

PASSED AND ADOPTED on second reading this _____ day of _____, 2008

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

Reviewed by SONJA K. DICKENS ESQ.
City Attorney

SPONSORED BY: Councilman Oliver Gilbert III

MOVED BY:

VOTE:

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)

Staff recommends that Council approve the proposed resolution.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING SECTION 2 OF RESOLUTION NO. 2004-48-99 WHICH AMENDED RESOLUTION NO. 2003-05, PROVIDING FOR CITY SIGNATORIES ON VARIOUS CITY BANK ACCOUNTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City previously adopted Resolution No. 2003-05 which provided
2 for, among other things, authorized signatories for the City's various public depository
3 accounts, and

4 WHEREAS, that Resolution was amended by Resolution No. 2004-48-99 to
5 provide that the City Manager and other staff members be the signatories on city
6 accounts, and

7 WHEREAS, now that the position of Deputy City Manager has been created, it is
8 appropriated to re-designate the authorized signatories on city bank accounts,

9 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
10 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

11 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
12 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
13 made a specific part of this Resolution.

14 Section 2. REPEAL: Section 2 of Resolution No. 2004-48-99 is hereby
15 repealed.

16 Section 3. AUTHORIZED SIGNATORIES: The City Manager, Finance
17 Director, Deputy City Manager and Assistant City Managers are authorized signatories
18 for the City's various public deposit accounts as established pursuant to Section 1 of
19 Resolution No. 2003-05. However, no check or withdrawal shall be issued or made

20 unless it is signed by the City Manager or Acting City Manager and another authorized
21 signatory as listed above.

22 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
23 upon its final passage.

24 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
25 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER
MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8272702_1.DOC

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Meeting Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Mayor Shirley Gibson

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON'S APPOINTMENT OF CHARLES S. MOSLEY TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Charter Review Commission, Mayor Shirley Gibson hereby submits his appointee for membership in accordance with the City of Miami Gardens Charter, Article VI, and Section 6.2. Upon approval by the City Council the committee will recognize Charles S. Mosley, as an appointee of Mayor Gibson.

The appointed members of the Commission will determine whether or not an amendment or revision to the City's Charter is needed and will submit proposals, revisions and suggested amendments to the Council no later than July 1st, of the year following their appointment.

Recommendation

That the City Council approves Mayor Gibson's appointment of Charles S. Mosley to the Charter Review Commission.

**ITEM J-2) RESOLUTION
CONSENT AGENDA
Mayor Gibson's appoint to the
Charter Review Commission**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON'S APPOINTMENT OF CHARLES S. MOSLEY TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with Section 6.2 of the City of Miami Gardens'
2 Charter, at its first regular meeting in December 2008 and thereafter every fifth year, the
3 City Council shall appoint and fund a Charter Review Commission, and

4 WHEREAS, the Charter Review Commission is to consist of five (5) persons,
5 including one (1) from each of the four (4) residential areas, and

6 WHEREAS, one (1) appointment shall be made by the Mayor and each
7 Residential Councilmember, and

8 WHEREAS, in addition, the Mayor is to appoint one (1) person to the
9 Commission who is the Vice Mayor or Councilmember who is serving in their second
10 consecutive term, who shall serve as a non-voting member of the Commission, and

11 WHEREAS, Mayor Shirley Gibson has appointed Charles S. Mosley as her
12 appointee to the Commission, and

13 WHEREAS, the City Council would like to confirm Mayor Gibson's appointment
14 of Charles S. Mosley to the Commission,

15 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
16 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

17 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
18 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
19 made a specific part of this Resolution.

20 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
21 of Miami Gardens hereby confirms Mayor Shirley Gibson's appointment of Charles S.
22 Mosley to the Miami Gardens Charter Review Commission.

23 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
24 upon its final passage.

25 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
26 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: MAYOR SHIRLEY GIBSON

MOVED BY:_____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

Mayor Gibber



CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

- 1. Position sought: Member of Charter Review Committee
- 2. Name: Mosley, Charles S.
(Please print)
- 3. Home Address: 1660 NW 195 St, MIAMI GARDENS, FL 33169
- 4. Business Address: 64 Perimeter Center East 10th Flr ATL GA 30346
- 5. Employer (if self please state): Philips Healthcare
- a. Job Title: Field Service Engineer
- b. Nature of business: Sale & Service for diagnostic imaging systems
- 6. Home Phone No. 305 624-5564 Business Phone No. 305 934-7522
Fax No. 305 628-7423
- 7. E-mail Address: CMOSL@AOL.COM
- 8. Education Background: Black

a. High School
Name of School Peck High School Dates of Attendance Aug 1964 -> MAY 1968

b. Vocational School
Name of School _____ Dates of Attendance _____

c. College
Name of College Community College of US Air Force Dates of attendance 1979-1982
Degree obtained if any ASSOC - Radio Technology
ASSOC - Instructor of Technology

Please provide a copy of your Resume or CV along with this Application.

- 9. Community Service (attach additional sheets if necessary):

- 10. Please state your qualifications for position sought (attach additional sheets if necessary):
I am a retired member of the U.S. Air Force and those
20 plus years of experience have prepared me to
work objectively and to be a team player while
accomplishing a group objective.

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

NO

12. Are you employed by the City? Yes No

13. Are you employed by the Mayor or any of the Council members in their private capacities?

14. Are you a resident of the City? Yes No

15. Do you own a business in the City? Yes No

If yes, please state the name of the business: _____
Is this business a vendor with the City Yes No

16. Do you operate a business in the City? Yes No

If yes, please state the name of the business: _____
Is this business a vendor with the City Yes No

17. Ethnic Origin:
White Non-Hispanic African American Hispanic American Other

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Second choice

Third choice

Fourth choice

Fifth choice

I certify that the information contained in this Application is true and accurate.

Signature Charles Mosley
Applicant

Date 12 NOV 2008

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Mayor Shirley Gibson

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON'S APPOINTMENT OF VICE MAYOR BARBARA WATSON TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Charter Review Commission, Mayor Shirley Gibson hereby submits his appointee for membership in accordance with the City of Miami Gardens Charter, Article VI, and Section 6.2. Upon approval by the City Council the committee will recognize Vice Mayor Barbara Watson, as an appointee of Mayor Gibson.

The appointed members of the Commission will determine whether or not an amendment or revision to the City's Charter is needed and will submit proposals, revisions and suggested amendments to the Council no later than July 1st, of the year following their appointment.

Recommendation

That the City Council approves Mayor Gibson's appointment of Vice Mayor Barbara Watson to the Charter Review Commission.

**ITEM J-3) RESOLUTION
CONSENT AGENDA
Vice Mayor Watson's appoint
to the Charter Review Commission**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON'S APPOINTMENT OF VICE MAYOR BARBARA WATSON TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with Section 6.2 of the City of Miami Gardens'
2 Charter, at its first regular meeting in December 2008 and thereafter every fifth year, the
3 City Council shall appoint and fund a Charter Review Commission, and

4 WHEREAS, the Charter Review Commission is to consist of five (5) persons,
5 including one (1) from each of the four (4) residential areas, and

6 WHEREAS, one (1) appointment shall be made by the Mayor and each
7 Residential Councilmember, and

8 WHEREAS, in addition, the Mayor is to appoint one (1) person to the
9 Commission who is the Vice Mayor or Councilmember who is serving in their second
10 consecutive term, who shall serve as a non-voting member of the Commission, and

11 WHEREAS, Mayor Shirley Gibson has appointed Vice Mayor Barbara Watson as
12 her appointee to the Commission, and

13 WHEREAS, the City Council would like to confirm Mayor Gibson's appointment
14 of Vice Mayor Barbara Watson to the Commission,

15 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
16 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

17 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
18 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
19 made a specific part of this Resolution.

20 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
21 of Miami Gardens hereby confirms Mayor Shirley Gibson's appointment of Vice Mayor
22 Barbara Watson to the Miami Gardens Charter Review Commission.

23 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
24 upon its final passage.

25 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
26 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

27
28
29
30
31
32

SHIRLEY GIBSON, MAYOR

33
34
35
36
37

ATTEST:

38 RONETTA TAYLOR, CMC, CITY CLERK

39
40
41

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

42
43

SPONSORED BY: MAYOR SHIRLEY GIBSON

44
45

MOVED BY: _____

46
47

VOTE: _____

48
49
50
51
52

Mayor Shirley Gibson	____(Yes)	____(No)
Vice Mayor Barbara Watson	____(Yes)	____(No)
Councilman Melvin L. Bratton	____(Yes)	____(No)
Councilman Aaron Campbell	____(Yes)	____(No)

53 Councilman Oliver Gilbert, III
54 Councilwoman Sharon Pritchett
55 Councilman André Williams

___(Yes) ___(No)
___(Yes) ___(No)
___(Yes) ___(No)

56
57 SKD/teh
8276981_1.DOC

58

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Mayor Shirley Gibson

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON'S APPOINTMENT OF ABDUL MUHSIN TO THE DR. MARTIN LUTHER KING, JR. HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Martin Luther King Committee (MLK), Mayor Shirley Gibson hereby submits her appointee for membership in accordance with the Resolution No. 2004-29-80, Sections (1) and (2). Upon approval of the City Council, the committee will recognize Abdul Muhsin as an appointee of Mayor Gibson.

These appointed members will adhere to duties and powers of the Advisory Committee as outlined in the Ordinance.

Recommendation

That the City Council approve the appointment of Abdul Mushin to the MLK Committee.

**ITEM J-4) RESOLUTION
CONSENT AGENDA
Mayor Gibson's appointment to the
MLK Steering Committee**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING MAYOR SHIRLEY GIBSON'S APPOINTMENT OF ABDUL MUHSIN TO THE DR. MARTIN LUTHER KING, JR., HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Council adopted Resolution No. 2004-2980, establishing a
2 Dr. Martin Luther King, Jr., Holiday Steering Committee to organize events for an
3 annual holiday celebration, and

4 WHEREAS, the Mayor and each member of the Council is permitted to nominate
5 a member of the Committee, and

6 WHEREAS, Mayor Shirley Gibson would like to nominate Abdul Muhsin as her
7 appointee to the Committee,

8 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
9 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

10 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
11 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
12 made a specific part of this Resolution.

13 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
14 of Miami Gardens hereby confirms Mayor Shirley Gibson's appointment of Abdul
15 Muhsin to the Dr. Martin Luther King, Jr., Steering Committee.

16 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
17 upon its final passage.

18 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
19 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: MAYOR SHIRLEY GIBSON

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8286084_1.DOC



CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 16th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

- 1. Position sought: MLK Committee Member.
- 2. Name: ABDUL MUHSIN
- 3. Home Address: 17645 N.W. 18th Ave
(Please print)
- 4. Business Address: 2741 N. 25th Ave
- 5. Employer (if self please state): WKDR-F.M. COX BROADCAST.
 - a. Job Title: ACCOUNT Manager
 - b. Nature of business: Advertising.
- 6. Home Phone No. 305-620-7445 Business Phone No. 305-567-5750
- 7. E-mail Address: ABDUL.MUHSINE.COX@WKDR.COM Fax No. 305-567-5774

8. Education Background:

- a. High School
 - Name of School East Orange H.S. Dates of Attendance 1972 - 1976
- b. Vocational School
 - Name of School _____ Dates of Attendance _____
- c. College
 - Name of College University of Miami Dates of attendance 1976 - 1979
 - Degree obtained if any MAy 1980

Please provide a copy of your Resume or CV along with this Application.

- 9. Community Service (attach additional sheets if necessary):
 - City of Miami Gardens - Keep Miami Gardens Beautiful Committee
 - Jamaica Awareness - JAMICAN JERK FESTIVAL
 - 100 Harwood Black Men of South Florida
 - North Dade Community Credit Union Board Member
- 10. Please state your qualifications for position sought (attach additional sheets if necessary):
 - Event Organizing as well as Production Manager

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: 12/10/2008

Fiscal Impact: **No** Yes

(If yes, explain in Staff Summary)

Funding Source: PW Capital Fund

Contract/P.O. Requirement: Yes **X** No

Sponsor: Danny Crew, City Manager

Public hearing

Ordinance

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution **X**

2nd Reading

Yes No **X**

Title

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 LOCALLY FUNDED AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), THAT CERTAIN MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND FDOT, AND THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT FOR THE INSTALLATION OF TEXTURED ASPHALT PEDESTRIAL CROSSWALKS AT STATE ROAD 7 FROM NORTHWEST 176TH STREET TO NORTHWEST 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 AN EFFECTIVE DATE.

Staff Summary

In July 2006, the Planning and Zoning Department did a corridor livable community study with their consultant (Kimley Horn and Associates) on NW 2 Avenue (441) from the Golden Glades Interchange to NW 215 Street with FDOT funding. Community meetings were held by the City to address resident complaints and problems in the corridor. The overview of the study was to do a field review, data collection, existing conditions analysis (Transit, Pedestrian, Bicycle, Traffic, and Land Use), identify alternatives, and develop a project list. Based on the environment for pedestrians, missing and broken sidewalks were identified.

After the study was conducted, the stamped colored concrete concept was utilized to make the corridor more aesthetically pleasing. To unite the sidewalks through intersection, stamped

asphalt crosswalks were also selected. Therefore, as developers improve their property they are being requested to improve the adjacent sidewalks with stamped 10 feet wide concrete sidewalk if possible. This year District 4 (Broward County) has added stamped concrete sidewalks for the north section of 441 by NW 215 Street. Furthermore, William Lehman Dealership has installed new stamped 10 feet concrete sidewalks in front of their property. At the present, the Miami Gardens Credit Union has secured a construction bond with Public Works to replace the existing 6 feet sidewalk to a stamped 10 feet wide concrete sidewalk. The City has been very aggressive in getting everyone involved to make these types of improvements on NW 2 Avenue (FDOT Road).

In 2007, FDOT District 6 (Miami Dade County) approached the City on their Road Resurfacing and Sidewalk Improvement Project. The scope of the project is to resurface the road, add missing sidewalks (to include ADA issues) and signalization on NW 2 Avenue from NW 177 Street to NW 215 Street. The City discussed our future improvements in the corridor with FDOT. Since their new sidewalk additions will be concrete, the City has partnered with FDOT to provide the extra funding (\$672,732 Account #30-12-01-512-664-00 –US441 FDOT Enhancements) for the stamped concrete finish of the sidewalks. Furthermore, the City will also fund the stamped asphalt crosswalks since it is not part of their scope of work.

At no extra charge to the City, the FDOT 441 project will include irrigation sleeves throughout all the medians for future landscaping from NW 183 Street to NW 215 Street.

Recommendation:

That the City Council approves and executes the Maintenance Memorandum of Agreements, and locally Funded Agreement with FDOT.

RESOLUTION No. 2008-

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 LOCALLY FUNDED AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), THAT CERTAIN MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND FDOT, AND THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT FOR THE INSTALLATION OF TEXTURED ASPHALT PEDESTRIAL CROSSWALKS AT STATE ROAD 7 FROM NORTHWEST 176TH STREET TO NORTHWEST 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 AN EFFECTIVE DATE.

1 WHEREAS, FDOT has jurisdiction over and maintains State Road (SR)
2 7/Northwest 2nd Avenue corridor within the corporate limits of the City, and

3 WHEREAS, the City has requested FDOT to install textured concrete sidewalks
4 and textured asphalt pedestrian crosswalks along SR7/Northwest 2nd Avenue from
5 Northwest 176th Street to 1250 feet south of Northwest 215th Street, and

6 WHEREAS, FDOT has agreed to install textured concrete sidewalks and
7 textured asphalt pedestrian crosswalks along SR7/Northwest 2nd Avenue from
8 Northwest 176th Street to 1250 feet south of Northwest 215th Street, subject to the terms
9 and conditions detailed in this Agreement, and

10 WHEREAS, FDOT and the City have found it mutually beneficial to allow the City
11 to pay for the increased costs incurred as a result of installing textured concrete
12 sidewalks and textured asphalt pedestrian crosswalks in the defined area, and

13 WHEREAS, the parties have agreed as to the additional funding as well as to the
14 maintenance responsibility for the project, and the City Council would like to authorize
15 the City Manager to take any and all steps necessary to implement the project,

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
17 OF MIAMI GARDENS, FLORIDA, as follows:

18 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
19 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
20 made a specific part of this Resolution.

21 Section 2. AUTHORIZATION: The City Manager and City Clerk are hereby
22 authorized and directed to execute and attest, respectively, that certain locally funded
23 Agreement between the City of Miami Gardens and FDOT, that certain Memorandum of
24 Agreement between the City of Miami Gardens and FDOT, and that certain
25 Maintenance Memorandum of Agreement with FDOT for the installation of textured
26 asphalt pedestrian crosswalks at State Road 7 from Northwest 176th Street to just south
27 of Northwest 215th Street, a copy of which is attached hereto as **Exhibit A**.

28 Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby
29 authorized to obtain three (3) fully executed copies of the subject Agreement, with one
30 to be maintained by the City; with one to be delivered to the State of Florida Department
31 of Transportation, and with one to be directed to the Office of City Attorney.

32 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
33 upon its final passage.

34 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
35 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 12, 2008.

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8274938_1.DOC

**FLORIDA DEPARTMENT OF TRANSPORTATION
TEXTURED ASPHALT PEDESTRIAN CROSSWALKS
MAINTENANCE MEMORANDUM OF AGREEMENT
WITH
CITY OF MIAMI GARDENS**

This **AGREEMENT**, entered into this ____ day of _____, 2008, by and between the **FLORIDA DEPARTMENT OF TRANSPORTATION**, a component agency of the State of Florida, hereinafter called the **DEPARTMENT**, and the **CITY OF MIAMI GARDENS**, a municipal corporation of the State of Florida, hereinafter called the **CITY**.

RECITALS:

WHEREAS, the **DEPARTMENT** has jurisdiction over **State Road (SR) 7/NW 2nd Avenue from NW176th Street to 1250 feet south of NW 215th Street**, within the limits of the **CITY**, as part of the State of Florida Highway System; and

WHEREAS, the **DEPARTMENT** is installing textured asphalt pedestrian crosswalks on SR7 in accordance with **DEPARTMENT** Contract # C-8P99 the limits of which, hereinafter **PROJECT LIMITS**, are described in the attached Exhibit 'A', which by reference hereto shall become a part hereof; and

WHEREAS, the **DEPARTMENT** and the **CITY** are both committed to improving the aesthetics within the **PROJECT LIMITS**; and

WHEREAS, the **CITY** has requested the **DEPARTMENT** to install textured asphalt pedestrian crosswalks, at various intersections within the **PROJECT LIMITS**, and the **DEPARTMENT** is willing to do so subject to the terms and conditions contained herein; and

WHEREAS, the **CITY**, by Resolution No. _____, dated _____, attached hereto as Exhibit 'B', which by reference hereto shall become a part hereof, desires to enter into this **AGREEMENT** and authorizes its officers to do so.

NOW, THEREFORE, for and in consideration of the mutual benefits to flow each to the other, the parties covenant and agree as follows:

1. DEPARTMENT RESPONSIBILITIES

1.1. Assignment

The **DEPARTMENT** and the **CITY** agree that, by executing this **AGREEMENT**, all maintenance responsibilities pertaining to the textured asphalt pedestrian crosswalks on various

intersections within the **PROJECT LIMITS** will be assigned to the **CITY** in perpetuity.

2. CITY'S MAINTENANCE RESPONSIBILITIES

The **CITY** shall be solely responsible for the maintenance and preservation of the asphaltic surface on all pedestrian crosswalks within the **PROJECT LIMITS**.

2.1. LITTER REMOVAL

2.1.1. Promptly and regularly remove all litter from the textured asphalt crosswalk surfaces.

2.2. TEXTURED ASPHALT SURFACE

2.2.1. Maintain and make repairs to the textured asphalt crosswalk surfaces to prevent safety hazards for those using or intending to use the pedestrian crossings.

2.2.2. Sweep the textured asphalt surfaces on pedestrian crosswalks periodically to keep them free of debris and to maintain an aesthetically pleasing condition. A light pressure washing may be necessary for heavy stain removal or cleaning.

2.2.3. For any routine repairs or replacement due to noticeable color scarring or surface deterioration of the textured asphalt surfaces, the product authorized installer should be contacted.

3. AMENDMENTS

This **AGREEMENT** may be amended in writing if mutually agreed to by both parties.

4. MAINTENANCE DEFICIENCIES

If, at any time while the terms of this **AGREEMENT** are in effect, it shall come to the attention of the **DEPARTMENT'S DISTRICT MAINTENANCE ENGINEER** that the **CITY'S** responsibility as established herein or a part thereof is not being properly accomplished pursuant to the terms of this **AGREEMENT**, said **DISTRICT MAINTENANCE ENGINEER** may, at his option, issue a written notice, in care of the **CITY MANAGER**, to place the **CITY** on notice regarding its maintenance deficiencies. Thereafter, the **CITY** shall have a period of thirty (30) calendar days

Textured Asphalt Pedestrian Crosswalks

Maintenance Memorandum of Agreement between Florida Department of Transportation and City of Miami Gardens

within which to correct the cited deficiency or deficiencies. If said deficiencies are not corrected within this time period, the **DEPARTMENT** may, at its option, proceed as follows:

4.1. Maintain the textured asphalt pedestrian crosswalks declared deficient with **DEPARTMENT** and / or independent contractor's materials, equipment and personnel. The actual cost for such work will be charged to the **CITY**.

5. **NOTICES**

All notices, requests, demands, consents, approvals, and other communication which are required to be served or given hereunder, shall be in writing and shall be sent by registered mail or certified U.S. mail, return receipt requested, postage prepaid, addressed to the party to receive such notices as follows:

To the DEPARTMENT: Florida Department of Transportation
1000 Northwest 111 Avenue, Room 6205
Miami, Florida 33172-5800
Attention: District Maintenance Engineer

To the CITY: City of Miami Gardens
1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169
Attention: Dr. Danny Crew

6. **TEXTURED ASPHALT PEDESTRIAN CROSSWALKS INSTALLATION**

6.1. It is understood between the parties hereto that the textured asphalt pedestrian crosswalks in various intersections covered by this **AGREEMENT** may be removed at any time in the future, as found necessary by the **DEPARTMENT**, in order that the adjacent state road be widened, altered or otherwise changed and maintained to meet with future criteria or planning of the **DEPARTMENT**. All costs associated with such activities will be solely at the expense of the **DEPARTMENT**.

7. **TERMINATION**

This **AGREEMENT** is subject to termination under any one of the following conditions:

7.1. In accordance with Section 287.058(1)(c), Florida Statutes, the **DEPARTMENT** shall reserve the right to unilaterally cancel this **AGREEMENT** if the **CITY** refuses to allow public access to any or all documents, papers, letters, or other materials made or received by the **CITY** pertinent to this **AGREEMENT** which are subject to

provisions of Chapter 119, of the Florida Statutes.

7.2. Only if mutually agreed to by both parties with a six (6) month written notice.

8. **TERMS**

8.1. The terms of this **AGREEMENT** shall only commence upon execution by all parties and after the **CITY** receives the Notice To Proceed letter from the **DEPARTMENT**. This **AGREEMENT** shall continue in perpetuity or until termination as set forth in Section 7.

8.2. This writing embodies the entire **AGREEMENT** and understanding between the parties hereto and there are not other agreements and understanding, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.

8.3. This **AGREEMENT** is nontransferable and nonassignable in whole or in part without the prior written consent of the **DEPARTMENT**.

8.4. This **AGREEMENT**, regardless of where executed, shall be governed by and constructed in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day and year first above written.

CITY OF MIAMI GARDENS:

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION:**

BY: _____
City Manager

BY: _____
District Secretary

ATTEST: _____
City Clerk

ATTEST: _____
Executive Secretary

LEGAL REVIEW:

BY: _____
City Attorney

BY: _____
District General Counsel

EXHIBIT 'A'

PROJECT LIMITS

Below are the limits of the textured asphalt pedestrian crosswalks and irrigation sleeves to be maintained under this **AGREEMENT**.

State Road Number: 7 (NW 2nd Avenue)
Agreement Limits: From NW 176th Street to 1250 feet south of NW 215th Street
County: Miami-Dade

EXHIBIT 'B'

CITY RESOLUTION

To be herein incorporated once ratified by the City of Miami Gardens Board of City Commissioners.

LOCALLY FUNDED AGREEMENT

THIS LOCALLY FUNDED AGREEMENT (hereinafter ‘Agreement’) is made and entered into this ___ day of _____, 2008, between the **CITY OF MIAMI GARDENS**, a municipal corporation of the State of Florida, hereinafter called ‘CITY’, and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION** a component agency of the State of Florida, hereinafter called the ‘DEPARTMENT’.

RECITALS:

WHEREAS, the DEPARTMENT has jurisdiction over and maintains State Road (SR) 7/NW 2nd Avenue corridor within the corporate limits of the CITY; and

WHEREAS, the CITY has requested the DEPARTMENT to install textured concrete sidewalks and textured asphalt pedestrian crosswalks along SR7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street; and

WHEREAS, the DEPARTMENT has agreed to install textured concrete sidewalks and textured asphalt pedestrian crosswalks along SR7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street, subject to the terms and conditions detailed in this Agreement; and

WHEREAS, the DEPARTMENT and the CITY find it mutually beneficial to allow the CITY to fund the increased costs, under Financial Project Number 418094-1-52-02, associated with installing textured concrete sidewalks and textured asphalt pedestrian crosswalks along SR7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street, hereinafter collectively called the ‘PROJECT’, and as detailed in the attached Exhibit “A”, “Scope of Services”, which is herein incorporated by reference; and

WHEREAS, the parties are authorized to enter into this Agreement pursuant to **Sections 334.044(7) and 339.12 (2006), Florida Statutes (F.S.)**, and authorize its officers to do so;

NOW, THEREFORE, in consideration of the premises, the mutual covenants and other valuable considerations contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Recitals.** The Recitals to this Agreement are true and correct and are incorporated herein by reference and made a part hereof.
- 2. General Requirements.**
 - (a) The DEPARTMENT will administer and construct the PROJECT in accordance with the PROJECT plans and the attached Exhibit “A”, ‘Scope of Services’. The DEPARTMENT will complete the PROJECT utilizing funds provided by the CITY.
 - (b) The CITY will provide funding to the DEPARTMENT in the aggregate amount of SIX HUNDRED SEVENTY TWO THOUSAND SEVEN HUNDRED THIRTY TWO DOLLARS (\$672,732.00) for the PROJECT, per the Financial Provisions detailed in Section 3 of this Agreement, and as outlined in the attachment Exhibit “B”, “Financial Summary”, which is herein incorporated by reference.
 - (c) Upon the receipt, authorization and encumbrance of funding received from the CITY as a result of this Agreement, the DEPARTMENT Contractor will commence work on the PROJECT.
 - (d) The DEPARTMENT Contractor may not commence work on the PROJECT until the CITY funding for the PROJECT is on deposit with the DEPARTMENT.
 - (e) The Parties acknowledge that this is a funding Agreement only and the CITY shall not have any contractual obligations to any Contractor or subcontractor who performs the services. The City’s sole obligation is the payment of project costs.

3. Financial Provisions.

- (a) The CITY agrees that it will, at least fourteen (14) calendar days prior to the DEPARTMENT's advertising the PROJECT for bid, furnish the DEPARTMENT an advance deposit in the amount of SIX HUNDRED SEVENTY TWO THOUSAND SEVEN HUNDRED THIRTY TWO DOLLARS (\$672,732.00) for full payment of the estimated PROJECT cost for Locally Funded Project Number 418094-1-52-02. The estimated project cost plus allowances. The DEPARTMENT may utilize the Advance Deposit for payment of the costs of the PROJECT.
- (b) If the accepted bid amount plus allowances is in excess of the Advance Deposit amount, the CITY will provide an additional deposit within fourteen (14) calendar days of notification from the DEPARTMENT or prior to posting of the accepted bid, whichever is earlier, so that the total deposit is equal to the bid amount plus allowances. The DEPARTMENT will notify the CITY as soon as it becomes apparent the accepted bid amount, plus allowances, is in excess of the Advance Deposit amount. However, failure of the DEPARTMENT to so notify the CITY shall not relieve the CITY from its obligation to pay for its full participation on final accounting as provided herein below. If the CITY cannot provide the Additional Deposit within fourteen (14) days, a letter must be submitted to and approved by the DEPARTMENT's PROJECT manager indicating when the deposit will be made. The CITY understands the request and approval of the additional time could delay the PROJECT, and additional costs may be incurred due to a delay of the PROJECT. In the event the bid amount exceeds ten percent (10%) of the Advance Deposit amount,

the City shall reserve the right to either amend the Scope of Services to decrease the area of the stamped concrete, or to provide the additional deposit.

- (c) If the accepted bid amount plus allowances is less than the Advance Deposit amount, the DEPARTMENT will refund the amount that the Advance Deposit exceeds the bid amount plus allowances if such refund is requested by the CITY in writing.
- (d) Should PROJECT modifications or changes to bid items occur that increase the CITY's share of total PROJECT costs, the CITY will be notified by the DEPARTMENT accordingly, and shall be provided with detailed information as to any increases. The CITY agrees to provide, without delay, in advance of the additional work being performed, adequate funds to ensure that cash on deposit with the DEPARTMENT is sufficient to fully fund its share of the PROJECT. In no event shall project modifications or changes exceed ten percent (10%) of the total project costs, including the Advance and Additional Deposit amounts. The DEPARTMENT shall notify the CITY as soon as it becomes apparent actual costs will overrun the award amount. However, failure of the DEPARTMENT to so notify the CITY shall not relieve the CITY from its obligation to pay for its full participation during the PROJECT and on final accounting as provided herein below. Funds due from the CITY during the PROJECT not paid within forty (40) calendar days from the date of the invoice are subject to an interest charge at a rate established pursuant to **Section 55.03, F.S.**
- (e) The DEPARTMENT intends to have its final and complete accounting of all costs incurred in connection with the work performed hereunder within three hundred and sixty (360) days of final payment to the Contractor. The DEPARTMENT considers

the PROJECT complete when the final payment has been made to the Contractor, not when the construction work is complete. All PROJECT cost records and accounts shall be subject to audit by a representative of the CITY for a period of three (3) years after final close out of the PROJECT. The CITY will be notified of the final cost. Both parties agree that in the event the final accounting of total PROJECT costs pursuant to the terms of this Agreement is less than the total deposits to date, a refund of the excess will be made by the DEPARTMENT to the CITY. If the final accounting is not performed within three hundred and sixty (360) days, the CITY is not relieved from its obligation to pay. However, the City's obligation to pay any final sums is contingent upon the City receiving a final accounting.

- (f) In the event the final accounting of total PROJECT costs is greater than the total deposits to date, the CITY will pay the additional amount within forty (40) calendar days from the date of the invoice from the DEPARTMENT. The CITY agrees to pay interest at a rate as established pursuant to **Section 55.03, F.S.**, on any invoice not paid within forty (40) calendar days until the invoice is paid.
- (g) The payment of funds under this Locally Funded Agreement will be made directly to the DEPARTMENT for deposit and as provided in the attached Memorandum of Agreement (MOA) between the CITY, DEPARTMENT and the State of Florida, Department of Financial Services, Division of Treasury.
- (h) Nothing in this Agreement shall be construed to violate the provisions of Section 339.135(6)(a), Florida Statutes, which provides as follows:

“The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) and which have a term for a period of more than one year.”

4. **Effective Date of this Agreement.** This Agreement shall become effective on the date hereof.
5. **Provisions Separable.** The provisions of this Agreement are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part.
6. **Amendment of Agreement.** This Agreement may only be amended by mutual agreement of the DEPARTMENT and the CITY, expressed in writing and executed and delivered by each.
7. **Notices.** All notices, requests, demands and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given, made and received when delivered (personally, by courier service such as Federal Express, or by other messenger) against receipt or upon actual receipt of registered or certified mail, postage prepaid, return receipt requested, addressed as set forth below:

- (a) If to the CITY:
City of Miami Gardens
1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169
Attention: Dr. Danny Crew
Ph: (305)622-8007

(b) If to the Department: Florida Department of Transportation
1000 NW 111 Avenue, Room 6202-B
Miami, Florida 33172
Attention: Michelle Loren Meaux, JPA Coordinator
Ph: (305)470-5112 Fax: (305)470-5704

Any party may alter the address to which communications or copies are to be sent by giving notice of such change of address in conformity with the provisions of this paragraph for the giving of notice.

8. **Entire Agreement.** This Agreement, including its attached Exhibits, contain the sole and entire Agreement between the parties with respect to such subject matter and supersede any and all other prior written or oral agreements between them with respect to such subject matter.
9. **Binding Effect.** This Agreement shall be binding upon the parties and their respective representatives, successors and assigns.
10. **Waiver.** Waiver by either party of any breach of any provision of this Agreement shall not be considered as or constitute a continuing waiver or a waiver of any other breach of the same or any other provision of this Agreement.
11. **Captions.** The captions contained in this Agreement are inserted only as a matter of convenience or reference and in no way define, limit, extend or describe the scope of this Agreement or the intent of any of its provisions.
12. **Absence of Third Party Beneficiaries.** Nothing in this Agreement, express or implied, is intended to (a) confer upon any entity or person other than the parties and their permitted successors and assigns any rights or remedies under or by reason of this Agreement as a third party beneficiary or otherwise except as specifically provided in this Agreement; or (b)

authorize anyone not a party to this Agreement to maintain an action pursuant to or based upon this Agreement.

- 13. Other Documents.** The parties shall take all such actions and execute all such documents which may be reasonably necessary to carry out the purposes of this Agreement, whether or not specifically provided for in this Agreement.
- 14. Governing Law.** This Agreement and the interpretation of its terms shall be governed by the laws of the State of Florida, without application of conflicts of law principles. Venue for any judicial, administrative or other action to enforce or construe any term of this Agreement or arising from or relating to this Agreement shall lie exclusively in Miami-Dade County, Florida.

DRAFT

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the day and year first above written, the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, signing by and through its CITY Manager, and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, signing by and through its District Secretary, each duly authorized to execute same.

CITY OF MIAMI GARDENS:

**STATE OF FLORIDA,
DEPARTMENT OF TRANSPORTATION:**

BY: _____
CITY MANAGER

BY: _____
DISTRICT SECRETARY

ATTEST: _____
(SEAL) CITY CLERK

ATTEST: _____
(SEAL) EXECUTIVE SECRETARY

LEGAL REVIEW:

CITY ATTORNEY

DISTRICT GENERAL COUNSEL

EXHIBIT 'A'

SCOPE OF SERVICES

The DEPARTMENT is installing:

- A six (6) foot wide colored stamped concrete sidewalk along the eastside of SR7/NW 2nd Avenue from approximately Station 45+00 to approximately Station 56+60.
- Stamped asphalt pedestrian crosswalks along SR7/NW 2nd Avenue from NW 177th Street to NW 204th Terrace.

PROJECT LIMITS: SR7/NW 2nd Ave. from NW 176th St. to 1250 ft. south of NW 215th St.

DEPARTMENT Financial Project Number: **418094-1-52-02**

COUNTY: **Miami-Dade**

DEPARTMENT Project Manager: **Judy Solaun-Gonzalez, P.E. (305)470-5207**

CITY Project Manager: **Tom Ruiz, (305)622-8048**

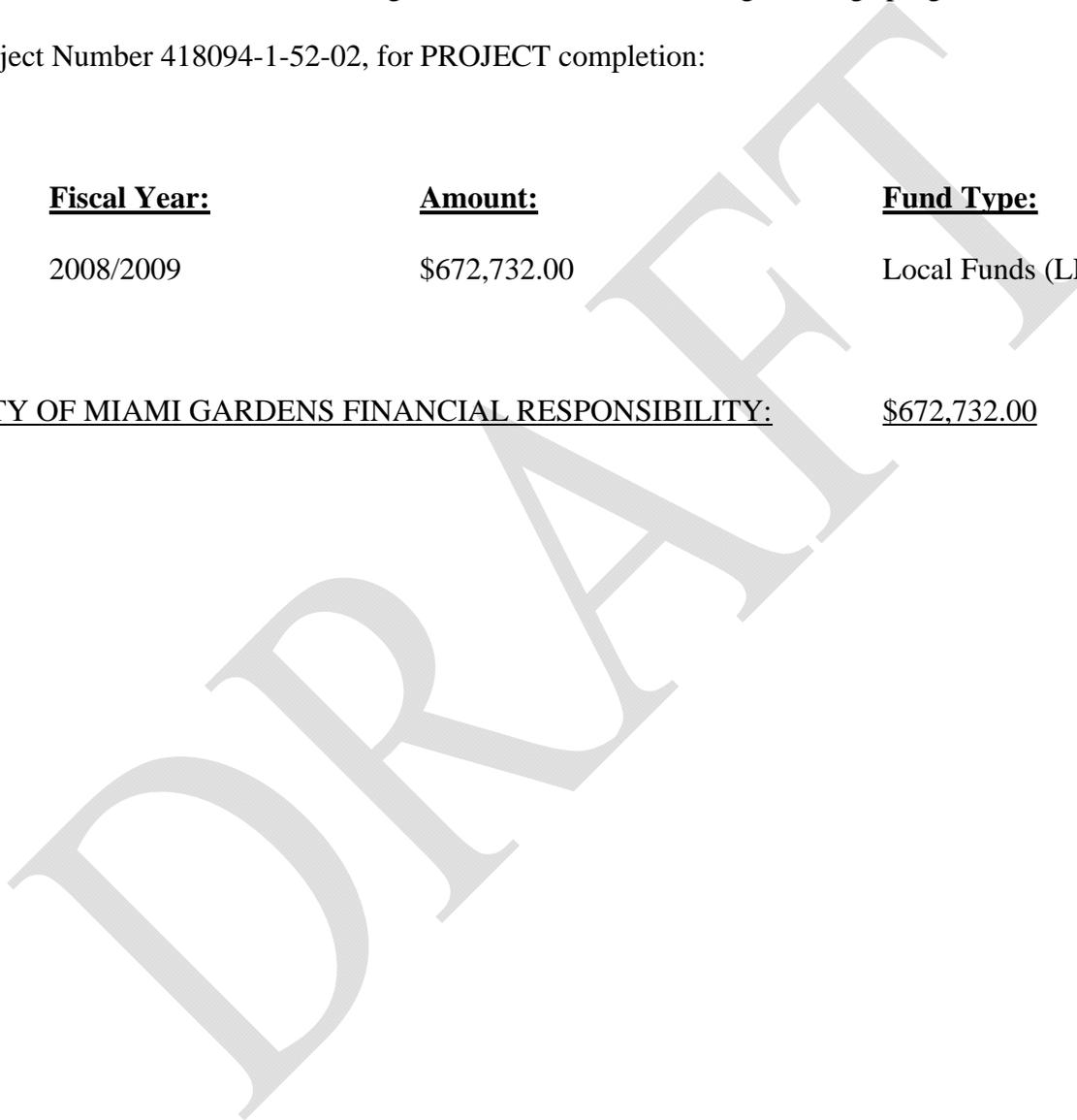
DRAFT

EXHIBIT 'B'
FINANCIAL SUMMARY

The DEPARTMENT's Work Program allocates the following funding, programmed on Financial Project Number 418094-1-52-02, for PROJECT completion:

<u>Fiscal Year:</u>	<u>Amount:</u>	<u>Fund Type:</u>
2008/2009	\$672,732.00	Local Funds (LF)

CITY OF MIAMI GARDENS FINANCIAL RESPONSIBILITY: **\$672,732.00**



MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this _____, day of _____, 200__, by and between the State of Florida, Department of Transportation, hereinafter referred to as "FDOT" and the State of Florida, Department of Financial Services, Division of Treasury and City of Miami Gardens hereinafter referred to as the "Participant".

WITNESSETH

WHEREAS, "FDOT" is currently constructing the following project:

Financial Project Number: 418094-1-52-02
County: Miami-Dade

hereinafter referred to as the "Project".

WHEREAS, FDOT and the Participant entered into a **Locally Funded Agreement** dated _____, wherein DOT agreed to perform certain work on behalf of the Participant in conjunction with the Project.

WHEREAS, the parties to this AGREEMENT mutually agreed that it would be in the best interest of the FDOT and the Participant to establish an interest bearing escrow account to provide funds for the work performed on the Project on behalf of the Participant by the FDOT.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit in the amount of \$672,732.000 (SIX HUNDRED SEVENTY TWO THOUSAND SEVEN HUNDRED THIRTY TWO DOLLARS) will be made by the Participant into an interest bearing escrow account established by the FDOT for the purposes of the project. Said escrow account will be opened with the Department of Financial Services, Division of Treasury, Bureau of Collateral Management on behalf of the FDOT upon receipt of this Memorandum of Agreement. Such account will be an asset of FDOT.

2. Other deposits will be made only by the Participant as necessary to cover the cost of additional work prior to the execution of any Supplemental Agreements.

3. All deposits shall be made payable to the Department of Financial Services, Revenue Processing and mailed to the FDOT Office of Comptroller for appropriate processing at the following address:

Florida Department of Transportation
Office of Comptroller
605 Suwannee Street
Mail Station 42-B
Tallahassee, Florida 32399
ATTN: LFA Section

4. The FDOT's Comptroller and/or her designees shall be the sole signatories on the escrow account with the Department of Financial Services and shall have sole authority to authorize withdrawals from said account.

5. Unless instructed otherwise by the parties hereto, all interest accumulated in the escrow account shall remain in the account for the purposes of the project as defined in the LFA.

6. The Department of Financial Services agrees to provide written confirmation of receipt of funds to the FDOT.

7. The Department of Financial Services further agrees to provide periodic reports to the FDOT.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
COMPTROLLER

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY

PARTICIPANT SIGNATURE

PARTICIPANT NAME & TITLE

PARTICIPANT ADDRESS

FEDERAL EMPLOYER I.D. NUMBER

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No X Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilman Aaron Campbell

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution X

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN AARON CAMPBELL'S APPOINTMENT OF COUNCILMAN OLIVER G. GILBERT, III, TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Charter Review Commission, Councilman Aaron Campbell hereby submits his appointee for membership in accordance with the City of Miami Gardens Charter, Article VI, and Section 6.2. Upon approval by the City Council the committee will recognize Councilman Oliver G. Gilbert III, as an appointee of Councilman Campbell.

The appointed members of the Commission will determine whether or not an amendment or revision to the City's Charter is needed and will submit proposals, revisions and suggested amendments to the Council no later than July 1st, of the year following their appointment.

Recommendation

That the City Council approves Councilman Campbell's appointment of Councilman Oliver G. Gilbert III to the Charter Review Commission.

**ITEM J-6) RESOLUTION
CONSENT AGENDA
Councilman Campbell's appointment to the
Charter Review Commission**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN AARON CAMPBELL'S APPOINTMENT OF COUNCILMAN OLIVER G. GILBERT, III, TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with Section 6.2 of the City of Miami Gardens'
2 Charter, at its first regular meeting in December 2008 and thereafter every fifth year, the
3 City Council shall appoint and fund a Charter Review Commission, and

4 WHEREAS, the Charter Review Commission is to consist of five (5) persons,
5 including one (1) from each of the four (4) residential areas, and

6 WHEREAS, one (1) appointment shall be made by the Mayor and each
7 Residential Councilmember, and

8 WHEREAS, Councilman Aaron Campbell has appointed Councilman Oliver G.
9 Gilbert, III, as his appointee to the Commission, and

10 WHEREAS, the City Council would like to confirm Councilman Campbell's
11 appointment of Councilman Oliver G. Gilbert, III, to the Commission,

12 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
13 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

14 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
15 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
16 made a specific part of this Resolution.

17 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
18 of Miami Gardens hereby confirms Councilman Aaron Campbell’s appointment of
19 Councilman Oliver G. Gilbert, III, to the Miami Gardens Charter Review Commission.

20 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
21 upon its final passage.

22 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
23 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN AARON CAMPBELL

MOVED BY:_____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilman André Williams

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN ANDRÉ WILLIAMS' APPOINTMENT OF HIMSELF TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Charter Review Commission, Councilman André Williams hereby submits his appointee for membership in accordance with the City of Miami Gardens Charter, Article VI, Section 6.2. Upon approval by the City Council the committee will recognize Councilman André Williams' appointment of himself.

The appointed members of the Commission will determine whether or not an amendment or revision to the City's Charter is needed and will submit proposals, revisions and suggested amendments to the Council no later than July 1st, of the year following their appointment.

Recommendation

That the City Council approves Councilman Williams' appointment of himself to the Charter Review Commission.

**ITEM J-7) RESOLUTION
CONSENT AGENDA
Councilman Williams' appointment to the
Charter Review Commission**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN ANDRÉ WILLIAMS' APPOINTMENT OF HIMSELF TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with Section 6.2 of the City of Miami Gardens'
2 Charter, at its first regular meeting in December 2008 and thereafter every fifth year, the
3 City Council shall appoint and fund a Charter Review Commission, and

4 WHEREAS, the Charter Review Commission is to consist of five (5) persons,
5 including one (1) from each of the four (4) residential areas, and

6 WHEREAS, one (1) appointment shall be made by the Mayor and each
7 Residential Councilmember, and

8 WHEREAS, Councilman André Williams has appointed himself as his appointee
9 to the Commission, and

10 WHEREAS, the City Council would like to confirm Councilman Williams'
11 appointment of himself to the Commission,

12 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
13 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

14 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
15 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
16 made a specific part of this Resolution.

17 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
18 of Miami Gardens hereby confirms Councilman André Williams' appointment of himself
19 to the Miami Gardens Charter Review Commission.

20 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
21 upon its final passage.

22 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
23 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN ANDRÉ WILLIAMS

MOVED BY:_____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8276243_1.DOC

City of Miami Gardens

1515 NW 167th Street
Bldg 5., Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilman André Williams

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

TITLE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE BUSH ADMINISTRATION TO GRANT TEMPORARY PROTECTIVE STATUS TO UNDOCUMENTED HAITIANS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

Staff Summary

This past hurricane season, the small island of Haiti was hit with four major storms; leaving the surviving islanders both desolate and desperate. They suffered major damages to their infrastructure which has severely affected their quality of life; affecting their ability to survive without the basic necessities like food, potable water and shelter. Providing temporary relief in the form of a protective status will afford an opportunity to the undocumented Haitians currently in the United States, to temporarily live and work in the US and also to send food and money back home to support their families still residing in Haiti.

The proposed resolution, urges President George W. Bush and his administration to temporarily allow the Haitian immigrants to work and live freely; provide for their families in Haiti; prevent them from returning to a country suffering from several natural disasters which affected the entire nation.

Recommendation

That the City Council support the attached resolution urging President Bush to grant temporary protective status to undocumented Haitians.

**ITEM J-8) RESOLUTION
CONSENT AGENDA
Tempory Protected Status
for Undocumented Haitians**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE BUSH ADMINISTRATION TO GRANT TEMPORARY **PROTECTED** STATUS TO UNDOCUMENTED HAITIANS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, since August of 2008, Haiti has been struck by four (4) storms which
2 have devastated the Country, and

3 WHEREAS, in addition to wiping out roads and bridges and obliterating buildings,
4 schools and homes, hundreds have died and thousands have been **displaced** as a
5 result of these natural disasters, including children, and

6 WHEREAS, Haiti is currently in a state of political unrest, and

7 WHEREAS, many undocumented Haitian Nationals live in the United States and
8 are undocumented, and

9 WHEREAS, allowing Haitian Nationals to reside in the United States on a
10 temporary basis while enjoying a **protected** status, will permit them to earn money that
11 they will be able to send home to help their families and their Country,

12 WHEREAS, the City Council of the City of Miami Gardens is urging the Bush
13 Administration to grant temporary **protected** status to Haitian Nationals living in this
14 country, to prevent them from having to return to devastating circumstances, and

15 WHEREAS, there is precedent for the Bush Administration to extend the
16 temporary protective **protected** status of Haitian Nationals, because it has done so for
17 an estimated 300,000 Honduran, Nicaraguan and Salvadoran nationals who have been
18 allowed to stay for years following national disasters that struck their countries, and

19 WHEREAS, it would be unfair and prejudicial to not provide the same level of
20 assistance to Haitians who are residing in this Country, and

21 WHEREAS, it would be inhumane to deport Haitians to a country that is fledgling,
22 whose infrastructure has been destroyed, and that is experiencing a period of political
23 unrest, and

24 WHEREAS, the City Council would like to urge the Bush Administration to treat
25 Haitians residing in the United States on an equal playing field with other undocumented
26 Nationals from other countries,

27 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
28 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

29 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
30 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
31 made a specific part of this Resolution.

32 Section 2. REQUEST: The City Council of the City of Miami Gardens hereby
33 makes this request to the Bush Administration that it immediately grant temporary
34 protective (**protected**) status to undocumented Haitian Nationals residing in the United
35 States.

36 Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Council hereby
37 instructs the City Clerk to send a certified copy of this Resolution to President Bush.

38 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
39 upon its final passage.

40 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
41 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8280159_1.DOC

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: **December 10, 2008**

Fiscal Impact: No Yes
(If yes, explain in Staff Summary)

Funding Source: N/A

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:
Councilman Oliver Gilbert III

Public hearing

Ordinance

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, MAKING IT MANDATORY FOR ALL PARTICIPANTS IN YOUTH SPORTS LEAGUE PROGRAMS OPERATING AT CITY FACILITIES, WHOSE GRADES FALL BELOW A 2.0 GRADE POINT AVERAGE, TO PARTICIPATE IN A HOMEWORK ASSISTANCE AND/OR TUTORING PROGRAM, AND REQUIRING THAT ALL YOUTH LEAGUE PARTICIPANTS MAINTAIN A 2.5 CONDUCT RATING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

The City of Miami Gardens currently contracts with seven (7) athletic organizations that provide football, cheerleading, baseball, and basketball programs on several parks throughout the City.

To ensure that youth sports participants are achieving both athletically and educationally the City wishes to establish a mandatory eligibility requirement of a 2.0 grade point average and 2.5 conduct rating to be enrolled in any city contracted athletic organization's program. Under the proposed resolution , if the participant fails to maintain the required grade point average , the he/she would be mandated to participate in homework assistance/tutoring program provided by the organization and/or the City of Miami Gardens until such time that the grade improve. The City will require that teams produce both interim reports and report cards throughout the athletic season to prove eligibility.

Recommendation:

It is recommended that the City Council adopt the attached resolution, authorizing the City Manager to execute agreements associated with athletic organizations operating within the City of Miami Gardens that stipulate a GPA, conduct score, and homework assistance requirement.

RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, MAKING IT MANDATORY FOR ALL PARTICIPANTS IN YOUTH SPORTS LEAGUE PROGRAMS OPERATING AT CITY FACILITIES, WHOSE GRADES FALL BELOW A 2.0 GRADE POINT AVERAGE, TO PARTICIPATE IN A HOMEWORK ASSISTANCE AND/OR TUTORING PROGRAM, AND REQUIRING THAT ALL YOUTH LEAGUE PARTICIPANTS MAINTAIN A 2.5 CONDUCT RATING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens advocates and promotes academic achievement for all youth and particularly for youth participating in sports leagues operating at City facilities, and

WHEREAS, the City of Miami Gardens provides in kind services to sports leagues operating at City facilities, and

WHEREAS, the City of Miami Gardens sports leagues are affiliated with the Florida Youth Athletic Association ("FLYAA"), which represents forty-two thousand (42,000) youths, from ages 4 through 15, throughout Florida, and

WHEREAS, the FLYAA also provides in kind services to many of the sports leagues that operate at City facilities, and

WHEREAS, the City wants to mandate that all sports league participants whose grades fall below a 2.0 academic grade point average, participate in a homework assistance and/or tutoring program during the sports season to ensure participants are given the tools they need to achieve and maintain acceptable academic standards, and

WHEREAS, the City also wants to mandate that students who participate in sports activities at City facilities maintain a minimum of a 2.5 in-school conduct rating to

be verified by report card and interim progress reports, for enrollment and retention in a youth sports league, and

WHEREAS, the City of Miami Gardens Parks and Recreation Department in coordination with the FLYAA, or any other approved youth sports leagues operating at City facilities will develop, administer and monitor the mandatory program,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. MANDATES: The City Council of Miami Gardens mandates the following:

A. All youth sports league participants operated at City facilities whose grades fall below a 2.0 academic grade point average must participate in a homework assistance and/or tutoring program two days per week.

B. All youth sports league participants in sports leagues operated at City facilities must maintain a minimum of a 2.5 in-school conduct rating.

C. Students grade point averages and conduct ratings will be verified by the submittal of progress reports and report cards to the City Parks and Recreation Department by the league in which the students participate, on a quarterly basis. In the event progress reports are not submitted for a participant, these participants shall not be permitted to participate until the reports have been provided. Further, students whose grades fall below the minimum requirement shall be prohibited from participating in any

sports activity at a City facility unless and until they have been enrolled and attend homework assistance and/or tutoring program and meet the minimum requirements set forth herein.

D. All sports league programs that operate at City facilities or facilities that the City maintains and makes available for sports activities shall be required to adhere to the requirements of this resolution and the same shall be made a part of their Agreements with the City.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN OLIVER G. GILBERT III

MOVED BY: _____
SECONDED BY:

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)

Councilman André Williams

___(Yes) ___(No)

SKD/teh

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilman Oliver Gilbert

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN OLIVER GILBERT'S APPOINTMENT OF RODNEY SANDERS TO THE DR. MARTIN LUTHER KING, JR. HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Martin Luther King Committee (MLK), Councilman Oliver Gilbert hereby submits his appointees for membership in accordance with the Resolution No. 2004-29-80, Sections (1) and (2). Upon approval by the City Council, the committee will recognize Rodney Sanders as an appointee of Councilman Gilbert.

These appointed members will adhere to duties and powers of the Advisory Committee as outlined in the Ordinance.

Recommendation

That the City Council approves the appointment of Rodney Saunders to the MLK Committee.

**ITEM J-10) RESOLUTION
CONSENT AGENDA
Councilman Gilbert's appoint to the
MLK Holiday Steering Committee**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN OLIVER GILBERT III'S APPOINTMENT OF RODNEY SANDERS TO THE DR. MARTIN LUTHER KING, JR., HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Council adopted Resolution No. 2004-2980, establishing a
2 Dr. Martin Luther King, Jr., Holiday Steering Committee to organize events for an
3 annual holiday celebration, and

4 WHEREAS, the Mayor and each member of the Council is permitted to nominate
5 a member of the Committee, and

6 WHEREAS, Councilman Oliver Gilbert III would like to nominate Rodney
7 Sanders as his appointee to the Committee,

8 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
9 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

10 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
11 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
12 made a specific part of this Resolution.

13 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
14 of Miami Gardens hereby confirms Councilman Oliver Gilbert III's appointment of
15 Rodney Sanders to the Dr. Martin Luther King, Jr., Steering Committee.

16 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
17 upon its final passage.

18 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
19 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN OLIVER GILBERT III

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8286130_1.DOC



DEC 01 2008

One to Julie Ann

CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

Received

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

Approved

1. Position sought: MLK Comm
 2. Name: Rodney Sanders
(Please print)
 3. Home Address: 21132 N.W. 29 Ct.
 4. Business Address: _____
 5. Employer (if self please state): Ray Anthony CRANE Rental
 - a. Job Title: Engineer
 - b. Nature of business: _____
 6. Home Phone No. (305) 796-3913 Business Phone No. _____
Fax No. _____
 7. E-mail Address: Sanders CEO@bell south.NET
 8. Education Background:
 - a. High School
Name of School AMERICANSR. ^{High} Dates of Attendance _____
 - b. Vocational School
Name of School _____ Dates of Attendance _____
 - c. College
Name of College MIAMI-DADE Dates of attendance _____
Degree obtained if any _____
- Please provide a copy of your Resume or CV along with this Application.**
9. Community Service (attach additional sheets if necessary):
PHA MASON

 10. Please state your qualifications for position sought (attach additional sheets if necessary):

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

NO

12. Are you employed by the City? Yes ___ No

13. Are you employed by the Mayor or any of the Council members in their private capacities? NO

14. Are you a resident of the City? Yes No ___

15. Do you own a business in the City? Yes ___ No

If yes, please state the name of the business: _____
Is this business a vendor with the City Yes ___ No

16. Do you operate a business in the City? Yes ___ No

If yes, please state the name of the business: _____
Is this business a vendor with the City Yes ___ No

17. Ethnic Origin:
White Non-Hispanic ___ African American Hispanic American ___ Other ___

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Second choice

Fourth choice

Third choice

Fifth choice

I certify that the information contained in this Application is true and accurate.

Signature [Signature] Date _____
Applicant

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Public hearing

Ordinance

Quasi-Judicial

Resolution

Funding Source: Miami Dade OCED 1st Reading

2nd Reading

Contract/P.O. Requirement: Yes No Advertising requirement: Yes No

Sponsor Name/Department: **Danny Crew, City Manager**

RFP/RFQ/Bid # N/A

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT EXTENSION WITH MIAMI DADE COUNTY FOR FAÇADE IMPROVEMENTS AT THE STOP N SHOP PLAZA; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

Background

In July 2005, the City executed a contract with Miami Dade County's Office of Community and Economic Development for façade improvements. Initially, 3 business locations were identified as willing participants in the program. Unfortunately, after several months of negotiating with each business, and after the production of the required plans, none of the businesses were willing to execute contracts with the City.

In an effort to *not* forfeit the County's Grant funds, the City's Community Development Department sought to identify other eligible business locations for the façade improvements. Staff identified the Stop N Shop Plaza, located at 4100 N.W. 167 Street. A contract with the owner of this plaza has been executed.

Moreover, we proceeded to have the architectural plans drawn for the proposed improvements. Once the plans were completed, an Invitation To Bid was issued soliciting bids from qualified general contractors. On September 24, 2008 (amended October 8, 2008), the City Council approved a bid award to Andes Construction for the

**ITEM J-11) RESOLUTION
CONSENT AGENDA
Facade Improvement Extension**

proposed façade work to the Stop N Shop Plaza. A building permit for the proposed work was issued on November 14, 2008, and the contractor has begun work on the week of December 1st.

The City's contract with the County for these funds expires December 31, 2008. Despite an aggressive construction schedule (approximately 100 workdays), work will not be completed before the contract expiration date. Therefore, it is necessary to extend the City's agreement with the County.

The proposed resolution seeks City Council approval to authorize the City Manager to execute a contract extension with Miami Dade County for one-hundred and eighty days (180). The new contract expiration date will be June 30, 2009.

Recommendation

City staff recommends the approval of the attached resolution authorizing the City Manager to execute a contract extension with Miami Dade County for the façade improvements at the Stop N Shop Plaza.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT EXTENSION WITH MIAMI DADE COUNTY FOR FAÇADE IMPROVEMENTS AT THE STOP N SHOP PLAZA; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in July 2005, the City entered into an Agreement with Miami Dade
2 County's Office of Community and Economic Development to provide funding for façade
3 improvements at various commercial properties within the City, and

4 WHEREAS, initially, 3 business locations were identified as willing participants in
5 the program; however, after several months of negotiating with each business, and after
6 the production of the required plans, none of the businesses were willing to execute
7 contracts with the City, and

8 WHEREAS, so as to not forfeit the County's Grant funds, the City's Community
9 Development Department sought to identify other eligible business locations for the
10 façade improvements, and

11 WHEREAS, staff identified the Stop N Shop Plaza, located at 4100 N.W. 167
12 Street; a contract was executed with the owner of the plaza; architectural plans have
13 been drawn; and a bid has been awarded for completion of the improvement, and

14 WHEREAS, a building permit for the proposed work was issued on November
15 14, 2008, and the contractor began work on the week of December 1st; however, the
16 City's contract with the County for these funds expires December 31, 2008, and

17 WHEREAS, in order to keep the funding for the project, it is necessary to extend
18 the City's, agreement with the County,

19 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
20 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

21 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
22 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
23 made a specific part of this Resolution.

24 Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens,
25 Florida, hereby authorizes the City Manager to take any and all necessary steps to
26 extend the City's Agreement with Miami –Dade County for façade improvement funding
27 for the Stop N Shop Plaza.

28 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
29 upon its final passage.

30 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
31 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: _____

52 **VOTE:** _____

53

54 Mayor Shirley Gibson

___(Yes) ___(No)

55 Vice Mayor Barbara Watson

___(Yes) ___(No)

56 Councilman Melvin L. Bratton

___(Yes) ___(No)

57 Councilman Aaron Campbell

___(Yes) ___(No)

58 Councilman André Williams

___(Yes) ___(No)

59 Councilwoman Sharon Pritchett

___(Yes) ___(No)

60 Councilman Oliver Gilbert III

___(Yes) ___(No)

61

62

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: **December 10, 2008**

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Kara Petty, Parks and Recreation Department

Public hearing

Ordinance

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY IN ORDER TO INITIATE A BOY SCOUT PACK IN THE CITY OF MIAMI GARDENS TO BE OPERATED THROUGH THE CITY'S PARKS AND RECREATION DEPARTMENT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

The Boy Scouts of America is an organization which has been in existence for more than 91 years. The Scouting program has six tenets at its core: building character, faith traditions, mentoring, serving others, healthy living, and lifelong learning.

The City of Miami Gardens Parks and Recreation Department would like to partner with Boy Scouts of America to offer program the Cub Scout to local children. The Cub Scouts program would service boys in the first through fifth grades, or 7 to 10 years of age. The Scouts will meet once a week at Rolling Oaks and Myrtle Grove Parks. The program will be administered by a park employee who has completed Scout Leader training. There is no cost for children to join the pack because the City of Miami Gardens will have membership under the Scout Reach Program, an outreach program designed to cut costs so that the program can exist. The boys will be able to earn badges through activities at the site and can advance to the Boy Scouts as they "grow out of" the Cub Scout program.

Recommendation:

It is recommended that the City Council authorizes the City Manager to execute annual agreements with the Boy Scouts of America allowing the Parks and Recreation Department to host Cub Scouts programs at the parks.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL STEPS NECESSARY IN ORDER TO INITIATE A BOY SCOUT PACK IN THE CITY OF MIAMI GARDENS TO BE OPERATED THROUGH THE CITY'S PARKS AND RECREATION DEPARTMENT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City's Parks and Recreation Department would like to partner
2 with Boy Scouts of America to create a Boy Scout Pack within the City to be offered to e
3 boys in the first through fifth grades, or 7 to 10 years of age, and

4 WHEREAS, this program will be offered free to students who wish to participate
5 through the Scout Reach Program, and

6 WHEREAS, the City Council would like the City Manager to take any and all
7 steps necessary to create a Boy Scout Pack within the City,

8 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
9 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

10 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
11 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
12 made a specific part of this Resolution.

13 Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens
14 hereby authorizes the City Manager to take any and all steps necessary in order to
15 create a Boy Scout Pack in the City of Miami Gardens through the City's Parks and
16 Recreation Department.

17 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
18 upon its final passage.

19 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
20 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8285916_1.DOC

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date: **December 10, 2008**

Fiscal Impact: No **X** Yes

(If yes, explain in Staff Summary)

Funding Source: **NA**

Contract/P.O. Requirement: Yes No **X**

Sponsor Name/Department:

Vernita Nelson, Parks and Recreation

Public hearing

Ordinance

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution **X**

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING AND ENDORSING THE SOUTH FLORIDA PARKS COALITION'S CHARTER AND THE PRINCIPLES UPON WHICH IT STANDS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

The City of Miami Gardens has been invited to join Miami Dade Parks to form a South Florida Park Coalition composed of city, county, state and federal parks and recreation departments in Miami-Dade County. These parks and recreation departments/agencies came together to foster a seamless, connected, and sustainable parks system for the South Florida community.

For the past year, these Departments have met to discuss opportunities and challenges that face the parks and recreation field. From these meetings a charter was developed (see Attachment A).

Primarily, the Coalition:

- Will meet, collaborate, share knowledge and professional expertise regarding park, recreation and conservation open spaces
- Believes that a sustainable model Park System must be planned and created with an eye to its impact on the neighborhood, city, county and region as a whole. It must be effective, efficient, fair and balanced
- Believes that a model park system is integral to social, environmental and economic sustainability; it must become a vital part of everyday human

experience; it must connect spiritually and physically; and it must provide accessibility for people all means and abilities

The South Florida Park Coalition is a great opportunity for sharing knowledge and will help the City of Miami Gardens create a greater collaboration and cooperation among agencies as well as further the goals of the Miami Gardens Parks Master Plan.

Recommendation:

It is recommended that the City Council adopt the attached resolution endorsing the South Florida Park Coalition charter and the principles on which it stands as well as authorizing the City Manager to execute any future agreements associated with the partnership goals.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING AND ENDORSING THE SOUTH FLORIDA PARKS COALITION'S CHARTER AND THE PRINCIPLES UPON WHICH IT STANDS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, parks, open spaces and preserves are vital to the quality of life of all
2 residents of Miami-Dade County, and

3 WHEREAS, the City of Miami Gardens is committed to the fundamental and
4 abiding values of equity, recreation opportunity and environmental stewardship, and

5 WHEREAS, the South Florida Parks Coalition is comprised of park and
6 recreational professionals from all city, county, state and federal jurisdictions, and

7 WHEREAS, the South Florida Parks Coalition is dedicated to building a model
8 park system that will promote a greener, healthier and more livable South Florida
9 community, and

10 WHEREAS, the South Florida Parks Coalition is created to foster a seamless,
11 connected and sustainable parks system for the South Florida community, and

12 WHEREAS, the South Florida Parks Coalition will meet, collaborate, coordinate
13 and share knowledge and professional expertise regarding park, recreation and
14 conservation open spaces,

15 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
16 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

17 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
18 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
19 made a specific part of this Resolution.

20 Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens
21 hereby supports and endorses the South Florida Parks Coalition’s Charter and the
22 principles upon which it stands.

23 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
24 upon its final passage.

25 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
26 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY:_____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SOUTH FLORIDA PARK COALITION

**A COALITION OF CITY, COUNTY, STATE AND FEDERAL PARKS IN MIAMI-
DADE COUNTY**

CHARTER

Preamble:

The South Florida Park Coalition is created to foster a seamless, connected, and sustainable parks system for the South Florida community. The Coalition will meet, collaborate, share knowledge and professional expertise regarding park, recreation and conservation open spaces.

Our work is rooted in the fundamental values of recreation opportunity and environmental stewardship. It is dedicated to building a model park system that will promote a greener, healthier, and more livable South Florida community.

We believe that a model park system consists of parks and public spaces, recreation facilities, greenways, blueways, great streets and conservation lands.

We believe that a sustainable, model Park System must be planned and created with an eye to its impact on the neighborhood, city, county and region as a whole. It must be effective, efficient, fair and balanced. It must work with other public and private agencies; and it must enhance the health, safety, happiness and well-being of all residents and visitors to South Florida, now and in the future.

We believe that a model park system is integral to social, environmental and economic sustainability; it must become a vital part of everyday human experience; it must be connected spiritually and physically; and it must provide accessibility for people of all means and abilities. The model Park System must raise the quality of life for the region and inspire generations of people to care for and contribute to their communities.

Based on the beliefs of equity, access, beauty, seamlessness, sustainability and multiple benefits,

We assert that the Model Park System shall:

- Ensure an accessible, diverse and balanced system of passive and active recreation opportunities that promote safety, security and healthy lifestyles.

- Ensure the preservation, protection and enhancement of ecological resources to sustain and preserve biodiversity and the environmental health of the region.
- Ensure the preservation, protection and enhancement of cultural resources to sustain landscapes and their historical and heritage features.
- Ensure that park, recreation and conservation open spaces guide the shape of urban form.
- Ensure that there is no net loss of park, recreation or conservation lands and mandate replacement of land of equal value, context and significance.
- Ensure community stewardship of park, recreation, and conservation open spaces by fostering educational and recreational programming, civic art, volunteerism and support of philanthropic and grassroots organizations.
- Ensure the continual enhancement of economic development and quality of life in the region by partnering and collaborating with the business community.
- Ensure the equitable distribution of park, recreation and conservation open spaces for all communities in the region.
- Ensure and support responsible growth to conserve environmental and cultural resources, promote economic investment, and support neighborhood stability, while reclaiming marginal and abandoned areas.
- Ensure the support and development of an interconnected framework of transportation alternatives such as transit, pedestrian, bicycle and waterway systems that link parks, recreation and conservation open spaces to each other and to communities.
- Ensure high standards of design excellence, innovation and beauty to support economic, social and environmental sustainability of the region.

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: N/A

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: D. Crew

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

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 MEMORANDUM OF UNDERSTANDING (MOU) WITH THE STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES (DHSMV), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

The Miami Gardens Police Department utilizes many resources during the course of routine operations. Some of these resources involve technology for the gathering of information in an effort to detect and solve crimes. One of these outlets is the State of Florida Department of Highway Safety and Motor Vehicles (DHSMV). The DHSMV records all vehicle and driver data for the State of Florida and furnishes this information to law enforcement agencies conducting criminal investigations.

Recently the DHSMV underwent a review and revision of their information security policies and procedures. As a result a revised Memorandum of Understanding (MOU) was sent to the Miami Gardens Police Department requesting acceptance of these new policies and procedures in order to maintain online access to these databases.

**ITEM J-14) RESOLUTION
CONSENT AGENDA
Authorizing a MOU with DHSMV**

Recommendation:

That the City Council ratify the attached resolution authorizing the City Manager to execute a Memorandum of Understanding with the State of Florida Department of Highway Safety and Motor Vehicles allowing the Miami Gardens Police Department to access the Drivers License or Motor Vehicle Record Data Exchange.

RESOLUTION No. 2008-

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 MEMORANDUM OF UNDERSTANDING (MOU) WITH THE STATE OF FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES (DHSMV), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City of Miami Gardens utilizes the State of Florida Department of
2 Highway Safety and Motor Vehicles (“DHSMV”) in order to gather information relating to
3 vehicle and driver data while conducting criminal investigations, and

4 WHEREAS, the DHSMV has amended their policies and procedures and, as
5 such, has requested that the City of Miami Gardens execute a MOU with them outlining
6 the new policies and procedures, and

7 WHEREAS, the City Council would like to authorize the City Manager to execute
8 the MOU which is attached hereto as Exhibit A,

9 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
10 OF MIAMI GARDENS, FLORIDA, as follows:

11 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
12 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
13 made a specific part of this Resolution.

14 Section 2. AUTHORIZATION: The City Manager and City Clerk are hereby
15 authorized and directed to execute and attest, respectively, that certain Memorandum of

51 Councilwoman Sharon Pritchett
52 Councilman André Williams

___(Yes) ___(No)
___(Yes) ___(No)

53
54 SKD/teh
8285778_1.DOC

55



MEMORANDUM OF UNDERSTANDING
DRIVERS LICENSE OR MOTOR VEHICLE RECORD DATA EXCHANGE
Contract Number _____

This Memorandum of Understanding (MOU) is made and entered into by and between _____ hereinafter referred to as the Requesting Party and the Department of Highway Safety and Motor Vehicles hereinafter referred to as the Providing Agency.

I. Purpose of the Data Exchange

The purpose of this MOU is to establish conditions under which the Providing Agency agrees to provide electronic access to information relating to driver license, motor vehicle or traffic crash data to the Requesting Party. The Requesting Party is performing as (please mark all that apply):

- A Network Provider for driver license information for Third Parties. Attachment 1 applies.
- A Network Provider for motor vehicle information for Third Parties. Attachment 9 applies.
- A Government Entity to obtain driver license information through an existing Network Provider portal. Attachments 2 and 7 apply.
- A Government Entity to obtain motor vehicle information through existing Network Provider portal. Attachments 7 and 10 apply.
- A Requesting Party of motor vehicle information accessed through the Division of Motor Vehicles public records section. Attachments 7 and 8 apply.
- A Requesting Party of driver license information accessed through the Division of Driver Licenses Bureau of Records. Attachments 3 and 7 apply.
- A Requesting Party of periodic driver license information for insurance underwriting accessed through the Division of Driver Licenses Bureau of Records. Attachments 4 and 7 apply.
- A Requesting Party of traffic crash information accessed through the Division of Administrative Services. Attachment 7 applies.
- A network provider of driver license information for authorized Government Entities. Attachment 5 applies.
- A Network Provider of driver license information status check. Attachment 6 applies.
- A governmental entity accessing data through one of the Driver License and Vehicle Information Database systems. Attachment 7 applies.
 - ___ without access to driver license photographs and signatures.
 - ___ with access to driver license photographs and signatures, as authorized by section 322.142(4), Florida Statutes.
- Other Requesting Party. Attachment 7 applies.

II. Definitions

- A. "Driver's Privacy Protection Act" (DPPA) – 18 United States Code section 2721 et seq.
- B. "Providing Agency" – The Department of Highway Safety and Motor Vehicles. The agency responsible for granting access to driver license, motor vehicle, or traffic crash data to the Requesting Party.
- C. "Requesting Party" – Any entity type that is expressly authorized by section 119.0712(2), Florida Statutes and DPPA to receive personal information and highly restricted personal information that requests information contained in a driver license, motor vehicle, or traffic crash record.
- D. "Parties" – The Providing Agency and the Requesting Party.
- E. "Third Party" – Any individual, association, organization, or corporate entity who receives driver license, motor vehicle, or traffic crash information or data maintained and released by the Providing Agency or Requesting Party.
- F. "Government Entity" – Any federal, state, county, or city government, including any court or law enforcement agency.
- G. "Network Provider" – A Requesting Party whose access is provided by remote electronic means through the System to request specific types of data at a minimum of 5,000 transactions per month. A six (6) month startup period will be allowed for new Network Providers, during which time, less than 5,000 transactions per month will be accepted.
- H. "Personal Information" – Information found in the motor vehicle or driver record which includes, but is not limited to, the subject's driver identification number, name, address, telephone number, and medical or disability information. Personal information does not include information related to vehicular crashes, driving violations, and driver's status.
- I. "Vendor Number" – A four digit number assigned by the Providing Agency identifies the type and duration of the Driver License record. The vendor number is assigned to both commercial vendors and Government Entities by the Providing Agency, Division of Driver License, Bureau of Records. Misuse of a vendor number to obtain driver license record information is strictly prohibited and shall be grounds for termination in accordance with Section X.
- J. "Driver license information" – driver license and identification card data collected and maintained by the Providing Agency.
- K. "Motor vehicle information" – title and registration data collected and maintained by the Providing Agency for vehicles, vessels, and mobile homes.
- L. "Traffic crash information" – traffic crash data and traffic crash reports collected and maintained by the Providing Agency.

III. Legal Authority

WHEREAS, the Providing Agency maintains computer databases containing information pertaining to driver licenses pursuant to Chapter 322, Florida Statutes; and

WHEREAS, the Providing Agency maintains computer databases containing information pertaining to motor vehicles pursuant to Chapters 319 and 320, Florida Statutes; and

WHEREAS, the Providing Agency maintains computer databases containing information pertaining to traffic crashes pursuant to Chapter 316 and 321, Florida Statutes; and

WHEREAS, the driver license, motor vehicle, and traffic crash data contained in the Providing Agency databases is defined as public record pursuant to Chapter 119, Florida Statutes; and

WHEREAS, the Providing Agency as custodian of the foregoing records may provide access by remote electronic means and charge a fee for the direct and indirect costs of providing such access, pursuant to sections 119.0712(2), 320.05, 321.23, and 322.20, Florida Statutes, and other applicable rules and policies; and

WHEREAS, the Requesting Party may obtain via remote electronic means blocked personal information exempt from public disclosure as provided pursuant to section 119.0712(2), Florida Statutes, with exception of social security number, the Requesting Party shall maintain the confidential and exempt status of such data. Anyone accessing records obtained per this agreement must ensure that the end users of the records are complying with section 119.0712(2), Florida Statutes and DPPA.

NOW THEREFORE, the Parties, in consideration of the promised and mutual covenants hereinafter contained, do hereby enter into this MOU.

IV. Statement of Work

A. The Providing Agency agrees to:

1. Provide the Requesting Party with the technical specifications required to access driver license, motor vehicle or traffic crash information in accordance with the access method being requested.
2. Allow the Requesting Party/Network Provider to electronically access driver license and/or motor vehicle and/or traffic crash information through a telecommunications link to be established between the Requesting Party/Network Provider's computer and the Providing Agency.
3. Accept the Requesting Party/Network Provider's electronic requests and respond with appropriate data. At a minimum, 90% of the responses to electronic requests from Network Providers will occur within 15 seconds of receiving the transaction.
4. Collect all fees, pursuant to applicable Florida Statutes, rules and policies for providing the electronically requested data. The fee shall include all direct and indirect costs of providing remote electronic access, according to section 119.07(2)(c), Florida Statutes.
5. Collect all fees due for electronic requests through the Automated Clearing House account of the banking institution which has been designated by the treasurer of the State of Florida for such purposes.
6. Discontinue access of the Requesting Party for non-payment of required fees. The Providing Agency shall not be responsible for the failure, refusal, or inability of the Requesting Party/Network Provider to make the required payments, or interest on late payments for periods of delay attributable to the action or inaction of Network Providers.
7. Not indemnify or be liable to the Requesting Party/Network Provider for any driver license, motor vehicle, or traffic crash information, programs, job streams, or similar items delayed, lost, damaged, or destroyed as a result of the electronic exchange of data pursuant to this MOU, except as provided in section 768.28, Florida Statutes.
8. Provide the Requesting Party with a schedule of fees appropriate for the information being provided by the Providing Agency.
9. Notify the Requesting Party/Network Provider thirty (30) days prior to changing any fee schedules when it is reasonable and necessary to do so, as determined by the Providing Agency. The Requesting Party/Network Provider may continue with this MOU as modified or it may terminate the MOU in accordance with Section X., subject to the payment of all fees incurred prior to termination.
10. Perform all obligations to provide access under this MOU contingent upon an annual appropriation by the Legislature.

11. Provide electronic access for Network Providers to driver license and/or motor vehicle information 24 hours a day, 7 days per week other than scheduled maintenance or other uncontrollable disruptions. Scheduled maintenance normally occurs Sunday mornings between the hours of 6:00AM to 10:00AM.

B. The Requesting Party agrees to:

1. For a Network Provider, submit no less than 5000 transactions per month. *[This does not apply to Government Entities.]*
2. For a Government Entity, driver license, motor vehicle, or traffic crash information may only be used for the express purposes originally agreed to by the Government Entity and Providing Agency. Information obtained from the Providing Agency by a Government Entity shall not be retained by the Government Entity or resold to any Third Party.
3. Be responsible for interfacing with any and all Third Party end users. The Providing Agency will not interact directly with any Third Party end users. Requesting Party shall not give Third Party end users the name, E-mail address, and /or telephone number of any Providing Agency employee without the express written consent of the Providing Agency. *[This does not apply to Government Entities.]*
4. Maintain a help desk for its Third Party end users. Personnel assigned to this help desk shall be fully trained on all aspects of the electronic access and shall be prepared to answer all Third Party end user questions. In cases where the Requesting Party/Network Provider help desk personnel are unable to answer a question from a Third Party end user and that question must be answered by Providing Agency personnel; the Requesting Party shall obtain the answer from the Providing Agency and then relay the answer to the Third Party end user. *[This does not apply to Government Entities.]*
5. Insure that its employees and agents comply with Section V. Safeguarding Information procedures of this MOU.
6. Not assign, sub-contract, nor otherwise transfer its rights, duties, or obligations under this MOU without the express written consent and approval of the Providing Agency.
7. Use the information received from the Providing Agency only for the purposes authorized by this agreement.
8. Protect and maintain the confidentiality and security of driver license, motor vehicle, and traffic crash information received from the Providing Agency in accordance with this MOU and applicable state and federal law.
9. Defend, hold harmless and indemnify the Providing Agency and its employees or agents from any and all claims, actions, damages, or losses which may be brought or alleged against its employees or agents for the Requesting Party's negligent, improper, or unauthorized use or dissemination of information provided by the Providing Agency.
10. Update user access permissions upon termination or reassignment of users within 5 working days and immediately update user access permissions upon discovery of negligent, improper, or unauthorized use or dissemination of information. Conduct quarterly quality control reviews to ensure all current users are appropriately authorized.
11. For all records containing personal information released to a Third Party, maintain for a period of 5 years, records identifying each person or entity that receives the personal information and the permitted purpose for which it will be used. The Requesting Party shall make these records available for inspection upon request by the Providing Agency. *[This does not apply to Government Entities.]*
12. Pay all costs associated with electronic access of the Providing Agency's driver license and/or motor vehicle and/or traffic crash information; such costs shall include all one time, recurring, and usage charges for all hardware, software, and services required to connect to and use the electronic access. Payment must be in advance of receiving any information or use electronic means as follows:

- Complete and sign the appropriate document(s) to allow the Providing Agency's designated banking institution to debit the Requesting Party's designated account.
- Maintain an account with a banking institution as required by the Providing Agency.
- Pay all fees due the Providing Agency by way of the Automated Clearing House account of the Providing Agency's designated banking institution. Collection of transaction fees from eligible and authorized Third Party end users is the responsibility of the Requesting Party.

V. Safeguarding Information

The Parties shall access, use and maintain the confidentiality of all information received under this agreement in accordance with Chapter 119, Florida Statutes, and DPPA. Information obtained under this agreement shall only be disclosed to persons to whom disclosure is authorized under Florida law and federal law. Any person who willfully and knowingly violates any of the provisions of this section is guilty of a misdemeanor of the first degree punishable as provided in sections 119.10 and 775.083, Florida Statutes. In addition, any person who knowingly discloses any information in violation of DPPA may be subject to criminal sanctions and civil liability.

The Parties mutually agree to the following:

- A. Information exchanged will not be used for any purposes not specifically authorized by this agreement. Unauthorized use includes, but is not limited to, queries not related to a legitimate business purpose, personal use, and the dissemination, sharing, copying or passing of this information to unauthorized persons
- B. Information exchanged by electronic means will be stored in a place physically secure from access by unauthorized persons.
- C. Access to the information exchanged will be protected in such a way that unauthorized persons cannot review or retrieve the information.
- D. All personnel with access to the information exchanged under the terms of this agreement will be instructed of, and acknowledge in writing, the confidential nature of the information. Signed acknowledgements must be retained and updated annually by the Requesting Party.
- E. All personnel with access to the information will be instructed of, and acknowledge in writing, the criminal sanctions specified in state law for unauthorized use of the data. Signed acknowledgements must be retained and updated annually by the Requesting Party.
- F. All access to the information must be monitored on an on-going basis by the Requesting Party. In addition, the Requesting Party must complete an annual audit of at least 5% of all data accessed to ensure proper and authorized use and dissemination.
- G. By signing the MOU, the representatives of the Providing Agency and Requesting Party, on behalf of the respective Parties attest that their respective agency procedures will ensure the confidentiality of the information exchanged will be maintained.

VI. Compliance and Control Measures

- A. **Internal Control Attestation** - This MOU is contingent upon the Requesting Party having appropriate internal controls of personal data sold or used by the Requesting Party to protect the personal data from unauthorized access, distribution, use, modification, or disclosure. Upon request from the Providing Agency, the Requesting Party must submit an attestation from a licensed Certified Public Accountant performed in accordance with American Institute of Certified Public Accountants (AICPA) "Statements on Standards for Attestation Engagement", or alternatively by a currently licensed and independent Certified Information Systems Auditor (CISA) in accordance with Information Systems Audit and Control Association (ISACA) "IS Standards, Guidelines, and Procedures for Auditing and Control Professionals". In the event the Requesting Party is a governmental entity, the attestation may be provided by an internal auditor or inspector

general. The attestation must indicate that the internal controls of personal data have been evaluated and are adequate to protect the personal data from unauthorized access, distribution, use, modification, or disclosure. The attestation must be received by the Providing Agency within 90 days of the written request. See Section XI for complete mailing address

- B. **Misuse of Personal Information** – The Requesting Party must immediately notify the Providing Agency and the individual whose personal information has been compromised of any unauthorized access, distribution, use, modification, or disclosure. The statement to the Providing Agency must provide the date and the number of records affected by any unauthorized access, distribution, use, modification, or disclosure of personal information. Further, as provided in section 817.5681, Florida Statutes, the document must provide a statement advising if individuals whose personal information has been compromised have been notified and, if not, when they will be notified. The statement must include the corrective actions and the date these actions are completed by the Requesting Party. See Section XI for complete mailing address.
- C. The Providing Agency shall receive an annual affirmation from the Requesting Party indicating compliance with the requirements of this agreement no later than 30 days after the anniversary date of this agreement.

VII. Reimbursement Of Costs

Providing Agency will debit the account of the Requesting Party currently on file. The amount debited will be in accordance with sections 320.05 and 322.20 Florida Statutes and with this MOU. Specific fee calculations are incorporated by an attachment to this MOU. *[This does not apply to Government Entities.]*

VIII. Period of Performance

This MOU shall be effective upon the last signature of the Parties to this agreement and will remain in effect for three years from the date of execution, as provided in Section X. Once executed, this MOU supersedes all previous agreements for these conditions of services defined in Section I.

IX. Amendments

- A. This MOU incorporates all prior negotiations, interpretations, and understandings between the Parties, and is the full expression of their agreement.
- B. This MOU may be subsequently amended by written agreement between the Parties. Any change, alteration, deletion, or addition to the terms set forth in this MOU and its numbered addendums must be by written agreement executed by both Parties.
- C. All provisions not in conflict with the amendment(s) shall remain in effect and are to be performed as specified in this MOU.

X. Termination

- A. This agreement may be terminated for cause by either party upon finding that the terms and conditions contained herein are not being followed. No written notice or notifying period will be required.
- B. This agreement is subject to unilateral cancellation by the Providing Agency without notice for failure of the Requesting Party to comply with any of the requirements of the MOU and applicable Florida Statutes, including section 119.0712(2), Florida Statutes.
- C. The Contract may be terminated upon thirty (30) days notice in writing to the Contract Manager without penalty to either party. All obligations of either party under the contract will remain in force during the thirty (30) day notice period.

XI. Agency Contacts

Any and all inquiries or written communications pertaining to this MOU shall be sent to the Contract Administrator.

Gregory Bickford – Contract Administrator
Department of Highway Safety and Motor Vehicles
2900 Apalachee Parkway
Neil Kirkman Building, Room B-418, MS 31
Tallahassee, Florida 32399-0524
(850) 617-3203 – Phone
(850) 617-5115 – Fax

The Contract Managers responsible for management and monitoring of the performance of the terms and conditions of this MOU are as follows:

Driver License and Insurance Records

Dana Reidling – Contract Manager
Chief of Driver License Records – DDL
Department of Highway Safety & Motor Vehicles
Kirkman Building, Room A234, MS 89
2900 Apalachee Parkway
Tallahassee, Florida 32399-0575

Network Providers

Dana Reidling – Contract Manager
Boyd Walden – Contract Manager

Motor Vehicle and Vessel Records

Boyd Walden – Contract Manager
Chief of Titles and Registrations – DMV
Department of Highway Safety & Motor Vehicles
Kirkman Building, Room A338, MS 68
2900 Apalachee Parkway
Tallahassee, Florida 32399-0530

Crash Records

Jim Hage – Contract Manager
Crash Records Manager
Department of Highway Safety & Motor Vehicles
Kirkman Building, Room B431, MS 20
2900 Apalachee Parkway
Tallahassee, Florida 32399-0500

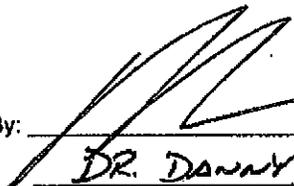
IN WITNESS HERETO, the PARTIES have executed this Agreement by their duly authorized officials.

Requesting Party:

Providing Agency:

Florida Department of Highway Safety
and Motor Vehicles
2900 Apalachee Parkway
Tallahassee, Florida 32399

By: _____



Printed/Typed Name
DR. DANNY CREW

Title
CITY MANAGER

Date
11/25/08
Date

By: _____

Printed/Typed Name
Stacy Arias

Title
Chief of Purchasing & Contracts

Date

DRIVER'S PRIVACY PROTECTION ACT EXCEPTIONS

1. For use in connection with matters of motor vehicle or driver safety theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers, and removal of nonowner records from the original owner records of motor vehicle manufacturers, to carry out the purposes of the Anti Car Theft Act of 1992, the Automobile Information Disclosure Act, the Clean Air Act, and chapters 301, 305, and 321331 of title 49 U.S.C.
2. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local agency in carrying out its functions.
3. For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including survey research; and removal of nonowner records from the original owner records of motor vehicle manufacturers.
4. For use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only:
 - a. To verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and
 - b. If such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
5. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any court or agency or before any selfregulatory body for:
 - a. Service of process by any certified process server, special process server, or other person authorized to serve process in this state.
 - b. Investigation in anticipation of litigation by an attorney licensed to practice law in this state or the agent of the attorney; however, the information may not be used for mass commercial solicitation of clients for litigation against motor vehicle dealers.
 - c. Investigation by any person in connection with any filed proceeding; however, the information may not be used for mass commercial solicitation of clients for litigation against motor vehicle dealers.
 - d. Execution or enforcement of judgments and orders.
 - e. Compliance with an order of any court.
6. For use in research activities and for use in producing statistical reports, so long as the personal information is not published, redisclosed, or used to contact individuals.
7. For use by any insurer or insurance support organization, or by a selfinsured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating, or underwriting.
8. For use in providing notice to the owners of towed or impounded vehicles.
9. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this paragraph. Personal information obtained based on an exempt driver's record may not be provided to a client who cannot demonstrate a need based on a police report, court order, or a business or personal relationship with the subject of the investigation.
10. For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. ss. 31301 et seq.
11. For use in connection with the operation of private toll transportation facilities.
12. For any use if the requesting person demonstrates that he or she has obtained the written consent of the person who is the subject of the motor vehicle record.
13. For any other use specifically authorized by state law, if such use is related to the operation of a motor vehicle or public safety.
14. For any other use if the person to whom the information pertains has given express consent on a form prescribed by the department. Such consent shall remain in effect until it is revoked by the person on a form prescribed by the department.

CRASH REPORT EXCEPTIONS

1. I am a party involved in the crash.
2. I am a legal representative to a party involved in the crash or an immediate relative.
3. I am a licensed insurance agent to a party involved in the crash, their insurer or insurers to which they applied for insurance coverage.
4. I am a person under contract to provide claims or underwriting information to a qualifying insurance company.
5. I am a prosecuting attorney.
6. I represent a radio or television station licensed by the FCC or newspaper qualified to publish legal notices or a free newspaper of general circulation, which qualifies under statute.
7. I represent a local, state, or federal agency that is authorized by law to have access to these reports.
8. I represent a Victim Service Program, as defined in Section 316.003(85), Florida Statutes.

ATTACHMENT 7

Requesting Party Data Access Specifications

Contract Number _____

- I. Access Method or Condition. The Requesting Party shall attest to their respective statutory eligibility by completing the DPPA Form (HSMV 96015).
- II. Access Specifications. Please list each separate organizational unit requiring access within your Department.

Organizational Unit (Division, Bureau, Program, Office)	Description of specific data needed	Description of specific use of data, to include statutory or administrative rule requirements.	Number of members requiring access

- III. Requesting Party Information. Requesting Party contact information is as follows (all information required):

Managerial and Technical Point of Contact's Name: _____

Phone number: _____

Email address is: _____

Requesting Party:

Providing Agency:

**Florida Department of Highway Safety
and Motor Vehicles
2900 Apalachee Parkway
Tallahassee, Florida 32399**

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true.

By: _____

By: _____

DR. DANNY CREW
Printed/Typed Name

Stacy Arias
Printed/Typed Name

CITY MANAGER
Title

Chief of Purchasing & Contracts
Title

11/25/08
Date

Date

FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
Request For Exempt Personal Information In A Motor Vehicle/Driver License Record

Section 119.0712(2), Florida Statutes, and the Driver's Privacy Protection Act, 18 United States Code sections 27212725 ("DPPA") make personal information contained in motor vehicle or driver license records confidential and exempt from disclosure. Personal information in a motor vehicle record includes, but is not limited to, an individual's social security number, driver license or identification number, name, address, telephone number, medical or disability information, and emergency contact information. Personal information does not include information related to vehicular crash data (such as occurrence of a crash, speed, vehicle identity, alcohol use, location and cause of crash), driving violations, and driver status. Personal information from these records may only be released to individuals or organizations that qualify under one of the exceptions provided in section 119.0712(2), F. S., and DPPA, which are listed on the back of this form. A request for information may be made in letter form (on company/agency letterhead, if appropriate) stating the nature of the request, the exception under which the request is made, the use of the information, and a statement that the information will not be used or redisclosed except as provided in s. 119.0712(2)(b), F.S., and DPPA, or by completing the information below.

Please complete either Part I or Part II:

Part I: I am an individual requesting personal information contained in the motor vehicle, vessel, crash or driver license record of the following individual(s) (attach additional pages if necessary), under exception number _____, as listed on the reverse side of this form:

Name: _____

Vehicle/Vessel Title Number: _____ Vehicle License Plate Number: _____

Florida Driver License/Identification Card Number: _____

Florida Traffic Crash Report Number: _____

Section 316.066(5)(a), F.S. limits who may obtain a crash report within 60 days after the report is filed. I declare that I am qualified to obtain this information under Crash Report exception number _____, as listed on the reverse side of this form. Proof of identification is required.

Part II: I am a representative of an organization requesting personal information for one or more records as described below. I declare that my organization is qualified to obtain personal information under exception number _____, as listed on the reverse side of this form.

I understand that I may not use or redisclose this personal information except as provided in s. 119.0712(2), F.S., and DPPA and that any use or redisclosure in violation of these statutes may subject me to criminal sanctions and civil liability.

The information will be used as follows (attached additional page, if necessary):

[Large empty rectangular box for providing details on how the information will be used.]

Company or Agency Name (if applicable) _____

Printed Name of Requestor or Authorized Agent _____

Obtaining personal information under false pretenses is a state and federal crime. Under penalties of perjury, I declare that I have read the foregoing Request For Exempt Personal Information In A Motor Vehicle/Driver License Record and that the facts stated in it are true.

Signature of Requestor or Authorized Agent _____

Date _____

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: Police Impact Fees

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: D. Crew

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO WAIVE COMPETITIVE BIDDING REQUIREMENTS AND EXECUTE A CONTRACT WITH METRO DADE K9 SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$17,800.00) FOR THE PURCHASE OF TWO (2) POLICE DOGS; PROVIDING FOR A NUNC PRO TUNC EFFECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

Staff Summary

The Miami Gardens Police Department is in the process of implementing a Police Canine Unit. This Unit will be responsible for the detection and apprehension of fleeing felons in the City of Miami Gardens. In addition, these officers will supplement the Uniform Patrol Division by responding to calls for service and providing backup to officers responding to calls. Part of the creation of this particular unit entails the purchase of the canines. The Department has hired one handler who possessed an already certified animal. This cost benefit has assisted the Department financially; however the need to purchase three additional canines still exists. Funding for the purchase of canines will come from police impact fees. During the implementation of this Unit, several attempts to identify procurement sources from other government agencies were made. On each occasion the concerned governmental agency did not have the appropriate documentation that would allow for "piggy-backing" off of their contract. In many cases the agency was only purchasing one dog therefore eliminating the need for a bid based on the amount of the purchase (under \$10,000). In other circumstances the entity waived competitive bidding and simply chose a vendor from which to make the purchase. The entities contacted during this process were Miami Shores, Sunrise, North Miami Beach, Miami-Dade and Hialeah.

**ITEM J-15) RESOLUTION
CONSENT AGENDA
Authorizing the purchase of two
Police Dogs**

In a continued effort to procure these specialized animals, staff members contacted various vendors to evaluate their inventory of canines and determine if there were suitable vendors available for a bid to be developed. During this search several vendors advised that no animals would be available for several months and further advised they would have to recontact the Police Department when an inventory existed.

Police Canine Services, a vendor currently under contract with the City of Miami (and available for "piggybacking") was contacted and asked to provide three animals for evaluation. The vendor traveled to South Florida on November 14, 2008, and held an evaluation session with these canines. During the demonstration it was determined that only one of the canines was adequately suited for the Department and was judged as being of average quality.

On November 20, 2008, another demonstration/ evaluation period was scheduled with Metro-Dade K9 Services of Miami. This vendor provided the evaluators with three dogs two of which which were in good health after veterinary screening. The total purchase price for those canines was \$17,800 and included performance and health guarantees that include exchange of the animal for non-performance or health issues undetected in the physical exam.

The vendor agreed to hold the animals for a period of ten days in order for the City to finalize the procurement process. The vendor would not extend the "hold" period as he explained that as he continues to board the animals the risk of injury to the animal increases therefore diminishing the value of the canine.

As the scope of purchase is very specific (police work dogs), the City Manager, in accordance with the Purchasing Ordinance, authorized the purchase of the selected canines from Metro-Dade K9 Services due to the specificity of the purchased commodity, the impracticality of creating a bid document for said purchase and the uncertainty regarding availability of animals from other vendors. The animals have been through a full health screen and are to begin training within the next two weeks. Full implementation of the unit will occur upon their graduation in 10 weeks. The decision to use one vendor for the entire purchase was suggested in order to have familiarity with the process and ensure continuity for any future dealings and/or unexpected problems with these animals.

Recommendation:

That the City Council ratify the attached resolution approving the City Manager waiving competitive bidding, negotiating and executing a contract after the fact with Metro-Dade K9 Services for the amount of \$17,800 for the purchase of two police dogs.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO WAIVE COMPETITIVE BIDDING REQUIREMENTS AND EXECUTE A CONTRACT WITH METRO DADE K9 SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$17,800.00) FOR THE PURCHASE OF TWO (2) POLICE DOGS; PROVIDING FOR A NUNC PRO TUNC EFFECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the Police Department is in the process of implementing a Police
2 Canine Unit, and

3 WHEREAS, the City is required to purchase canines in order to man the Police
4 Canine Unit, and

5 WHEREAS, City staff reviewed contracts from various municipalities in an effort
6 to piggyback on an existing contract; however, none was available, and

7 WHEREAS, City staff undertook an effort to contact vendors to determine
8 whether or not they had canines in their existing inventories that would serve the City's
9 needs, and

10 WHEREAS, Metro Dade K9 Services has dogs available that would meet the
11 specific work requirements of this City's Police Department, and has agreed to provide
12 two (2) police dogs for this purpose in the amount of Seventeen Thousand Eight
13 Hundred Dollars (\$17,800.00),

14 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
15 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

16 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
17 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
18 made a specific part of this Resolution.

19 Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens
20 hereby authorizes the City Manager to purchase two (2) police dogs from Metro Dade
21 K9 Services in the amount of Seventeen Thousand Eight Hundred Dollars (\$17,800.00)

22 Section 3. NUNC PRO TUNC EFFECT: This Resolution shall relate back to
23 November 15, 2008.

24 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
25 upon its final passage.

26 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
27 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: _____

VOTE: _____

50	Mayor Shirley Gibson	___(Yes)	___(No)
51	Vice Mayor Barbara Watson	___(Yes)	___(No)
52	Councilman Melvin L. Bratton	___(Yes)	___(No)
53	Councilman Aaron Campbell	___(Yes)	___(No)
54	Councilman Oliver Gilbert, III	___(Yes)	___(No)
55	Councilwoman Sharon Pritchett	___(Yes)	___(No)
56	Councilman André Williams	___(Yes)	___(No)
57			
58	SKD/teh 8286135_1.DOC		
59			

Metro Dade K9 Guard Dog Services

17940 S.W. 168 Street
Miami, Florida 33187
(305) 378-9035

Invoice

Date	Invoice #
11/28/2008	3984

Bill To
City of Miami Gardens C/O Sgt. Mulcahy 305-474-1506 Fax 1020 N.W. 163rd Drive Miami Gardens, Florida 33169

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
2	Police Service Canines per sales agreement Sales Tax	8,900.00 0.00%	17,800.00 0.00
Thank you for your business.		Total	\$17,800.00

METRO DADE K9 SERVICES

**17940 S.W. 168 Street
Miami, Florida 33187
(305) 378-9035 / (800) 965-0059 Fax
www.metrodadek9.com / k9services@hellsouth.net**

Sales Agreement

Date – November 28th, 2008

Purchaser:

**City of Miami Gardens Police Department
C/O Sgt. John Mulcahy
1020 N.W. 163rd Drive
Miami Gardens, Florida 33169**

-
- **2 Police Service Dog (s) – European Imported to be selected**
 - **Prices as follows:**
 - **Dog's Name: "El" Male GSD - GSD Male - Dob 04/04/07 – Price \$8900.00**
 - **Dog's Name: "Champ" GSD Male - Dob 09/07/07 – Price \$8900.00**
 - **Above prices do not include any equipment**
 - **Sociable temperament**
 - **At the time of sale, the canine(s) are mentally sound, in good physical health and have good temperament**
 - **They have all been Gunfire Tested.**
 - **Good on slippery floors and all types of terrain.**
 - **Excellent drives for detector training.**
 - **They demonstrate balanced prey, defense drives, and ability to track.**
 - **Health Guarantee / Performance Guarantee / Replacement Guarantee: Please see below**
 - **Dogs(s) have been completely demonstrated to and selected by purchaser and/or purchaser representatives on today's date. Once dog's have completed veterinarian physical and have been approved; purchaser has requested they stay at Metro Dade K9 Training Facility until handler's can receive their dogs per the request of K9, Sgt. It is understood these dogs are the property of Miami Gardens Police Department and a boarding contract must be signed at no extra charge to the purchaser.**

METRO DADE K9 SERVICES**17940 S.W. 168 Street****Miami, Florida 33187****(305) 378-9035 / (800) 965-0059 Fax****www.metrodadek9.com / k9services@bellsouth.net****Health and Trainability guarantee:**

The canine(s) are guaranteed to pass a complete physical examination conducted by the contracted City of Miami Gardens Veterinarian within 2 business days. Seller agrees to replace the dog if any genetic defects are diagnosed at the time of examination and up to one year for congenital diseases from today's date at no additional cost to the department.

The seller will replace the canine in a timely manner if any problems arise regarding above paragraph within 30 days of receiving original canine back at Metro Dade K9 Training Facility. All dogs are guaranteed to have good hips, free of heartworm, & internal parasites at the time of purchase. The teeth are in good condition. If the department does not take the dog to a licensed veterinarian for a complete physical during above specified time; Metro Dade K9 Services and/or Tony Guzman are released from any and all warranties and liabilities regarding health. Metro-Dade K9 Services must receive a letter from the veterinarian stating the dog has passed its complete physical. Canines are guaranteed to pass K9 certification after completion of State Certified Academy. Canines are guaranteed to pass a state certified narcotics detector school. Training must commence within 120 days upon acceptance of canine and veterinarian approval. Canine(s) are guaranteed for work performance for one year from date of purchase, provided all training records are surrendered to Metro Dade K9 Training Facility showing that the canine team had proper maintenance training.

Replacement Guarantee:

If the canine(s) should fail to pass any of the above, they will be replaced with a canine of equal value, providing canine is returned to Metro-Dade K9 Services in the same state of health and trainability as he was surrendered (physical and mental). All training and/or veterinarian records must be released to seller upon return to facility. Replacement canines will be available immediately if available, or at the most 30 days from the date he was returned to kennel facility. There are no refunds. The purchaser advises that these animals may bite, or cause damage to persons or property while in their care, and that Tony Guzman, and or Metro Dade K9 Services and/or their staff are not to be held responsible or liable for this animal or any damage it may cause while owned by them.

Purchaser waives and releases Metro Dade K9 Services, its employees, officers, members, and agents, from any and all liability of any nature; for injury or damage sustained to purchaser while on grounds of training facility, or thereafter.

Read and accepted by: _____

Signatures: _____

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilwoman Sharon Pritchett

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF KENNY DAVIN, TO THE CITY OF MIAMI GARDENS MIAMI GARDENS PROGRESSIVE YOUNG ADULTS FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Miami Gardens Progressive Young Adults, Councilwoman Sharon Pritchett hereby submits her appointee for membership in accordance with the Ordinance 2008-19-155, Section 2 (b). For a period of two (2) years, the committee will recognize Kenny Davin.

Members will recommend social, educational, cultural and recreational activities for young adults and to assist in the implementation at the direction of the City Council and City Manager.

Recommendation

That City Council approves Councilwoman Pritchett's appointment of Kenny Davin to the Miami Gardens Progressive Young Adults committee.

**ITEM J-16) RESOLUTION
CONSENT AGENDA
Councilwoman Pritchett's appointment to the
Miami Gardens Progressive Young Adults**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF KENNY DAVIN, TO THE CITY OF MIAMI GARDENS PROGRESSIVE YOUNG ADULTS FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City has established a Miami Gardens Progressive Young Adults
2 ("MGPYA") to serve in an advisory capacity by giving advice to the City Manager and
3 the City Council with respect to issues that affect the City of Miami Gardens' young
4 adults, and

5 WHEREAS, the Mayor and each member of the City Council is to appoint two
6 members to the MGPYA for two (2) and three (3) year terms respectively, and

7 WHEREAS, Councilwoman Sharon Pritchett has appointed, Kenny Davin to the
8 MGPYA for a term of two (2) years, and

9 WHEREAS, it is appropriate for the City Council to ratify Councilwoman Sharon
10 Pritchett's appointment,

11 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
12 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

13 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
14 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
15 made a specific part of this Resolution.

16 Section 2. APPOINTMENT: The City Council of the City of Miami Gardens
17 hereby ratifies Councilwoman Sharon Pritchett appointment of Kenny Davin to the
18 MGPYA for a term of two (2) years.

19 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
20 upon its final passage.

21 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
22 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILWOMAN SHARON PRITCHETT

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8285981_1.DOC

DEC 01 2008



Received

CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

1. Position sought: Young Adults Youth Advisory Committee
2. Name: Kenny Davin
(Please print)
3. Home Address: 1561 NW 132 Street
4. Business Address: _____
5. Employer (if self please state): Dade County Federal Credit Union
 - a. Job Title: Teller
 - b. Nature of business: Banking / Customer Service
6. Home Phone No. (786) 873-9244 Business Phone No. _____
Fax No. _____
7. E-mail Address: Kclavinda@hotmail.com
8. Education Background:
 - a. High School

Name of School Miami Central S. High Dates of Attendance 2002-2006
 - b. Vocational School

Name of School _____ Dates of Attendance _____
 - c. College

Name of College Florida Memorial Univ. Dates of attendance 2006-Present

Degree obtained if any _____

Please provide a copy of your Resume or CV along with this Application.

9. Community Service (attach additional sheets if necessary):
"Students helping Students" Peer Mentor, American Cancer Society "Relay For Life" Entertainment Chairperson, Florida Memorial University Career Development Center
10. Please state your qualifications for position sought (attach additional sheets if necessary):
I am a young male College student who takes pride in being a leader and setting a positive example. I am very active on campus and in my community. I am eager to use skills that I have and will learn to serve my community and help improve the lives of others.

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

No

12. Are you employed by the City? Yes _____ No

13. Are you employed by the Mayor or any of the Council members in their private capacities?

14. Are you a resident of the City? Yes _____ No _____

15. Do you own a business in the City? Yes _____ No

If yes, please state the name of the business: _____
Is this business a vendor with the City Yes _____ No _____

16. Do you operate a business in the City? Yes _____ No

If yes, please state the name of the business: _____
Is this business a vendor with the City Yes _____ No _____

17. Ethnic Origin:

White Non-Hispanic _____ African American Hispanic American _____ Other _____

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Second choice _____ Third choice _____
Fourth choice _____ Fifth choice _____

I certify that the information contained in this Application is true and accurate.

Signature  Applicant Date 11-21-08

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

City of Miami Gardens

DEC 01 2008

Received

City of Miami Gardens

DEC 01 2008

KENNY DAVIN
KDAV1122@FMUNIV.EDU

Received

Permanent Address:
1561 NW 132nd Street
Miami, FL 33167
Phone: (786) 873-9244

Current Address
15800 NW 42nd Avenue
Miami Gardens, FL 33054
Phone: (786) 873-9244

OBJECTIVE: Seeking position in the Young Adults Youth Advisory Committee to serve transitioning teens and young adults to help make the city of Miami Gardens a better community.

EDUCATION: Florida Memorial University, Miami Gardens, Florida
Bachelor of Science in Finance
GPA: 3.5/4.0 Expected graduation date: May 2010

TECHNICAL/NON TECHNICAL SKILLS:

- Computer Skills: Microsoft Office, Internet
- Experience with public speaking
- Experience with customer service

EXPERIENCE:

Teller, Dade County Federal Credit Union
09/2007-Present

- Perform account transactions for credit union members
- Perform visual audits for members inquiring about their accounts.
- Scored 100% on a mystery shop in June 2008
- Received perfect scores on numerous quality surveys from members
- Successfully cross sell various credit union products to help reach branch goals.

Intern, Dade County Federal Credit Union
Summer 2007

- Assisted in preparing presentations in the Sales and Development department
- Learned how to be proficient in using different office equipment
- Made the Miami Herald for being the company's first intern

ACTIVITIES/AWARDS

- | | | |
|--|-------------|------------------------|
| • National Association of Black Accountants: | Member | Fall 2006-Present |
| • Compact Scholarship | Recipient | Summer 2006-Present |
| • Honor Roll | Recipient | Fall 2006- Spring 2008 |
| • Students Helping Students | Peer Mentor | Fall 2008-Present |
| • Monster Diversity Leadership Program | Alumni | Summer 2008 |
| • NAACP | Member | Fall 2006-Present |
| • Delta Mu Delta Business Honor Society | Inductee | Fall 2008 |

Fax

To: _____ **From:** Kenny Davin

Fax: (305) 622-8001 **Pages:** 4

Phone: (305) 622-8000 **Date:** 12-01-2008

Re: _____ **cc:** _____

Urgent For Review Please Comment Please Reply Please Recycle

• **Comments:** Application for Young Adults Youth Advisory Committee.

City of Miami Gardens

DEC 01 2008

Received

Kenny Davin
15800 NW 42nd Avenue
Miami Gardens, FL 33054
(786) 663-6811
kdavin06@hotmail.com

Councilwoman Sharon Pritchett
City of Miami Gardens
1515 NW 167 Street, Bldg. 5, Suite 200
Miami Gardens, Florida 33169

Dear Councilwoman Sharon Pritchett,

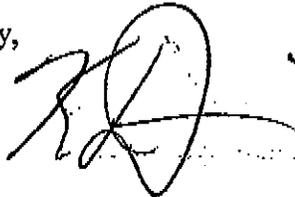
I am currently a twenty year old junior majoring in Finance at Florida Memorial University. I am a proud graduate of Miami Central Senior High School and an inhabitant of Miami Dade County, Florida.

I am involved with numerous organizations on the campus of Florida Memorial University, such as the college chapter of the NAACP, Student Support Services, Students Helping Students Peer Mentoring program and the American Cancer Society Relay for Life Committee. Along with my involvement in certain organizations, I proudly maintain a 3.5 grade point average and have made the Dean's List several times during my tenure at Florida Memorial University.

I am interested in becoming a member of Young Adults Youth Advisory Committee for the City of Miami Gardens. I would love the opportunity to serve the youth and help make the City of Miami Gardens a better place.

I am a humble, intelligent and ambitious individual with goals of excelling in every aspect of life. I look forward to being a member of the Young Adults Youth Advisory Committee for the City of Miami Gardens.

Sincerely,



Kenny Davin

City of Miami Gardens

DEC 01 2008

Received



DEC 01 2008

CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

Received

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

1. Position sought: Young Adults Youth Advisory Committee
2. Name: Kenny Davin
(Please print)
3. Home Address: 1561 NW 132 Street
4. Business Address: _____
5. Employer (if self please state): Dade County Federal Credit Union
 - a. Job Title: Teller
 - b. Nature of business: Banking / Customer Service
6. Home Phone No. (786) 873-9244 Business Phone No. _____
Fax No. _____
7. E-mail Address: Kclavino68@hotmail.com
8. Education Background:
 - a. High School

Name of School Miami Central Sr. High Dates of Attendance 2002-2006
 - b. Vocational School

Name of School _____ Dates of Attendance _____
 - c. College

Name of College Florida Memorial Univ. Dates of attendance 2006-Present

Degree obtained if any _____

Please provide a copy of your Resume or CV along with this Application.

9. Community Service (attach additional sheets if necessary):
"Students helping Students" Peer Mentor, American Cancer Society, "Relay For Life" Entertainment Chairperson, Florida Memorial University Career Development Center
10. Please state your qualifications for position sought (attach additional sheets if necessary):
I am a young male college student who takes pride in being a leader and setting a positive example. I am very active on campus and in my community. I am eager to use skills that I have and will learn to serve my community and help improve the lives of others.

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:
No

12. Are you employed by the City? Yes _____ No

13. Are you employed by the Mayor or any of the Council members in their private capacities?

14. Are you a resident of the City? Yes _____ No _____

15. Do you own a business in the City? Yes _____ No

If yes, please state the name of the business: _____
 Is this business a vendor with the City Yes _____ No _____

16. Do you operate a business in the City? Yes _____ No

If yes, please state the name of the business: _____
 Is this business a vendor with the City Yes _____ No _____

17. Ethnic Origin:
 White Non-Hispanic _____ African American Hispanic American _____ Other _____

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Second choice _____

Third choice _____

Fourth choice _____

Fifth choice _____

I certify that the information contained in this Application is true and accurate.

Signature 
 Applicant

Date 11-21-08

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

City of Miami Gardens

DEC 01 2008

Received

KENNY DAVIN KDAV1122@FMUNIV.EDU

Permanent Address:

1561 NW 132nd Street
Miami, FL 33167
Phone: (786) 873-9244

Current Address

15800 NW 42nd Avenue
Miami Gardens, FL 33054
Phone: (786) 873-9244

OBJECTIVE: Seeking position in the Young Adults Youth Advisory Committee to serve transitioning teens and young adults to help make the city of Miami Gardens a better community.

EDUCATION: Florida Memorial University, Miami Gardens, Florida
Bachelor of Science in Finance
GPA: 3.5/4.0 Expected graduation date: May 2010

TECHNICAL/NON TECHNICAL SKILLS:

- Computer Skills: Microsoft Office, Internet
- Experience with public speaking
- Experience with customer service

City of Miami Gardens

DEC 01 2008

Received

EXPERIENCE:

Teller, Dade County Federal Credit Union
09/2007-Present

- Perform account transactions for credit union members
- Perform visual audits for members inquiring about their accounts.
- Scored 100% on a mystery shop in June 2008
- Received perfect scores on numerous quality surveys from members
- Successfully cross sell various credit union products to help reach branch goals.

Intern, Dade County Federal Credit Union
Summer 2007

- Assisted in preparing presentations in the Sales and Development department
- Learned how to be proficient in using different office equipment
- Made the Miami Herald for being the company's first intern

ACTIVITIES/AWARDS

- | | | |
|--|-------------|------------------------|
| • National Association of Black Accountants: | Member | Fall 2006-Present |
| • Compact Scholarship | Recipient | Summer 2006-Present |
| • Honor Roll | Recipient | Fall 2006- Spring 2008 |
| • Students Helping Students | Peer Mentor | Fall 2008-Present |
| • Monster Diversity Leadership Program | Alumni | Summer 2008 |
| • NAACP | Member | Fall 2006-Present |
| • Delta Mu Delta Business Honor Society | Inductee | Fall 2008 |

Fax

To: Ms. Taylor From: Kenny Davin
 Fax: (305) 622-8001 Pages: 4
 Phone: (305) 622-8000 Date: 12-01-2008
 Re: cc:

- Urgent For Review Please Comment Please Reply Please Recycle

• **Comments:** Application for Young Adults Youth Advisory Committee.

City of Miami Gardens

DEC 01 2008

Received

Kenny Davin
15800 NW 42nd Avenue
Miami Gardens, FL 33054
(786) 663-6811
kdavin06@hotmail.com

City of Miami Gardens

Councilwoman Sharon Pritchett
City of Miami Gardens
1515 NW 167 Street, Bldg. 5, Suite 200
Miami Gardens, Florida 33169

DEC 01 2008

Received

Dear Councilwoman Sharon Pritchett,

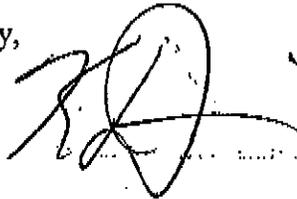
I am currently a twenty year old junior majoring in Finance at Florida Memorial University. I am a proud graduate of Miami Central Senior High School and an inhabitant of Miami Dade County, Florida.

I am involved with numerous organizations on the campus of Florida Memorial University, such as the college chapter of the NAACP, Student Support Services, Students Helping Students Peer Mentoring program and the American Cancer Society Relay for Life Committee. Along with my involvement in certain organizations, I proudly maintain a 3.5 grade point average and have made the Dean's List several times during my tenure at Florida Memorial University.

I am interested in becoming a member of Young Adults Youth Advisory Committee for the City of Miami Gardens. I would love the opportunity to serve the youth and help make the City of Miami Gardens a better place.

I am a humble, intelligent and ambitious individual with goals of excelling in every aspect of life. I look forward to being a member of the Young Adults Youth Advisory Committee for the City of Miami Gardens.

Sincerely,



Kenny Davin

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilwoman Sharon Pritchett

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON APPOINTMENT OF OLIVER COACHMAN TO THE PARKS AND RECREATION ADVISORY COMMITTEE FOR A THREE YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Parks and Recreation Advisory Committee, Councilwoman Sharon hereby submits his appointee for membership in accordance with the Resolution No. 2005-138-315, Sections (1) and (2). Effective upon ratification, the committee will recognize Oliver Coachman as an appointee of Councilwoman Pritchett.

These appointed members will adhere to duties and powers of the Advisory Committee as outlined in the Ordinance.

Recommendation

That the City Council approves Councilwoman Pritchett's appointment of Oliver Coachman to the Parks and Recreation Advisory Committee.

**ITEM J-17) RESOLUTION
CONSENT AGENDA
Councilwoman Pritchett's appointment to the
Parks and Recreation Committee**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF OLIVER COACHMAN TO THE PARKS AND RECREATION ADVISORY COMMITTEE FOR A THREE YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Council has created a Parks and Recreation Advisory
2 Committee ("the Committee"), and

3 WHEREAS, the Mayor and each member of the City Council have the right to
4 appoint a member to the Committee, and

5 WHEREAS, Councilwoman Sharon Pritchett wishes to appoint Mr. Oliver
6 Coachman to the Committee,

7 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
8 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

9 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
10 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
11 made a specific part of this Resolution.

12 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
13 of Miami Gardens hereby confirms the appointment of Oliver Coachman to the Parks
14 and Recreation Advisory Committee.

15 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
16 upon its final passage.

17 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
18 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILWOMAN SHARON PRITCHETT

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8286113_1.DOC



CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

1. Position sought: PARKS
2. Name: Oliver Coachman
3. Home Address: 19600 NW 33RD AVE
(Please print)
4. Business Address: N/A
5. Employer (if self please state): N/A
- a. Job Title: RETIRED
- b. Nature of business: _____
6. Home Phone No. 305-625-6813 Business Phone No. _____
Fax No. 305-625-6813
7. E-mail Address: _____
8. Education Background:

- a. High School Seminole Co TRAINERS SCHOOL Dates of Attendance 1974
Name of School _____
- b. Vocational School _____ Dates of Attendance _____
Name of School NONE City of Miami Gardens
- c. College _____
Name of College MIAMI DADE Dates of attendance 1972
Degree obtained if any BASIC LEAD

DEC 01 2008
Received

Please provide a copy of your Resume or CV along with this Application.

9. Community Service (attach additional sheets if necessary):

10. Please state your qualifications for position sought (attach additional sheets if necessary):
I lived in the area for more than thirty years. I'm very concerned that we strive to make and maintain our parks because that is part of what help make Miami Gardens the place to be

Revised 7/2008

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

NONE

12. Are you employed by the City? Yes ___ No

13. Are you employed by the Mayor or any of the Council members in their private capacities?

14. Are you a resident of the City? Yes No ___

15. Do you own a business in the City? Yes ___ No

If yes, please state the name of the business: N/A
Is this business a vendor with the City? Yes ___ No ___

16. Do you operate a business in the City? Yes ___ No

If yes, please state the name of the business: _____
Is this business a vendor with the City? Yes ___ No

17. Ethnic Origin:

White Non-Hispanic ___ African American Hispanic American ___ Other ___

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Citizen Crime Watch Third choice
Second choice

Fourth choice Fifth choice

I certify that the information contained in this Application is true and accurate.

Signature [Signature] Date 12/01/2008
Applicant

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

City of Miami Gardens

DEC 01 2008

Received

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilwoman Sharon Pritchett

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF SHANNON HAYNES TO THE DR. MARTIN LUTHER KING, JR. HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Martin Luther King Committee (MLK), Councilwoman Sharon Pritchett hereby submits her appointees for membership in accordance with the Resolution No. 2004-29-80, Sections (1) and (2). Upon approval by the City Council, the committee will recognize Shannon Haynes as an appointee of Councilwoman Pritchett.

These appointed members will adhere to duties and powers of the Advisory Committee as outlined in the Ordinance.

Recommendation

That the City Council approves Councilwoman Pritchett's appointment of Shannon Haynes to the MLK Committee.

**ITEM J-18) RESOLUTION
CONSENT AGENDA
Councilwoman Pritchett's appointment to the
MLK Holiday Steering Committee**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF SHANNON HAYNES TO THE DR. MARTIN LUTHER KING, JR., HOLIDAY STEERING COMMITTEE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Council adopted Resolution No. 2004-2980, establishing a
2 Dr. Martin Luther King, Jr., Holiday Steering Committee to organize events for an
3 annual holiday celebration, and

4 WHEREAS, the Mayor and each member of the Council is permitted to appoint a
5 member of the Committee, and

6 WHEREAS, Councilwoman Sharon Pritchett would like to appoint Shannon
7 Haynes as her appointee to the Committee,

8 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
9 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

10 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
11 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
12 made a specific part of this Resolution.

13 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
14 of Miami Gardens hereby confirms Councilwoman Sharon Pritchett's appointment of
15 Shannon Haynes to the Dr. Martin Luther King, Jr., Steering Committee.

16 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
17 upon its final passage.

18 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
19 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILWOMAN SHARON PRITCHETT

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8286029_1.DOC



CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

- 1. Position sought:
2. Name: Shannon D. Haynes
3. Home Address: 4331 NW 194 street
4. Business Address: 4888 NW 183 st Suite #205 / Micheal Krop Sr. High
5. Employer (if self please state): Self + Dade County Public Schools
a. Job Title: Teacher
b. Nature of business: Education / Computer Technology + Dance
6. Home Phone No. (305) 625-2671 Business Phone No. (786) 426-0952
7. E-mail Address: diva_arts50@hotmail.com

- 8. Education Background:
a. High School
Name of School Northwestern Senior High Dates of Attendance 1983 - 1986
b. Vocational School
Name of School NA Dates of Attendance
c. College
Name of College Hampton University - 1986-1990
Name of College Barry University Dates of attendance 2000 - 2002
Degree obtained if any B.S in Bus. Mgmt / Ms in Computer Technology
Minor in Dance Studies

Please provide a copy of your Resume or CV along with this Application.

- 9. Community Service (attach additional sheets if necessary):
see attached sheet

- 10. Please state your qualifications for position sought (attach additional sheets if necessary):
see attached curriculum vitae

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

NA

12. Are you employed by the City? Yes ___ No

13. Are you employed by the Mayor or any of the Council members in their private capacities? No

14. Are you a resident of the City? Yes No ___

15. Do you own a business in the City? Yes No ___

If yes, please state the name of the business: Diva Arts Dance Academy / Entertainment, Inc.
Is this business a vendor with the City Yes ___ No

16. Do you operate a business in the City? Yes No ___

If yes, please state the name of the business: Diva Arts + Entertainment, Inc.
Is this business a vendor with the City Yes ___ No

17. Ethnic Origin:

White Non-Hispanic ___ African American Hispanic American ___ Other ___

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Second choice _____ Third choice _____
Fourth choice _____ Fifth choice _____

I certify that the information contained in this Application is true and accurate.

Signature Sharon M. Hayden
Applicant

Date 12/4/08

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

**Attachment 1a
Community Service Sheet
Shannon D. Haynes**

Member	Delta Sigma Theta Sorority, Inc.	Present
Director of Dance Club	Miami Northwestern Senior High School	02-07
Artistic Director	Winds of Heritage Dance Ensemble	91-96
Volunteer	Coconut Grove Children's Theater	91-96
Artist in Resident	African Heritage Cultural Arts Center	97-07
Mentor	Miami Elite Youth Pageant	05-08
Volunteer	NAACP ACT-SO	02-05
Mentor	United Dancers of Miami	97-08
Parent Teacher Association	Micheal Krop Senior	Present
Parent Volunteer	Glades Middle Cheerleaders	Present
Member	Women's DIASPORA	2005

Hampton University

The Faculty and Trustees in recognition of
the successful completion of the course of study

required by

Hampton Institute

hereby confer upon

Shannon Agnes

the degree of

Bachelor of Science

with all the Honors, Rights and Responsibilities thereto appertaining.

Given at Hampton, Virginia on the twentieth day of December,
nineteen hundred and ninety-one.

M. Frank Spitzer

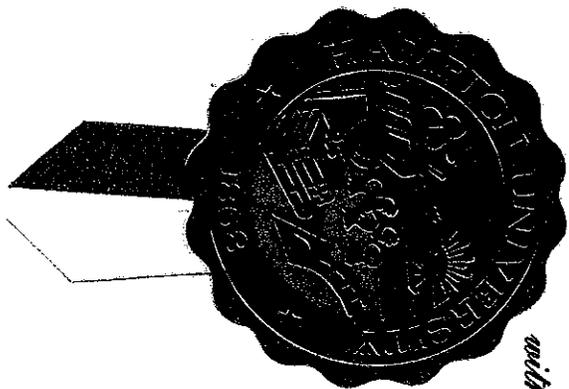
Chairman of the Board of Trustees

W. R. H. H. H.

President

Adams Houghrest

Provost



Barry University

Upon the recommendation of the Faculty, the Board of Trustees
has conferred on

Shannon D. Haynes

the degree of

Master of Science

with a major in Educational Computing and Technology
in recognition of the satisfactory fulfillment of the requirements
pertaining to this degree.

Given this fourteenth day of December, One Thousand and One
in Miami Shores, Dade County, Florida.



President



Dean

CURRICULUM VITAE
OF

Shannon D. Haynes

4331 Northwest 194th Street; Miami, Florida 33055

Phone: (786)426-0952 **Fax:** (305) 638-6783

E-mail: Diva_Arts50@hotmail.com or shaynes@dadeschools.net

Objective: To obtain a position as an arts administrator, artistic director or coordinator of special arts programs in the Dade County Public School System or with an accredited University.

EDUCATION

- 2007-2008 Applying for Candidacy for M.F.A in Dance, Hollins University, Roanoke,VA partnered with the American Dance Association
- 2000-2002 M.S. in Educational Computing Technology
Barry University, Miami, Fl
- 1986-1991 B.S in Business Management, Minor in Dance- Hampton Institute University, Hampton, VA- Received highest achievement award in dance for part-time dance major
- 1983-1986 General Diploma, Miami Northwestern Senior High School, Miami, Fl. Member of PAVAC Dance Magnet Program

Professional Training:

Ballet

Louis Hutton
Karen Stewart
Maria Alvarez
Chris McKinnon

Modern

Veronica Swindell
LaVerne Washington
Eulyce Eason
Rodney Williams

Jazz

Roberto Diaz
Fred Bratcher
Rod Sibert
LaVerne Washington

Workshops/Festivals

- 2007 Alvin Ailey Workshop/Residency (Christopher Huggins)
- 2006 Black Conference in Dance, Howard University
- 2006 Florida Dance Festival
- 2005 Florida Dance Festival
- 2006 Alvin Ailey Workshop/Residency (Troy Powell)
- 2004 Ailey Comes to Miami(Summer Intensive)
- 2003 American Dance Festival
- 2001 Florida Dance Festival (Ron Brown)
- 1999 Black National Dance Exchange
- 1997 Black National Dance Exchange
- 1997 Dance Theater of Harlem Residency
- 1989 Summer Intensive (Alvin Ailey American Dance Theater)
- 1990 Summer Intensive (Alvin Ailey American Dance Theater)

Professional Performing Experience

- 2002-03 Brazarte Dance Company, Inc.

Teaching Experience

- 1991 Allapattah Middle School, Dance Instructor
- 1992 Charles R. Drew Elementary, Dance Instructor
Performing Arts Dance Magnet
- 1995 Miami Jackson Senior High, Dance Instructor
- 1998 Jose de Diego Middle, Dance Instructor
- 2003-present Miami Northwestern Senior High School, Artistic
Director, Performing and Visual Arts Center Dance
Magnet Program (PAVAC)

CHOREOGRAPHIC EXPERIENCE AND REPERTOIRE

- 2000-Present Missy Elliott/Lil Brianna
- 2001 FAMU Mahogany Dancers
- 1995-present Dade & Broward Magnet Schools
- 2001 "America" Tribute to 9-11
- 1999 "Love & Dance"
- 2003 "My Lord, My Salvation"
- 2003 "Reconstruction"
- 2005 "Afro Tech"
- 2006 "The Fight"
- 2006 "Turbulence"
- 2007 "Great Is Your Mercy"

ANNUAL PRODUCTIONS

- 2005 "The Magic of Movement"
Miami Northwestern Senior High
Performing Arts Dance Magnet Program
Artistic Director
- 2005 United We Dance 2005 "Conversion"
United Dancers of Miami Repertory Ensemble
Artistic Director
- 2006 "An Evening of Dance"
Miami Northwestern Senior High
Performing Arts Dance Magnet Program
Artistic Director
- 2006 United We Dance 2006 "Melting Pot"
United Dancers of Miami Repertory Ensemble
Artistic Director
- 2007 "Transition"
Miami Northwestern Senior High
Performing Arts Dance Magnet Program
Artistic Director
- 2007 United We Dance 2007 "Life through Dance"
United Dancers of Miami Repertory Ensemble
Artistic Director

CURRICULUM VITAE
OF

Shannon D. Haynes

4331 Northwest 194th Street; Miami, Florida 33055

Phone: (786)426-0952 Fax: (305) 638-6783

E-mail: Diva_Arts50@hotmail.com or shaynes@dadeschools.net

Objective: To obtain a position as an arts administrator, artistic director or coordinator of special arts programs in Miami Dade County or an accredited University.

EDUCATION

- | | |
|--------------|--|
| 2005-present | Specialist in Educational Leadership-degree expected, Barry University, Miami, Fl |
| 2000-2002 | M.S. in Educational Computing Technology
Barry University, Miami, Fl |
| 1986-1991 | B.S in Business Management, Minor in Dance- Hampton Institute University, Hampton, VA- Received highest achievement award in dance for part-time dance major |
| 1983-1986 | General Diploma, Miami Northwestern Senior High School, Miami, Fl. Member of PAVAC Dance Magnet Program |

PROFESSIONAL EXPERIENCE

Digital Design/Computer Technology Instructor, Dr. Micheal Krop Senior High School

Present

- Developing and managing a comprehensive digital design/computer technology curriculum which reflects specified benchmarks outlined by the state of Florida Benchmark Assessment Guide

2003-2007

Miami Northwestern Senior High, Miami, Florida, Artistic Director, Performing and Visual Arts Center (PAVAC)

- ◆ Developing and managing a comprehensive dance curriculum which reflects specified benchmarks outlined by the state of Florida Dance Magnet programs;
- ◆ Taught technique classes in ballet, modern, jazz, hip-hop, as well as in dance history/theory
- ◆ Integration of FCAT skills with the arts/Recruitment
- ◆ Preparation and dissemination of marketing materials and advertisement materials such as: flyers, press releases, newsletters, program materials; which announce and promote dance activities

1999-2002

Jose De Diego Middle School

- ◆ Developing and managing a comprehensive dance curriculum which reflects specified benchmarks outlined by the state of Florida Dance Magnet programs;
- ◆ Taught technique classes in ballet, modern, jazz, hip-hop, as well as in dance history/theory

1995-1999

Miami Jackson Senior High School

- Developed and managed curriculum for Business Education classes. Taught basic accounting principles, business law, computer technology, marketing, keyboarding and digital design.

1991-1995

Allapattah Middle School

- Developed and managed the curriculum for Exceptional Student Education Math classes/middle

grades. Taught basic principles of math, pre-algebra, and algebra 1.

Workshops/Festivals

- 2007 Alvin Ailey Workshop/Residency (Christopher Huggins)
- 2006 Black Conference in Dance, Howard University
- 2006 Florida Dance Festival
- 2005 Florida Dance Festival
- 2006 Alvin Ailey Workshop/Residency (Troy Powell)
- 2004 Ailey Comes to Miami(Summer Intensive)
- 2003 American Dance Festival
- 2001 Florida Dance Festival (Ron Brown)
- 1999 Black National Dance Exchange
- 1997 Black National Dance Exchange
- 1997 Dance Theater of Harlem Residency
- 1989 Summer Intensive (Alvin Ailey American Dance Theater)
- 1990 Summer Intensive (Alvin Ailey American Dance Theater)

Professional Performing Experience

- 2002-03 Brazarte Dance Company, Inc.

Teaching Experience

- 1991 Allapattah Middle School, Dance Instructor
- 1992 Charles R. Drew Elementary, Dance Instructor
Performing Arts Dance Magnet
- 1995 Miami Jackson Senior High, Dance Instructor
- 1998 Jose de Diego Middle, Dance Instructor
- 2003-2007 Miami Northwestern Senior High School, Artistic
Director, Performing and Visual Arts Center Dance
Magnet Program (PAVAC)
- 2007-Present Dr. Micheal Krop Senior High, Digital Design/Computer
Technology Instructor

CHOREOGRPHIC EXPERIENCE AND REPERTOIRE

- 2000-Present Missy Elliott/Lil Brianna
- 2001 FAMU Mahogany Dancers
- 1995-present Dade & Broward Magnet Schools
- 2001 "America" Tribute to 9-11
- 1999 "Love & Dance"
- 2003 "My Lord, My Salvation"

City of Miami Gardens

1515NW 167th Street
Building 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Oliver G. Gilbert III
Councilman Aaron Campbell Jr.
Councilman André Williams
Councilwoman Sharon Pritchett

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilwoman Sharon Pritchett

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

TITLE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF ULYSSES HARVARD TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A TWO YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Elderly Affairs Committee, Councilwoman Sharon Pritchett, hereby submits her appointee for membership in accordance with the Ordinance 2006-04-85, Section 2 (b). For a period of two (2) years, the committee will recognize Ulysses Harvard.

Members will advise and make recommendations to the City Council with regard to matters pertaining to senior citizens residing in the City.

Recommendation

That the City Council approves Councilwoman Pritchett's appointment of Ulysses Harvard to the Elderly Affairs Committee.

**ITEM J-19) RESOLUTION
CONSENT AGENDA
Councilwoman Pritchett's appointment to the
Elderly Affairs Committee**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF ULYSSES HARVARD TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A TWO YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Council has created an Elderly Affairs Advisory Committee,
2 and

3 WHEREAS, the Mayor and each member of the City Council have the right to
4 appoint two members to the Committee for a two and three year term, respectively, and

5 WHEREAS, Councilwoman Sharon Pritchett has appointed Ulysses Harvard to
6 the Elderly Affairs Advisory Committee for a two year term, and

7 WHEREAS, it is appropriate for the City Council to confirm Councilwoman
8 Pritchett's appointment of Ulysses Harvard,

9 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
10 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

11 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
12 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
13 made a specific part of this Resolution.

14 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
15 of Miami Gardens hereby confirms Councilwoman Sharon Pritchett's appointment of
16 Ulysses Harvard to the Elderly Affairs Advisory Committee.

17 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
18 upon its final passage.

19 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
20 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILWOMAN SHARON PRITCHETT

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8286019_1.DOC



CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

1. Position sought: Elderly Affairs
2. Name: Ulysses Harvard
(Please print)
3. Home Address: 15800 NW 17th Pl Miami Gardens, FL 33054
4. Business Address: _____
5. Employer (if self please state): SELF
 - a. Job Title: Marketing/sales Rep/Consultant
 - b. Nature of business: _____
6. Home Phone No. _____ Business Phone No. (305) 4671024
7. E-mail Address: CHAIR.UHARVARD@aol.com
Fax No. _____
8. Education Background:
 - a. High School

Name of School North Miami Beach Dates of Attendance 1993-95
 - b. Vocational School

Name of School _____ Dates of Attendance _____
 - c. College

Name of College Miami Dade Dates of attendance 1980

Degree obtained if any _____

Please provide a copy of your Resume or CV along with this Application.

9. Community Service (attach additional sheets if necessary):

10. Please state your qualifications for position sought (attach additional sheets if necessary):

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

NO

12. Are you employed by the City? Yes ___ No

13. Are you employed by the Mayor or any of the Council members in their private capacities? NO

14. Are you a resident of the City? Yes No ___

15. Do you own a business in the City? Yes ___ No

If yes, please state the name of the business: _____

Is this business a vendor with the City Yes ___ No ___

16. Do you operate a business in the City? Yes ___ No

If yes, please state the name of the business: _____

Is this business a vendor with the City Yes ___ No ___

17. Ethnic Origin:

White Non-Hispanic ___ African American Hispanic American ___ Other ___

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

MLK COMMITTEE
Second choice

Third choice

Fourth choice

Fifth choice

I certify that the information contained in this Application is true and accurate.

Signature [Signature]
Applicant

Date 12/21/08

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

ULYSSES HARVARD
15800 Northwest 17th Place
Opa-Locka, Florida 33054
Telephone Number: 305-467-1024
E-mail: chairuharvard@aol.com

OBJECTIVE: Seeking a management position where my prior experience, organizational leadership, and commitment to professionalism can be effectively utilized to improve operations and contribute to the overall growth and development of the company.

SUMMARY: An innovative and oriented individual with over 20 years of marketing and sales experience. The ability to manage large complex projects including managing projects in a timely manner, using effective communication skills, risk management, acquiring and allocating resources and ensuring quality deliverables. Possess strong verbal and written communication skills having the ability to relate and communicate on all levels. Demonstrate strong subject matter expertise on marketing services with an emphasis on advertising. Knowledgeable of community and governmental entities.

EXPERIENCE:

2007- Present

Monumental Life Insurance
Insurance Sales Agent

Marketing consultant/ negotiation of insurance sales for life and health related products. Supported the development of community activities throughout Dade/Broward counties. Taught leadership in the area of marketing efficiency and marketing resource management with large and smaller corporations.

2006 -2007

Radio One Incorporated
Sales Manager

Prospect, market, sell and service advertising time; negotiate business based on industry ratings in order to maximize station revenue; develop new advertisers by soliciting area businesses; service clients to maintain positive working relationships; prepare sales orders and production requests in a timely manner; resolve billing discrepancies and assist in collections of past due accounts; monitor competitive media to continually prospect for new account leads; and conceive and execute written proposals.

- 2004-2006 A I G / American General Life & Accident Insurance
Marketing Consultant/Insurance Broker
Negotiation of insurance sales for health related products. Supported and lead work on client engagements. Supported the development of intellectual capital/thought leadership in the area of marketing efficiency and marketing resource management.
- 1998 - 2004 Insurance Consultants (Self -- Employed)
- 1996 - 1998 Miami Herald
Retail Business Developer
Marketing and sales of newspaper ads. Development and layout of Newspaper ads. Supported customer relations by fulfilling specified needs. Follow-up contact of all advertisement sold.

ACCOMPLISHMENTS: Worked in collaboration with FEMA, South Florida Water Management District, Department of Environmental Protection and other agencies to raise \$10 million for the City of Opa-Locka in an effort to cleanup local canals.

Revitalize community with beautification efforts and cleanup projects including home repairs.

Collaborated with local agencies, faith base agencies, private businesses and municipalities to create an educational technology center within the community.

Promoted fund-raising activities for community projects including computer technology center, health fair, and elderly and youth programs.

Worked with local and state agencies to raise more than \$15 million for the Front Porch Community to aid in local economic development, beautification, crime reduction, education and health programs.

EDUCATION:

- 1979 – 1981 General Education, Miami-Dade Community College/North
1978 218 License, State of Florida Insurance
1975 Diploma, North Miami Beach Senior High School

AFFILIATIONS/

VOLUNTEER SVCS:

Front Porch Opa-Locka/North Dade Council Chairperson/
Community Liaison
Opa-Locka Community Development Corporation
North Dade Center of Modern Languages PTA & ESSAC
Miami Job Corps
American Cancer Society-Relay for Life
United Way - Community Representative
North Miami Health Council
North Dade Reunion Committee Member
The Campus Alliance
FCAA- Committee Member for Endowment
ADG Consultants
Golden Glades Optimist Board Member
MLK Committee Member

City of Miami Gardens Municipality
City Councilman

Served as a advocate for the residents of the community to address concerns dealing with growth, crime, economic development, education, youth/elderly program. Legislation to bring in dollars, and enforce new and existing laws.

Antioch Missionary Baptist Church of Carol City
Senior Pastor *Arthur Jackson III*

Member of:

- Men's Ministry
- Singles Ministry
- Social Services Ministry

City of Miami Gardens

1515NW 167th Street
Building 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Oliver G. Gilbert III
Councilman Aaron Campbell Jr.
Councilman André Williams
Councilwoman Sharon Pritchett

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilwoman Sharon Pritchett

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

TITLE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF KIMBERLY LAWRENCE TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A THREE YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Elderly Affairs Committee, Councilwoman Sharon Pritchett, hereby submits her appointee for membership in accordance with the Ordinance 2006-04-85, Section 2 (b). For a period of three (3) years, the committee will recognize Kimberly Lawrence.

Members will advise and make recommendations to the City Council with regard to matters pertaining to senior citizens residing in the City.

Recommendation

That the City Council approves Councilwoman Pritchett's appointment of Kimberly Lawrence to the Elderly Affairs Committee.

**ITEM J-20) RESOLUTION
CONSENT AGENDA
Councilwoman Pritchett's appointment to the
Elderly Affairs Committee**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILWOMAN SHARON PRITCHETT'S APPOINTMENT OF KIMBERLY LAWRENCE TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE FOR A THREE YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Council has created an Elderly Affairs Advisory Committee,
2 and

3 WHEREAS, the Mayor and each member of the City Council have the right to
4 appoint two members to the Committee for a two and three year term, respectively, and

5 WHEREAS, Councilwoman Sharon Pritchett has appointed Kimberly Lawrence
6 to the Elderly Affairs Advisory Committee for a three year term, and

7 WHEREAS, it is appropriate for the City Council to confirm Councilwoman
8 Pritchett's appointment of Kimberly Lawrence,

9 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
10 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

11 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
12 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
13 made a specific part of this Resolution.

14 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
15 of Miami Gardens hereby confirms Councilwoman Sharon Pritchett's appointment of
16 Kimberly Lawrence to the Elderly Affairs Advisory Committee.

17 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
18 upon its final passage.

19 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
20 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILWOMAN SHARON PRITCHETT

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8285997_1.DOC



CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

1. Position sought: Elderly
2. Name: Kimberley Lawrence
3. Home Address: 17135 NW 9th Court
(Please print)
4. Business Address: N/A
5. Employer (if self please state): Retired
 - a. Job Title: N/A
 - b. Nature of business: N/A
6. Home Phone No. 305 623 5158 ^{cell} Business Phone No. 786 251 0819
Fax No. 305 623 5158
7. E-mail Address: KLawrence1@bellsouth.net
8. Education Background:
 - a. High School
Name of School Miami City Dates of Attendance 1984-1987
 - b. Vocational School
Name of School _____ Dates of Attendance _____
 - c. College
Name of College _____ Dates of attendance _____
Degree obtained if any _____

Please provide a copy of your Resume or CV along with this Application.

9. Community Service (attach additional sheets if necessary):
N/A
10. Please state your qualifications for position sought (attach additional sheets if necessary):
Volunteer work at Grenolys Park Nursing Home

Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

N/A

12. Are you employed by the City? Yes No

13. Are you employed by the Mayor or any of the Council members in their private capacities? NO

14. Are you a resident of the City? Yes No

15. Do you own a business in the City? Yes No

If yes, please state the name of the business: N/A
Is this business a vendor with the City? Yes No

16. Do you operate a business in the City? Yes No

If yes, please state the name of the business: N/A
Is this business a vendor with the City? Yes No

17. Ethnic Origin:
White Non-Hispanic African American Hispanic American Other

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s): NO

Second choice _____

Third choice _____

Fourth choice _____

Fifth choice _____

I certify that the information contained in this Application is true and accurate.

Signature Amberley Lawrence
Applicant

Date 01 Dec, 08

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Aaron Campbell Jr.
Councilman André Williams
Councilman Melvin L. Bratton
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III

Agenda Cover Page

Meeting Date: **December 12, 2008**

Fiscal Impact: No Yes **X**

(If yes, explain in Staff Summary)

Funding Source: **General Fund – Community Outreach Div**

1st Reading

Quasi-Judicial

Resolution **X**

2nd Reading

Contract/P.O. Requirement: Yes **X** No

Advertising requirement:

Yes No **X**

Sponsor Name/Department:

RFP/RFQ/Bid # _____

Dr. Danny O. Crew, City Manager

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A *MARTIN LUTHER KING, JR. CELEBRATION 2009* EVENT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE EVENT; PROVIDING FOR EXCEPTIONS/WAIVERS TO BID AND QUOTATION PROCEDURES WHERE NECESSARY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

The City conducted its fourth annual Martin Luther King Jr. “Unity in the Community” (MLK) Celebration on January 21, 2008 at Miami Carol City Park. This event featured local musical artists, food and non food vendors, children’s rides, literary contests and much more. There were approximately 5,000 attendees at last year’s celebration and has the potential of significant growth in the years to come. The event was well received well by the community, although we have identified a number of areas that can be enhanced.

We have begun planning for the 2009 MLK Celebration and have many logistics to finalize. Based on Council’s approval of the FY09 budget, the MLK Steering Committee and staff has developed an event budget to serve as a blueprint for producing and staging this coming year’s event.

Each year we are looking for efficient ways to produce the event in order to generate the same successful outcome. We anticipate that performing artists, advertising,

**ITEM J-21) RESOLUTION
CONSENT AGENDA
MLK Celebration 2009**

marketing and expenditures in several areas may exceed the City Manager's authority as prescribed under the purchasing policies. If we are required to bring each of these matters back to Council for approval, we would have difficulty negotiating the various agreements for these services in a timely matter. As such we request authorization to allow the City Manager to exceed his purchasing authority, as it relates to the expenditures for the 2009 MLK Celebration.

Recommendation:

Because of the unique nature of these services, it is recommended that the City Manager be given authorization to negotiate contracts for: sponsorship acquisition, marketing & public Relations, vendor and advertising sales, talent acquisition, and Production & on-site coordination for the 2009 MLK Celebration as well as waiver of bid requirements.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A *MARTIN LUTHER KING, JR. CELEBRATION 2009* EVENT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE EVENT; PROVIDING FOR EXCEPTIONS/WAIVERS TO BID AND QUOTATION PROCEDURES WHERE NECESSARY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City of Miami Gardens will be hosting the Fifth Annual *Martin*
2 *Luther King, Jr. Celebration 2009* ("Event"), and

3 WHEREAS, City Staff needs to make various purchases of services, including
4 service agreements for solicitations, entertainment agreements, etc., and

5 WHEREAS, in many instances, it may not be possible to purchase all services and
6 commodities in accordance with the competitive bidding procedures of the City's
7 Purchasing Ordinance, and the City Manager may have to exceed his purchasing
8 authority, outlined in the City's Purchasing Ordinance, and

9 WHEREAS, City staff is requesting that the City Council waive the competitive
10 bidding requirements and authorize the City Manager, the City Manager may be
11 required to exceed his purchasing authority, without having the necessary time to bring
12 matters back to the City Council for approval,

13 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
14 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

15 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
16 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
17 made a specific part of this Resolution.

18 Section 2. AUTHORITY: The City Council of the City of Miami Gardens
19 hereby approves the *Martin Luther King, Jr. Celebration 2009*.

20 Section 3. WAIVER: The City Council of the City of Miami Gardens hereby
21 waives the bidding procedures of the City's Purchasing Ordinance, for purchases made
22 in connection with the Event, and authorizes the City Manager to exceed his purchasing
23 authority, as may be necessary therefor.

24 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
25 upon its final passage.

26 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
27 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

28
29
30
31
32
33
34
35
36
37
38

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA K. DICKENS
City Attorney

SPONSORED BY: Danny Crew, City Manager

MOVED BY: _____

VOTE: _____

50
51
52
53

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Oliver Gilbert III	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)

54 Councilman Aaron Campbell
55 Councilman André Williams
56 Councilwoman Sharon Pritchett
57
58

___(Yes) ___(No)
___(Yes) ___(No)
___(Yes) ___(No)

City of Miami Gardens

1515 NW 167th Street
Building 5, suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver G. Gilbert III
Councilman André Williams

Agenda Cover Page

Meeting Date:

Fiscal Impact: **No** Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: Law/Mgr

Public hearing

Ordinance

1st Reading

advertising requirement:

RFP/RFQ/Bid #

Quasi-Judicial

Resolution X

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REAPPOINTING MARLON A. HILL, PHOEBEE R. FRANCOIS, QUENTIN E. MORGAN, MIMI V. TURIN AND OLIVIA S. BENSON TO SERVE AS CODE ENFORCEMENT SPECIAL MASTERS AND APPOINTING JIMMY L. MORALES TO SERVE AS A SPECIAL MASTER FOR CODE ENFORCEMENT FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

The City of Miami Gardens has established a Code Enforcement Special Master process in the City that handles appeals of code enforcement citations as well as bid protests and denials of Certificates of Use and Occupational Licenses. The City Manager and City Attorney have analyzed the Special Masters that are currently serving on behalf of the City and have also interviewed a prospective candidate who is also willing to serve in that capacity and are making a recommendation to the City Council for reappointment and for appointment of Marlon A. Hill, Phoebee R. Francois, Quentin E. Morgan, Mimi V. Turin, Olivia S. Benson, Jimmy L. Morales, as Code Enforcement Special Masters for a two (2) year term.

Recommendation:

That the City Council appoint Marlon A. Hill, Phoebee R. Francois, Quentin E. Morgan, Mimi V. Turin, Olivia S. Benson, Jimmy L. Morales, as Code Enforcement Special Masters for a two (2) year term.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REAPPOINTING MARLON A. HILL, PHOEBEE R. FRANCOIS, QUENTIN E. MORGAN, MIMI V. TURIN AND OLIVIA S. BENSON TO SERVE AS CODE ENFORCEMENT SPECIAL MASTERS AND APPOINTING JIMMY L. MORALES TO SERVE AS A SPECIAL MASTER FOR CODE ENFORCEMENT FOR A TWO (2) YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City of Miami Gardens has established a Code Enforcement
2 Special Master Program in the City, and

3 WHEREAS, appeals of code enforcement citations as well as bid protests and
4 denials of Certificates of Use and Occupational Licenses are heard by Special Masters,
5 and

6 WHEREAS, in addition, there will be additional code matters to be handled by
7 Special Masters in the future, and

8 WHEREAS, the City Manager and City Attorney have analyzed the Special
9 Masters that are currently serving on behalf of the City and have also interviewed a
10 prospective candidate who is also willing to serve in that capacity and are making a
11 recommendation to the City Council for reappointment and for appointment of certain
12 persons to serve in this capacity, and

13 WHEREAS, the new reappointments and appointed person shall also serve for a
14 term of two (2) years,

15 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
16 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

17 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
18 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
19 made a specific part of this Resolution.

20 Section 2. REAPPOINTMENT/APPOINTMENT: The City Council of the City
21 of Miami Gardens hereby reappoints Marlon A. Hill, Phoebee R. Francois, Quentin E.
22 Morgan, Mimi V. Turin and Olivia S. Benson as Code Enforcement Special Masters for
23 a two (2) year term. The City Council also hereby appointment Jimmy Morales to serve
24 as a Code Enforcement Special Master for a two-year term.

25 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
26 upon its final passage.

27 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
28 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER
SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

MOVED BY: _____

VOTE: _____

51	Mayor Shirley Gibson	___(Yes)	___(No)
52	Vice Mayor Barbara Watson	___(Yes)	___(No)
53	Councilman Melvin L. Bratton	___(Yes)	___(No)
54	Councilman Aaron Campbell	___(Yes)	___(No)
55	Councilman Oliver Gilbert, III	___(Yes)	___(No)
56	Councilwoman Sharon Pritchett	___(Yes)	___(No)
57	Councilman André Williams	___(Yes)	___(No)
58			
59	SKD/teh		
	8287864_1.DOC		
60			

STEARNS WEAVER MILLER
WESSLER ALHADEFF & SITTERSON, P.A.

Miami ■ Ft. Lauderdale ■ Tampa



Jimmy L. Morales, Shareholder

305-789-3532

jmorales@swmwas.com

Jimmy L. Morales is a shareholder of the firm based in the Miami office. He practices in the areas of land use and eminent domain, municipal and county law, and governmental affairs. As part of his practice, Mr. Morales currently serves as city attorney to the City of Marathon. In addition to his legal background, he also brings the perspective of a former Miami-Dade County Commissioner and candidate for Miami-Dade County Mayor. He has represented private clients before both Miami-Dade County and Monroe County, and before numerous cities, including the City of Miami and the City of Miami Beach.

Practice Areas

Land Use and Governmental Affairs

Education

J.D., *magna cum laude*,
Harvard Law School, 1987

B.A., *magna cum laude*,
Harvard University, 1984

Admissions

Florida Bar, 1987

District of Columbia Bar, 1989

Languages

Spanish

Memberships

Dade County Bar Assn.

Cuban American Bar Assn.

National Hispanic Bar Assn.

Greater Miami Chamber
of Commerce

Ratings & Certifications

AV rated by
Martindale Hubbell

Relevant Government Experience

- Serves on the City Attorney team for the City of Marathon
- Served as Special Master for the City of Sunny Isles Beach
- Served as Chief Special Master for the City of Miami Beach
- Served as Chairman of the Code Enforcement Board for the City of Miami
- Served on the Board of Miami-Dade County Commissioners, District 7 1996-2004

Professional and Community Involvement

- American Red Cross, former Board Member
- Aspira of Florida, former Board Member
- Miami-Dade County's liaison to the Miami Downtown Development Authority and the Miami-Dade League of Cities 1997-2004
- Crimestoppers of Miami-Dade County, former Board Member
- Dade Community Foundation, past Chairman and Board member
- East Little Havana CDC, former Board Member
- Florida Association of Counties, past Member
- Girl Scout Council of Tropical Florida, former Board Member
- Livability Task Force of the Miami-Dade Alliance for Human Services, past Chairman
- Mayor's Task Force on Efficiency and Competition, past Chairman
- National PTA Hispanic Advisory Board, Member
- Neighborhood Lending Partners of South Florida, Board Member
- Urban Environment League, former Board Member
- WLRN Community Advisory Board, Member
- 5,000 Role Models of Excellence Project, Mentor

Recognition

- The Greater Miami Chamber of Commerce Bill Colson Leadership Award for Outstanding Leadership and Superior Ability
- The First Annual McClaskey Leadership Award from the Guardianship Program of Dade County
- The Ambassador of the Arts medal from the Dade Cultural Alliance
- The "Civic Trailblazer" Award from the Miami-Dade Alumni Chapter of Bethune-Cookman College
- Inducted into the Miami-Beach Senior High School Alumni Association Hall of Fame

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Councilman Melvin L. Bratton

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN MELVIN L. BRATTON'S APPOINTMENT OF PATRICIA LIGHTFOOT TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Charter Review Commission, Councilman Melvin L. Bratton hereby submits his appointee for membership in accordance with the City of Miami Gardens Charter, Article VI, and Section 6.2. Upon approval by the City Council the committee will recognize Patricia Lightfoot, as an appointee of Councilman Bratton.

The appointed members of the Commission will determine whether or not an amendment or revision to the City's Charter is needed and will submit proposals, revisions and suggested amendments to the Council no later than July 1st, of the year following their appointment.

Recommendation

That the City Council approves Councilman Bratton's appointment of Patricia Lightfoot to the Charter Review Commission.

**ITEM J-23) RESOLUTION
CONSENT AGENDA
Councilman Bratton's appointment to the
Charter Review Commission**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING COUNCILMAN MELVIN L. BRATTON'S APPOINTMENT OF PATRICIA LIGHTFOOT TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with Section 6.2 of the City of Miami Gardens'
2 Charter, at its first regular meeting in December 2008 and thereafter every fifth year, the
3 City Council shall appoint and fund a Charter Review Commission, and

4 WHEREAS, the Charter Review Commission is to consist of five (5) persons,
5 including one (1) from each of the four (4) residential areas, and

6 WHEREAS, one (1) appointment shall be made by the Mayor and each
7 Residential Councilmember, and

8 WHEREAS, Councilman Melvin L. Bratton has appointed Patricia Lightfoot as his
9 appointee to the Commission, and

10 WHEREAS, the City Council would like to confirm Councilman Bratton's
11 appointment of Patricia Lightfoot to the Commission,

12 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
13 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

14 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
15 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
16 made a specific part of this Resolution.

17 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
18 of Miami Gardens hereby confirms Councilman Melvin L. Bratton's appointment of
19 Patricia Lightfoot to the Miami Gardens Charter Review Commission.

20 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
21 upon its final passage.

22 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
23 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN MELVIN L. BRATTON

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8288598_1.DOC

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: **December 10, 2008**

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: N/A

Contract/P.O. Requirement: Yes No

Sponsor Name/Department

Councilman Oliver Gilbert III

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA URGING THE FLORIDA LEGISLATURE TO PROHIBIT MUNICIPAL WATER AND SEWER UTILITIES FROM LEVYING A SURCHARGE TO CONSUMERS LOCATED OUTSIDE THE CITY UNLESS AN EQUAL SURCHARGE IS LEVIED ON CONSUMERS LOCATED WITHIN THE CITY; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

On April 8, 2008, the Miami Dade County Board of County Commissioners adopted a resolution urging the Florida Legislature to prohibit municipal water and sewer utilities from levying a surcharge to consumers located outside the city unless an equal surcharge is levied on consumers located inside the City. As a result, Representative Oscar Braynon II has drafted legislation for consideration during the 2009 Legislative Session which will reinstate limitations on utility rates charged outside municipal boundaries in counties with a population of more than 1.5 million as of the most recent decennial census.

If passed, this legislation would exempt the 14,547 residential and commercial water and sewer customers within the City of Miami Gardens from paying the twenty five (25) percent surcharge currently being levied by the City of North Miami Beach.

**ITEM J-24) RESOLUTION
CONSENT AGENDA
Municipal water & sewer Surcharge**

Recommendation:

That the City Council adopt the attached resolution urging the Florida Legislature to prohibit municipal water and sewer utilities from levying a surcharge to customers outside the City.

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA URGING THE FLORIDA LEGISLATURE TO PROHIBIT MUNICIPAL WATER AND SEWER UTILITIES FROM LEVYING A SURCHARGE TO CONSUMERS LOCATED OUTSIDE THE CITY UNLESS AN EQUAL SURCHARGE IS LEVIED ON CONSUMERS LOCATED WITHIN THE CITY; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, Section 180.191, Florida Statutes, grants every municipality in
2 Florida that operates water and sewer systems outside their own boundaries, the right
3 to establish water and sewer rates for consumers outside their city of up to 25% without
4 a special public hearing, and up to 50% with a special public hearing, and

5 WHEREAS, the City of North Miami Beach Water and Sewer Utility provides
6 water and sewer services to consumers who reside in and outside of the City, and

7 WHEREAS, consumers located within Miami Gardens have been required to pay
8 a surcharge on the water and sewer services that they receive, but the consumers who
9 reside within North Miami Beach are not required to pay a surcharge, and

10 WHEREAS, there are more consumers who live outside of North Miami Beach
11 than within the City,

12 WHEREAS in 1992, the Florida Legislature amended Section 180.191, Florida
13 Statutes, to allow a city to exempt itself from county rate regulation so long as the city
14 charged the same rates to consumers within and without of its city, and

15 WHEREAS, prior to 1998, cities located in constitutional home rule charge
16 counties that operated a water and sewer utility were prohibited from adding a
17 surcharge to water and sewer charges of consumers outside the city's boundaries, and

18 WHEREAS, Section 180.191 was amended again by the Florida Legislature to
19 remove the prohibition on a city located in a constitutional home rule charter county that
20 operated a water and sewer utility from adding a surcharge to water and sewer charges
21 of consumers outside the city’s boundaries, and

22 WHEREAS, the City of North Miami Beach was the only city in the state to which
23 the 1998 change applied at the time, and

24 WHEREAS, since the 1998 legislative change, the City of North Miami Beach
25 has imposed a surcharge on consumers located outside the City, including consumers
26 that live in Miami Gardens, and,

27 WHEREAS, North Miami Beach has also raised its rates for all consumers,
28 including those required to pay the surcharge, and

29 WHEREAS, requiring consumers who live outside the City to pay the surcharge,
30 while not requiring those that reside within the City to pay, results in “taxation without
31 representation” and unfairness to consumers living outside the City’s boundaries, when
32 they have no representation, voice or input into City decisions, and

33 WHEREAS, the Florida Legislature will be considering a prohibition against
34 municipal water and sewer utilities being able to levy a surcharge on consumers outside
35 the city unless an equal surcharge is levied on consumers inside the city,

36 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
37 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

38 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
39 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
40 made a specific part of this Resolution.

41 Section 2. EXPRESSION: The City of Miami Gardens hereby urges the
42 Florida Legislature to prohibit municipal water and sewer utilities from levying a
43 surcharge to consumers located outside the city unless an equal surcharge is levied on
44 consumers located inside the City.

45 Section 3. DIRECTIONS TO THE CITY CLERK: The City Clerk is hereby
46 directed to send a certified copy of this Resolution to Miami-Dade County’s Board of
47 County Commissioners, County Mayor Carlos Alvarez, County Manager George
48 Burgess, the Miami-Dade delegation, President of the Florida Senate, Speaker of the
49 Florida House of Representatives, Florida Governor Charlie Crist, the legislative
50 leadership at The Florida League of Cities, Inc.

51 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
52 upon its final passage.

53 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
54 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN OLIVER GILBERT III

MOVED BY:_____

DRAFT

A bill to be entitled

An act relating to municipal water and sewer utilities; amending s. 180.191, F.S.; reinstating limitations on utility rates charged outside municipal boundaries in certain municipalities in home rule charter counties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 180.191, Florida Statutes, is amended to read:

180.191 Limitation on rates charged consumer outside city limits.--

(1) Subject to subsection (4) below, any municipality within the state operating a water or sewer utility outside of the boundaries of such municipality shall charge consumers outside the boundaries rates, fees, and charges determined in one of the following manners:

(a) It may charge the same rates, fees, and charges as consumers inside the municipal boundaries. However, in addition thereto, the municipality may add a surcharge of not more than 25 percent of such rates, fees, and charges to consumers outside the boundaries. Fixing of such rates, fees, and charges in this manner shall not require a public hearing except as may be provided for service to consumers inside the municipality.

(b) It may charge rates, fees, and charges that are just and equitable and which are based on the same factors used in fixing the rates, fees, and charges for consumers inside the municipal boundaries. In addition thereto, the municipality may add a surcharge not to exceed 25 percent of such rates, fees, and charges for said services to consumers outside the boundaries. However, the total of all such rates, fees, and charges for the services to consumers outside the boundaries shall not be more than 50 percent in excess of the total amount the municipality charges consumers served within the municipality for corresponding service. No such rates, fees, and charges shall be fixed until after a public hearing at which all of the users of the water or sewer systems; owners, tenants, or occupants of property served or to be served thereby; and all others interested shall have an opportunity to be heard concerning the proposed rates, fees, and charges. Any change or revision of such rates, fees, or charges may be made in the same manner as such rates, fees, or charges were originally established, but if such change or revision is to be made substantially pro rata as to all classes of service, both inside and outside the municipality, no hearing or notice shall be required.

(2) Whenever any municipality has engaged, or there are reasonable grounds to believe that any municipality is about to engage, in any act or practice prohibited by subsection (1), a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person or persons aggrieved.

(3) This section shall apply to municipally owned water and sewer utilities within the confines of a single county and may apply, pursuant to interlocal agreement, to municipally owned water and sewer utilities beyond the confines of a single county.

(4) Notwithstanding and prevailing over any other provision contained herein, this section shall not apply to any municipality in a county with a population of more than 1.5 million as of the most recent decennial census.

~~(4)~~(5) In any action commenced pursuant to this section, the court in its discretion may allow the prevailing party treble damages and, in addition, a reasonable attorney's fee as part of the cost.

Section 2. This act shall take effect upon becoming a law.

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Suite 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilman Oliver Gilbert III
Councilwoman Sharon Pritchett
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No X Yes

(If yes, explain in Staff Summary)

Funding Source:

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:

Vice Mayor Barbara Watson

Public hearing

Ordinance

1st Reading

Advertising requirement: Yes No

RFP/RFQ # _____

Quasi-Judicial

Resolution X

2nd Reading

Yes No

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING VICE MAYOR BARBARA WATSON'S APPOINTMENT OF DANNY O. CREW TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

In accordance with the establishment of the Charter Review Commission, Vice Mayor Barbara Watson hereby submits her appointee for membership in accordance with the City of Miami Gardens Charter, Article VI, and Section 6.2. Upon approval by the City Council the committee will recognize Danny O. Crew, as an appointee of Vice Mayor Watson.

The appointed members of the Commission will determine whether or not an amendment or revision to the City's Charter is needed and will submit proposals, revisions and suggested amendments to the Council no later than July 1st, of the year following their appointment.

Recommendation

That the City Council approves Vice Mayor Watson's appointment of Danny O. Crew to the Charter Review Commission.

**ITEM J-25) RESOLUTION
CONSENT AGENDA
Vice Mayor Watson's appointment to the
Charter Review Commission**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING VICE MAYOR BARBARA WATSON'S APPOINTMENT OF DANNY CREW TO THE CHARTER REVIEW COMMISSION IN ACCORDANCE WITH SECTION 6.2 OF THE CITY OF MIAMI GARDENS' CHARTER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, in accordance with Section 6.2 of the City of Miami Gardens'
2 Charter, at its first regular meeting in December 2008 and thereafter every fifth year, the
3 City Council shall appoint and fund a Charter Review Commission, and

4 WHEREAS, the Charter Review Commission is to consist of five (5) persons,
5 including one (1) from each of the four (4) residential areas, and

6 WHEREAS, one (1) appointment shall be made by the Mayor and each
7 Residential Councilmember, and

8 WHEREAS, Vice Mayor Barbara Watson has appointed Danny Crew as her
9 appointee to the Commission, and

10 WHEREAS, the City Council would like to confirm Vice Mayor Watson's
11 appointment of Danny Crew to the Commission,

12 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
13 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

14 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
15 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
16 made a specific part of this Resolution.

17 Section 2. CONFIRMATION OF APPOINTMENT: The City Council of the City
18 of Miami Gardens hereby confirms Vice Mayor Barbara Watson's appointment of City
19 Danny Crew to the Miami Gardens Charter Review Commission.

20 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
21 upon its final passage.

22 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
23 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: VICE MAYOR BARBARA WATSON

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert, III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8287527_1.DOC

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: **December 10, 2008**

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: N/A

Contract/P.O. Requirement: Yes No

Sponsor Name/Department

Councilman Oliver Gilbert III

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO EQUALIZE THE PROPORTIONATE AMOUNT OF FUNDING PROVIDED TO EACH JURISDICTION FROM STATE FUNDS BASED ON POPULATION TO EACH REGION OF FLORIDA, INCLUDING SOUTH FLORIDA; DIRECTING THE CITY OF MIAMI GARDENS' STATE LOBBYISTS TO ADVOCATE FOR SOUTH FLORIDA'S FAIR SHARE OF STATE SPENDING AND TO INCLUDE THIS RESOLUTION IN THE 2009 STATE LEGISLATIVE PACKAGE; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

Based on a recent report in the Miami Herald, it is estimated that the residents of Miami-Dade and Broward Counties sent more than Seven Billion Fifteen Million Dollars (\$7,015,000,000.00) in tax revenues annually to the State of Florida, but only received Six Billion Sixty-Nine Million Dollars (\$6,069,000,000.00) back, resulting in a difference of more than Four Hundred Sixty Million Dollars (\$460,000,000.00) – which equates to a gap of One Hundred Forty-Four Dollars (\$144.00) for every adult in these two counties.

Using the most recent population projections for the City of Miami Gardens it could be estimated that this could increase the City's proportionate share of State Funds by up to \$10 Million dollars.

Recommendation:

That the City Council adopt the attached resolution to equalizing the proportionate share amount of state funding provided to each jurisdiction based on population.

**ITEM J-26) RESOLUTION
CONSENT AGENDA
Florida's fair share of State Spending**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO EQUALIZE THE PROPORTIONATE AMOUNT OF FUNDING PROVIDED TO EACH JURISDICTION FROM STATE FUNDS BASED ON POPULATION TO EACH REGION OF FLORIDA, INCLUDING SOUTH FLORIDA; DIRECTING THE CITY OF MIAMI GARDENS' STATE LOBBYISTS TO ADVOCATE FOR SOUTH FLORIDA'S FAIR SHARE OF STATE SPENDING AND TO INCLUDE THIS RESOLUTION IN THE 2009 STATE LEGISLATIVE PACKAGE; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the Florida Legislature approved a state budget of approximately
2 Sixty-Six Billion Dollars (\$66,000,000,000.00) for Fiscal Year 2008-2009, and

3 WHEREAS, a recent Miami Herald report concluded that the residents of Miami-
4 Dade and Broward Counties sent more than Seven Billion Fifteen Million Dollars
5 (\$7,015,000,000.00) in tax revenues annually to the State of Florida, but only received
6 Six Billion Sixty-Nine Million Dollars (\$6,069,000,000.00) back, resulting in a difference
7 of more than Four Hundred Sixty Million Dollars (\$460,000,000.00) – which equates to a
8 gap of One Hundred Forty-Four Dollars (\$144.00) for every adult in these two counties,
9 and

10 WHEREAS, with the inclusion of Palm Beach County, the annual difference will
11 be more than Five Hundred Million Dollars (\$500,000,000.00) between what the
12 residents of the tri-county area contributed in tax revenue to the State of Florida in
13 comparison to what they received in state services and programs, and

14 WHEREAS, in these extremely difficult economic times, the residents need the
15 benefits of more state support in these three heavily-populated South Florida counties,

16 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
17 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

18 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
19 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
20 made a specific part of this Resolution.

21 Section 2. EXPRESSION OF SUPPORT: The City Council of the City of
22 Miami Gardens hereby urges the Florida Legislature to equalize the proportionate
23 amount of funding provided to each jurisdiction from state funds based on population to
24 each region of Florida, including South Florida and directing the City of Miami Gardens'
25 state lobbyists to advocate for South Florida's fair share of State spending and to
26 include this Resolution in the 2009 State Legislative Package.

27 Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Council hereby
28 instructs the City Clerk to send a certified copy of this Resolution to the Governor, the
29 President of the Senate, the Speaker of the House and all the members of the Florida
30 Legislature, the Mayor and Members of the Broward County Board of Commissioners,
31 the Chair and Members of the Palm Beach County Board of County Commissioners,
32 and the Mayors, Chairs and members of the governing bodies of the municipalities
33 within Miami-Dade, Broward and Palm Beach Counties, along with a copy to be sent to
34 the City's state lobbyist.

35 Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately
36 upon its final passage.

37 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
38 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69

SHIRLEY GIBSON, MAYOR

ATTEST:

RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: COUNCILMAN OLIVER GILBERT III

MOVED BY: _____

VOTE: _____

Mayor Shirley Gibson	___(Yes)	___(No)
Vice Mayor Barbara Watson	___(Yes)	___(No)
Councilman Melvin L. Bratton	___(Yes)	___(No)
Councilman Aaron Campbell	___(Yes)	___(No)
Councilman Oliver Gilbert III	___(Yes)	___(No)
Councilwoman Sharon Pritchett	___(Yes)	___(No)
Councilman André Williams	___(Yes)	___(No)

SKD/teh
8288770_1.DOC

City of Miami Gardens

1515 NW 167th Street
Bldg. 5, Ste. 200
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: December 3, 2008

Fiscal Impact: No Yes
(If yes, explain in Staff Summary)

Funding Source: Bond

Contract/P.O. Requirement: Yes No

Sponsor Name/Department:
Danny Crew, City Manager

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN RETAINER AGREEMENT WITH THE LAW FIRM OF ADORNO & YOSS WITH RESPECT TO BOND COUNSEL REPRESENTATION FOR A \$2,000,000 EQUIPMENT FINANCING BOND, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR A CONTINGENCY; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

As part of the FY08-09 budget, it was indicated that the City would be buying certain major capital equipment for various City Departments including Stormwater, Police, Public Works and Parks. In order to issue the bonds, the City must have a bond counsel. Jeff DeCarlo of Adorno & Yoss has served a bond counsel for the City on prior issues and is familiar with our City, our procedures and our issue. His fee is extremely reasonable and he has always worked timely with staff and with the City Attorney to complete this process. The City Attorney has reviewed his qualifications and agrees with his selection. Funds for this will come from the bond issue.

Recommendation

I recommend that the Council approve the resolution hiring Adorno & Yoss and bond counsel to the City on this equipment issue.

**ITEM K-1) RESOLUTION
Bond Counsel Agreement
with Adorno & Yoss**

RESOLUTION No. 2008-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN BOND COUNSEL AGREEMENT WITH JEFFREY D. DECARLO OF ADORNO & YOSS RELATING TO PROVISION OF LEGAL SERVICES IN REFERENCE TO A PROPOSED TWO MILLION DOLLAR (\$2,000,000.00) EQUIPMENT BOND; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1 WHEREAS, the City Manager is proposing that the City Council authorize the
2 issuance of a Two Million Dollar (\$2,000,000.00) equipment bond, and

3 WHEREAS, the City has utilized the services of Jeffrey D. DeCarlo of Adorno &
4 Yoss to assist the City with past bond deals, and

5 WHEREAS, the City manager and City Attorney are recommending that Jeffrey
6 D. DeCarlo assist the City with the proposed Two Million Dollar (\$2,000,000.00)
7 equipment bond financing project, and

8 WHEREAS, the fees for this service will range between Seven Thousand Five
9 Hundred Dollars (\$7,500.00) and Fifteen Thousand Dollars (\$15,000.00),

10 NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
11 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

12 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas
13 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
14 made a specific part of this Resolution.

15 Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens
16 hereby authorizes the City Manager to execute that certain Agreement between the City

17 of Miami Gardens and Jeffrey D. DeCarlo of Adorno & Yoss for bond counsel services
18 relating to that certain Two Million Dollar \$2,000,000.00) equipment bond..

19 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately
20 upon its final passage.

21 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
22 GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.

23
24
25
26
27

SHIRLEY GIBSON, MAYOR

28
29 ATTEST:

30
31
32
33

RONETTA TAYLOR, CMC, CITY CLERK

34
35
36 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
37 City Attorney

38
39 SPONSORED BY: DANNY CREW, CITY MANAGER

40
41 MOVED BY: _____

42
43 **VOTE:** _____

44			
45	Mayor Shirley Gibson	___(Yes)	___(No)
46	Vice Mayor Barbara Watson	___(Yes)	___(No)
47	Councilman Melvin L. Bratton	___(Yes)	___(No)
48	Councilman Aaron Campbell	___(Yes)	___(No)
49	Councilman Oliver Gilbert, III	___(Yes)	___(No)
50	Councilwoman Sharon Pritchett	___(Yes)	___(No)
51	Councilman André Williams	___(Yes)	___(No)

52
53 SKD/teh
8286556_1.DOC

54

A LIMITED LIABILITY PARTNERSHIP
2525 PONCE DE LEON BOULEVARD, SUITE 400
MIAMI, FLORIDA 33134-6012
PHONE: (305) 460-1000, FAX: (305) 460-1422
WWW.ADORNO.COM

JEFFREY D. DECARLO

DIRECT LINE: (305) 460-1025
EMAIL: JDC@ADORNO.COM

November 25, 2008

Danny O. Crew, City Manager
City of Miami Gardens
1515 NW 167th Street, Bldg 5, Suite 200
Miami Gardens, Fla. 33169

Re: Bond Counsel Proposal - City of Miami Gardens, Florida
\$2,000,000 Equipment Financing

Dear Danny:

Thank you for the opportunity to continue to represent the City of Miami Gardens, Florida (the "City") as bond counsel on the upcoming equipment financing, which may take the form of short-term Bonds or a lease-purchase arrangement (in either case, the financing will be referred to hereinafter as the "Bonds").

As bond counsel, we will:

1. Examine applicable law;
2. Prepare or review (i) the authorizing ordinance and/or resolutions (collectively the "Bond Resolution") of the City, (ii) such other documents (such as a loan or lease agreement) as may be required by the financing or which we deem necessary for rendering our opinion, and (iii) the forms of such closing documents, certificates and opinions of counsel, including tax documents, as may be required by the terms of the financing and applicable federal and state laws;
3. Consult with the parties prior to the issuance of the Bonds;
4. Review the City Charter and certified proceedings;
5. Attend City Council meetings at which the Bond are discussed, if requested; and
6. Undertake such additional duties as are necessary to render our opinion.

Danny O. Crew
City of Miami Gardens
November 25, 2008
Page 2

Subject to the completion of proceedings to our satisfaction, we will render our opinion that:

1. The City is duly created and validly existing as a municipality under the laws of the State of Florida, with authority to adopt the Bond Resolution, perform its obligations thereunder and issue the Bonds;
2. The Bond Resolution has been duly authorized by the City and constitutes a valid and binding obligation of the City;
3. The Bond Resolution creates a valid lien on the revenues pledged under the Bond Resolution for the security of the Bonds;
4. The Bonds have been duly authorized by the City and are valid and binding obligations of the City, payable solely from the revenues as provided in the Bond Resolution;
5. The interest paid on the Bonds is excluded from gross income for federal income tax purposes and is exempt from Florida taxes (subject to certain limitations which may be expressed in the opinion); and
6. In the case of "bank-qualified Bonds," the Bonds are "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code.

The opinion will be executed and delivered by us in written form on the date the Bonds are exchanged for their purchase price (the "Closing"), and will be based on facts and laws existing as of its date.

In rendering the opinion, we will rely upon representations of the City set forth in the Bond Resolution and in the certified proceedings and other certifications of public officials (including certifications as to the use of bond proceeds and various tax matters) without undertaking to verify the same by independent investigation. The opinion is typically addressed to the City, and may be relied upon by the purchasers of the Bonds.

We understand that the Bonds will be sold in a private placement to a bank, and that the security will be the communication service tax and the local government half-cent sales tax. Based on these assumptions, our fees will be (i) \$15,000 if we are preparing all bond/lease documents or (ii) \$7,500 if bank's counsel prepares the documents and we review them, plus, in either case, our out-of-pocket expenses.

The fee is usually payable at Closing, and we customarily do not submit any statement until the Closing or unless there is a substantial delay in completing the financing. If, after we

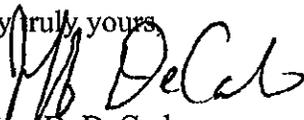
Danny O. Crew
City of Miami Gardens
November 25, 2008
Page 3

have begun work on a financing, the financing is not consummated or is completed without the rendition of our opinion as bond counsel, we will expect to be compensated at our standard hourly rates for time actually spent, plus out-of-pocket expenses.

If you are in agreement with the foregoing, please indicate your assent or that of the appropriate City official by signing in the place provided below, returning one executed copy of this letter to us and keeping one copy of this letter for your files.

I look forward to working with you again. If you have any questions or require additional information, please call me.

Very truly yours,



Jeffrey D. DeCarlo

Agreed to and acknowledged by:

CITY OF MIAMI GARDENS, FLORIDA

By: _____
Name: _____
Title: _____

Staff Monthly Report October 2008

CITY MANAGER

- Hosted four employee meetings with Police on proposed Union election.
- Attended the F.O.P. meeting to discuss various issues.
- Attended Vista Verde Playground grand opening.
- Met with staff to discuss City concerns on the proposed Dolphin DRI and related issues.
- Completed work on the final FY 2008-2009 budget and sent to the printer.
- Prepared certificates for Police Officer of the month and various commendations.
- Completed work on a 5-year anniversary booklet for residents and sent to printer for final typesetting.
- Notified that the City has been designated A Crown Community for 2008 by the American City and County Magazine.
- Met with staff to discuss organizational issues surrounding the departure of Chris and Horace.
- Met with COunty officials regarding the proposed Dolphin Center D.R.I.

PUBLIC WORKS (Tom Ruiz)

1. Staff continues to perform asphalt street repairs and concrete sidewalk repairs and installation with A.D.A ramps at the corners on- going citywide.
2. Staff continues to clean and maintain bus bench areas throughout the City.
3. Staff continues to mow public right-of-ways to ensure that the roadways are aesthetically pleasing.
4. Staff continues to trim and prune trees citywide.
5. Continue to perform/check storm drain cleaning and inspections.
6. Continue to perform irrigation maintenance repair on 441 and NW 27th Avenue.
7. Public Works issued 40 permits of which: 1 Paving & Drainage, 28 Driveways & Sidewalks, 1 Banner, and 10 Utilities.

8. On September 20, 2008 the Director and City Engineer attended the City of Miami Gardens Kiwanis meeting for the installation of the officers and directors. Congratulations to Mariana Pitiriciu for being a new director in the organization..
9. On October 16, 2008, the Director and several crews attended the Career Day at Carol City Middle School.
10. On October 16, 2008, the Director attended the Bunche Park Neighborhood Revitalization Strategy Area (BPNRSA) in the Council Chamber to address some of the concerns of the project from the residents.
11. On October 15, 2008 Mr. Luis Rodriguez from FDOT performed field audit (CEI Oversight Audit) for Golden Glades Beautification Project –Phase II which was funded thru Local Agency Program (LAP). The auditor reviewed compliances with all Federal Requirements as it pertains to project’s contract documents. On November 13, 2008 Staff received the final report from FDOT which demonstrates that the City of Miami Gardens fulfilled its obligations regarding compliance with Federal Regulations.
12. Staff finalized the construction documents for drainage improvements on industrial area which covers NW 47 Avenue to NW 57 Avenue and NW 167 Street to City’s limits on the south and on NW 45 Court from NW 171 Street to NW 171 Terrace. Project was advertised for bid on November 7, 2008.
13. On October 30, 2008 PW attended the Developmental Review Committee for the Calder Casino Project.
14. On November 5, 2008 the Public Works Director and the City Engineer visited the City of Palm Beach Gardens with other of our City department to view a demonstration on their EDEN System set-up. We were able to see what the City can do to integrate our processes into the EDEN Software.
15. On November 5, 2008 the Public Works Director and the City Engineer reviewed all the Architect and Engineering bids and scored them for a final selection for Council Approval.

KEEP MIAMI GARDENS BEAUTIFUL

FDOT Grant 2008

- **Completed**
- **Awarded (\$13,741)**

National Keep America Beautiful Rogers Award

- **1st place prize winner in Radio Category**

Landscape Maintenance

- **New ground covers have been purchased to replace dying or slow growing plant materials for both 441 and 27 Ave**
- **New flowers have been placed at new 215/ 27 sign and 441/ 7th ave sign**
- **A thorough check of our irrigation system on 27 ave has been done and measures are being taken to correct problem zones.**

Miami Gardens Drive Beautification Project

- FDOT Approved
- Met with Contract to make improvements on plans
- Highway Beautification Grant Extension approved

Community Beautification projects

- Ongoing
- 2 major community projects completed this month

New Television PSA

- Script is complete
- Actors have been secured (Mayor, Police Representative, Community Minister, Hip Hop Star Flo Rida, MTV reality star Creepa, Homeowner, elem. school children)
- PSA filming is completed/ Currently being edited – will air in 2 -3 weeks

MLK Day/ Services for Peace

- Planning

Make a Difference Day 2009

- Completed

KMGB Elem. School Presentation

- In progress

Urban Community Forestry Grant Fall 2008 closeout packet

- completed

Green Building Coalition

- Work in progress

FINANCE DEPARTMENT (William Alonso, Director)

- 1) The new audit firm commenced the FY2008 audit on Monday November 10, 2008, it is expected to be completed on schedule and that the FY2008 CAFR will be presented to Council in January 2009.
- 2) The City Manager and Finance Director have been preparing and planning for the possibility that State funding may be further reduced during the upcoming year due to the downturn in the economy. If revenue projections will be significantly reduced, we may have to look at costs reductions citywide in order to maintain a balanced budget for FY2008-09.
- 3) The City was awarded the Popular Annual Financial Report award by the GFOA. In receiving this award, the City of Miami Gardens became only the sixth municipality in the State of Florida to receive all three GFOA awards. During FY2007 we received awards for our budget, CAFR, and now the Popular report.

- 4) Completed the September 2008 final monthly budget report for the fiscal year, it has been posted on the city’s website and will be presented to Council during the next meeting in December.

HUMAN RESOURCES (Taren Kinglee)

- Continued consultation with outside council regarding union petitions. Several informational sessions held for employees
- Meeting with police department staff and city attorney to review human resources related standard operating procedures
- Coordinated with procurement and insurance agent request for proposal for dental insurance coverage
- Attended conference on police liability
- Responded to several public records request
- Held several meetings with department supervisors regarding recruitment, discipline and performance management. Developed job descriptions, administered benefits, responded to salary/benefit surveys, etc.
- Statistics

Monthly Statistics	Sep - Oct	Oct- Nov	Nov - Dec	Dec- Jan	Jan- Feb	Feb- Mar	Mar- Apr	Apr- May	May- Jun	Jun- Jul	Jul- Aug	Aug – Sep
Applications/ resumes received	692	704										
Positions Advertised	5	9										
Interviews Conducted	85	42										
Pre-employ Physicals	18	11										
Background/ Reference Checks	14	17										
New Hires	35	5										
Workers Comp Claims	4	13										
Exit Interviews	1	1										
Promotions	4	0										

DEPUTY CITY MANAGER FOR PUBLIC SERVICES (Renee Farmer)

CIP

- Worked with County Parks and SNP program staff to negotiate terms for
- Art in public Places
- Contract extension on SNP
- Securing the additional \$75,000 for North Dade Project
- Reviewed applications for Capital Improvement Director
- Negotiated delayed damages issue with MGCC contractor
- Worked with MGCC Architect to address various concerns

Police Department/School Crossing Guard

- TIPs program implementation
- PD Union Campaign management
- Worked with staff to analyze options for new crime scene space

Code Enforcement

- Worked with code to establish CU denial process
- Worked with management to address employee concerns
- Worked with City attorney and staff to address code issues with Bunny's market

Other

- Education Compact Wrap meeting w/ Tabitha
- Dolphin DRI negotiations
- Held (4) meeting with General staff re: Union campaign
- Transitioned Red Light Camera project

Participated in the following Meetings/Committees (outside agency meetings):

- Urban Area Security Initiative Meeting
- Meeting w/ CPZ Architects Re: MGCC
- Meeting w/ N & J construction re: MGCC
- (1) Coconut Cay CDD Meeting
- (1) Majorca Isles CDD Meeting
- Attended IACP conference

POLICE DEPARTMENT (Chief Matt Boyd)

Police Department Staff

TOTAL BUDGETED POSITIONS:	245
TOTAL HIRED TO DATE:	235

- 1 Chief
- 1 Deputy Chief
- 3 Majors
- 9 Captains

- 24 Sergeants
- 146 Police Officers
- 9 Community Service Aides
- 15 Telecommunications Operators
- 1 Telecommunications Supervisor
- 1 Records Supervisor
- 4 Records Clerks
- 1 Executive Secretary
- 5 Administrative Assistants
- 2 Property Control Officers
- 1 Custodian
- 1 Court Liaison/Off Duty
- 2 Crime Analysts
- 1 Administrative Analyst
- 1 Investigative Assistant
- 6 Crime Scene Technicians

The activity for the Operations Division for the month of October 2008 is as follows:

ARRESTS:

- FELONY 77
- MISDEMEANOR 186
- TRAFFIC 270
- DUI 4
- WARRANT 26

TOTAL ARREST 563

CITATIONS:

- MOVING 1149
- NON-MOVING 794
- PARKING 311

TOTAL 2254

FIELD INTERVIEW CARDS 658

TOTAL CALLS RESPONDED TO 7666

REPORTS WRITTEN 1984

TRAFFIC CRASHES 275

Three additional Neighborhood Watch Programs were initiated this month.

Two CERT classes were held to train 14 new members.

The activity for the Support Services Division for the month of October 2008 is as follows:

Property and Evidence, Number of property items processed:

239 - Property Received
39 - Property Rejected
10 - Property Released
99 - Property out to Lab
1 - Property to be Disposed

Number of reports processed and number of requests made at window for records:

Reports Processed 3,638 / Walkup Requests at Window 727 / Mail Logged In 375 /
Amount Collected At the Window \$47,745.70.

Number of calls received by dispatch:

CAD Calls = 12,552 Phone Calls = 8,809
FCIC Entries- 240
Training hours = 209 (72 hrs APCO CTO training; 9 hrs FDLE/Criminal History training; 8 hrs FDLE/LAI training; 120 dispatch training)

Court Liaison and Off-Duty

528 subpoenas processed and delivered to officers.
160 court slips entered into Eden for payroll processing.
115 off duty slips processed and entered into Eden for payroll.
25 new off duty vendor requests processed and staffed.
100 deposition subpoenas stamped and delivered to officers.
5 permanent off-duty jobs coordinated.

Fleet, Radio and Computer Management:

- 18 new patrol officers were issued marked police vehicles.
- Twenty-Five (25) radios along with equipment were issued to new/old officers that were hired.
- MGPD received fourteen (14) 2009 new sergeant vehicles and one (1) Explorer. Four (4) Operations Sergeants have received their new vehicles with Dell computers.

The activity for the Investigations Division for the month of October 2008 is as follows:

Arrests – Total: 133, Felonies – 47, Misdemeanor – 86
U.S. Currency Seized – \$1001.00
Vehicles Recovered – Nine (9)
Value of Vehicles Recovered – \$165,000
Value of Property Recovered by Pawn Unit - \$11,000

Firearms Seized – Eight (8)
Search Warrants Executed – Two (2)
Narcotics Recovered – 168 Grams Marijuana/17.5 Grams of Cocaine

COMMUNITY OUTREACH SPECIALIST (Lillie Q. Odom)

- Distribution of VIP passes and sale of tickets were conducted from my office for the Annual Family Fall Festival. Funds were deposited into the Special events accounts.
- Presently coordinating the updated data for the “Adopt-a-School Initiative” with the Ministers and School Principals, attended meetings and telephone Conferences for this contractual process with the committee members.
- Completed the Blood Drive for Employees, held at the City Hall’s Conference Room where approximately 30 employees participated with the Community Blood Center of South Florida, Inc. Donors were given Miami Heat Tickets for taking time to donate Blood.
- Participated and attended the Robert Sharpe Towers Seniors Thanksgiving Celebration with the Neighborhood Watch Program through the Miami Gardens Police Department.
- Participating in the World Care, Inc. Project to assist the hurricane victims in Haiti. Coordinating the collection and distribution of the items, from employees and citizens. Attends bi-weekly meeting of the committee.
- Attended the Buccaneer Boosters Thanksgiving Luncheon, held at the Calder Race Course.
- Coordinating a project for the Elderly with the Florida Department of Elderly Affairs Communities for a Lifetime initiative committee and the City of Miami Gardens Elderly Affairs Committee.
- Planning and Coordinating the 2008 Holiday Celebration for the Employees with the committee, to be held December 6, 2008, at the Calder Race Course.

SPECIAL PROJECTS DIRECTOR (Antranette Pierre)

Parks Master Plan

- Submitted semi-annual project status report to Office of Safe Neighborhood Parks (SNP), Office of Capital Improvements
- Miami Dade County Governmental Operations and Environment Committee recommended approval re: modification to the project description for the Building Better Communities Program Bond proceeds re: reallocating use of funds in accordance with Parks Master Plan

City Hall Renovation

- Plans in permitting

Fueling Facility

- Received 100% construction documents

Rolling Oaks Park:

- Phase I Improvements include: Installation of 2 athletic fields, parking (and overflow parking) lots, fencing, roundabout, and concession/restroom facility.
- DERM: Plans approved for permitting
- WASA: currently in review
- Building: Dry run review scheduled for 9/22/08

Bunche Park & Pool

- Phase I Improvements include: Construction of entire pool parcel including pool house, parking paving/stripping/drainage, lighting, fencing, landscaping, and signage.
- Fire: Plans approved for permitting
- WASA: plans to be re-submitted for review
- Received DERM surface water permit
- Received analysis report on existing pool condition; stating pool shell salvageable

Brentwood Pool

- Contract amendment approved to modify scope re: FRDAP grant to include tennis & basketball resurfacing, exercise trail with fitness stations and playground
- Pending quotes from vendors re: tennis & basketball court resurfacing

North Dade Optimist

- Phase I Improvements include: Construction of new building at approx. 3,000 sq. ft includes six restrooms, small concession/kitchenette, and storage rooms; 114 parking space lot with paving, drainage, irrigation and landscaping, football field & lights relocation and minor landscaping; Construction of lift station.
- Parks plans currently being reviewed by Fire, DERM and WASD
- Lift Station: Approved by City of Miami Gardens and City of North Miami Beach Public Services. Allocation letter issued. WASD/DERM, plans submitted on Oct 22, 2008, pending approval and permit.
- Sports lighting in permit review
- Permit application for demolition of announcer's box and basketball court being processed
- Met with T-Mobile re: use of park space for construction of cell phone tower

Norwood Park & Pool

- Met with Mondo, Inc. re: cost proposal for pool deck upgrades

Construction

Miami Gardens Community Center (MGCC)

- Main Building
 - Gunite installed on bottom (ground) level of pool (surfacing)
 - Tile panel casting beds formed; rebar installation for tilt panels installed
 - Water main upgrade along NW 32nd Avenue began
 - Excavation for installation of underground telephone connection began
 - Prepping for sub-base, north and east parking lots
- Restrooms
 - Center block walls erected and eyebrow frame installed
 - Drainage complete on west restroom building; plumbing installation began

- Drainage beginning on south restroom building
- Rebar installation on west restroom building
- Track/Football field
- Site prep work performed; final subgrade work being completed
- Tilt panels in production and the pool is substantially structurally constructed
- Trenching for irrigation conduits installation
- Weekly Construction Progress meetings are on going

Miami Carol City Park

- Demolition of old recreational building completed

Police Building

- Final completion inspections and punch lists are being scheduled by Miami Skyline Construction.
- Recently developed new Design Criteria Plans for the CSI Lab Unit and the Remodeling of the Sergeants work room.
- Construction (security) installation is incomplete and some systems are not operational
- GLANZ TECHNOLOGIES need to receive approval from Miami Dade and the City of Miami Gardens and now we are awaiting the contractors finishing the work to obtain final inspections.
- Final completion inspections and punch lists are being scheduled by Miami Skyline Construction. Partial approvals of construction activities with the Building and Fire Departments have been performed and the door access security completion is still delaying project closeout and final inspections.
- The Required completion date for the project has passed. Systems are substantially complete.
- The work was Substantially Complete as of August 31, 2008 except for security lock downs of the building
- General contractor is awaiting completion by GLANZ to finalize the project work

Rolling Oaks Park

- Developed criteria specification for the installation of subgrade work at the play fields
- Prepared and provided design criteria drawings for the new Tennis Courts to be installed at the park.
- Pre-construction meeting held with Williams Paving Co. related to the installation of the new tennis courts.

Meetings/Events:

- MDC Governmental Operations and Environment Committee, 11/10/08
- Haitian-American Association of Engineers and Scientists Fundraising Gala, 11/15/08
- Tour with Claudio Osorio, Innovida Southeast – Factory re: Bunche Park Youth Center, 11/7/08
- Site Visit w/ T-Mobile @ North Dade Optimist Park, 11/4/08
- Evaluation Committee re: coordinating review of RFP for continuous A/E Services, 10/31/08
- Aventura Marketing Council Chairman's Luncheon, 10/28/08

- Arts in Public Places, 10/23/08
- Teleconference with Alonzo Mourning Charities, 10/20/08

SCHOOL CROSSING GUARDS (SGC) (Cherise Alicia)

Tasks Completed:

- SCG Supervisor, Patricia Shellman attended the 2008 Florida Pro Bike Pro Walk Conference on October 21-23, 2008.

Meetings Attended:

- SCG Staff Meeting – Oct. 31st & Nov. 14th
- Departmental mtg. w/ DCM Farmer
- Agenda Review/ Staff Meeting
- CTST Mtg. – November 3rd

Meetings scheduled:

- CTST Meeting on December 1, 2008.

Pending Tasks:

Other/Misc.

Employee Incident Reports:

- **Total: 1**

Terminations: 1 Resignations: 2 New Hires: 3

CODE ENFORCEMENT (Carmen Quinn)

The following administrative enforcement and licensing highlights for October/November 2008 are in addition to the day-to-day operational duties:

- Conducted zoning review w/CMG and Miami-Dade County for M&M Market and Dixon Nursery
- Met w/CMG's Chief of Police to coordinate Code/PD efforts: began late night PD ride along 2 to 4 times per month as needed.
- Represented the City at Bunny's CU Denial Hearing.
- Held second meeting with Miami Gardens Police Department staff to review and update our Action Plan to monitor and address the problem businesses within the City.
- Continuing code coverage at Dolphin Stadium Events.
- Staff assigned to Optimist games for code enforcement.
- Participated in combined MGPD & MGCE operations to address illegal night clubs.
- Worked in combined operation with the City of Miami Gardens Code Enforcement and Building Departments together with the State of Florida Department of Business and Professional Regulation and Miami-Dade Building Code Compliance Office to address illegal contractors operating within the city limits.
- Made presentation to the City Council on Code Enforcement
- Presented Certificate of Special Recognition at the Council Meeting to Deputy Director in recognition of his innovative and effective Code Enforcement methods.

COMMUNITY OUTREACH

- The Deputy Director met with the president of Miramar Gardens HOA to put together a combined effort to address problems in the area. Two of the concerns of the HOA were resolved the following day. A follow up neighborhood tour is being arranged with the HOA manager and Code Enforcement.
- Met with the owner of Popeye’s at 20690 NW 2nd Avenue to discuss improvements.
- Met with maintenance manager for WSVN to discuss the maintenance of their properties in the City.
- Attended Bunche Park meeting in the Council Chambers.

PERSONNEL

Staff Development:

- Department Director attended the AACE Annual Educational Code Conference in Portland, Oregon.
- Officer’s V. Garcia and A. Gallardo attended the Florida Association of Business Tax Officials monthly meeting.
- All CEO’s attended the Gold Coast Association of Code Enforcement (GCACE) network and training.
- Recruitment process continuing to fill one Administrative Assistant vacant position, 13 applicants have been selected to be called in for interview.
- Conducted general staff monthly meetings.
- Completed and administered 2 performance evaluations.

<u>CODE Stats:</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>
Business Tax Receipt	364	134	138	83
Inspections				
Certificate of Use	362	133	137	80
Inspections				
Landlord Permit	4	107	179	271
Inspections				
Warning Notices	351	284	331	365
Issued				
Civil Violation Notices	246	136	141	144
Issued				
Re-Inspections	393	471	545	557
Special Master	23	25	43	40
Hearings				
Massey Hearings	26	46	29	60
Lien Reduction	2	8	10	4
Request Hearings				
Extension Requests	77	56	26	44
Complaints Received	112	95	141	160
Proactive Cases	152	155	215	284
Cases Closed Within	147	270	280	316
30 Days				
Cases Closed Within	27	88	19	19
60 Days				
Cases Closed Within	14	19	77	19

90 Days				
Special Operations- Code	2	5	5	11
Special Events	2	2	0	0
Illegal Signs Removed	488	872	947	743
Phone Calls Received by CEOs	134	143	193	250
Parking Tickets Issued	67	6	8	16
Lien Searches	59	43	60	72
Joint Operations- MCPD	3	3	3	4
PD Requests for CE	9	23	11	29
Stormwater Postings	0	0	15	0
Abandoned Vehicles - Tagged	227	351	20	16
Abandoned Vehicles - Towed	16	30	2	3

<u>Dolphin Stadium Seasonal Detail</u>	<u>August</u>	<u>September</u>	<u>October</u>
Illegal Scalpers Cited	42	36	136
Illegal Vendors Cited	0	6	3
Illegal Panhandlers Cited	0	0	1
Illegal Rental of Parking Spaces Cited	0	16	6
Illegal Broadcasting	0	0	1

<u>Licensing Stats</u>	<u>Jul/Aug</u>	<u>Aug/Sept</u>	<u>Sept/Oct</u>	<u>Oct/Nov</u>
Business Tax Receipts	229	587	1013	209
Certificates of Use	233	464	728	179
Alarm Permits Issued	83	124	62	49
Landlord Permits	12	12	8	7

ASSISTANT CITY MANAGER (Vernita Nelson)

- N/a for November

MEDIA AND SPECIAL EVENTS Coordinator (Ula Zucker)

- Carl's Furniture & Design has invited the City to collaborate and host an art contest and exhibition open to all emerging artists in the South Florida Community. The "1st Annual Floridian Soul Contemporary Art Contest and Exhibition" will be sponsored by Vice-Mayor Barbara Watson, and will provide up and coming artists the opportunity to feature their work at the Miami Gardens furniture store a period of 6 months to a year beginning on November 21st. The art will be available for sale. This event is the first of many events dedicated to promoting art in Miami Gardens.
- Inspired by the "1st Annual Floridian Soul Contemporary Art Contest and Exhibition," the City has adopted a resolution (item sponsored by Vice-Mayor Barbra Watson) to make the month of November "Art in the Gardens Month" and to celebrate art every year throughout the month of November, by programming activities and events in support of art; and providing artists with an opportunity to feature their works.
- Currently we are in the process of planning Jazz in the Gardens and working diligently to acquire sponsorships for the 2009 event. Several artists have been confirmed and we are in the process of finalizing contracts for these particular artists. Additionally the event logistics plan and marketing plan are on target according to the event timeline. Visitors to www.jazzinthegardens.com can register to receive updates, blog, view pictures from past events, or look-up information for the 2009 event.
- The MLK committee is active and has been meeting on a regular basis. The 2009 event program is coming together and is set to take place on the weekend of January 16-19, 2008. The weekend will include various literary contest (poetry and oratorical), a Service for Peace event and 5th Annual MLK Celebration event at Miami Carol City Park. For more information about the event program including time and schedule, vendors, literary events, sponsorships and much more, please visit www.miamigardensmlk.com.
- Planning for the 2009 Miss Miami Gardens Scholarship Pageant has been underway. Recruitment has begun for Miss Miami Gardens 2009. Young ladies between the ages of 17 -24 living and/or attending school in the City of Miami Gardens are eligible to participate. The 2009 Miss Miami Gardens titleholder will be awarded with a \$2500 scholarship along with other prizes and the opportunity to participate in the Miss Florida Pageant. Runner-ups will also receive scholarship prizes. Please visit www.missmiamigardens.com for more information.
- Ula Zucker, Media and Events Coordinator, attended the 3CMA Conference (City, County Communications and Marketing Association) in October granting her an opportunity to network with other Cities and Counties to learn new, innovative and cutting edge communication and marketing tools they are you using both internally and externally to communicate and market to employees and the general public.
- Festival of Carols which will be held on Sunday, December 14, 2008, at Brentwood Park in Miami Gardens from 5p.m.-7p.m. The festivities will include live choirs, bands and entertainers; the annual Christmas tree lighting by the Mayor and Council; and a visit by

Santa. This event will be followed by a holiday family movie in the park. Parking and admission are free. Refreshments on sale at the park.

- The November 2008 online newsletter was delivered to over 3000 subscribers.
- Our public relations efforts are ongoing. Please see the Community Outreach Department for press clippings, pictures or items of the sort. We are also placing advertisement and purchasing media for other departments.

PURCHASING (Pam Thompson)

1. Prepared and issued five bids/RFP:
Median Light Improvements
Pre-Qualification of General Contractors & Painters – CDBG
Financing Services
Industrial-Residential Stormwater Improvement Project
Purchase Kawasaki Mules
2. Prepared and issued quotation
Norwood Pool Locker Rooms repairs
Printing Newsletter
North Building Electrical Work
North Building Furnish & Install A/C unit
Repair Courts @ Brentwood Park
3. Preparing specifications for the following:
Printing Services – city wide
Annual Contract for Storm Drain & Canal Maintenance
Long & Short Term Disability Insurance
Annual Contract for Bus Service
Installation of Security System – City Hall
Annual Contract for Wiring/Cabling Services
Bus Transportation Services
Architectural Services – Roadway Improvements
CDBG Demolition Services
4. Issued 281 Purchase Orders
5. Continue to maintain Fixed Assets (ongoing)
6. Continue to order and assist with auditing fuel card program
7. Continue to train and assist City staff on Eden software
8. Continue entering contracts into Contract Management (ongoing)
9. Continue entering vendors into Bids & Quotes – bid vendors (ongoing)
10. Assist IT with preparation of vendor on-line registration

Purchases \$25,000-\$50,000			
Date	Vendor	Service/Project	Amount
11/4/08	Air B Bus Transport	Bus Service - Parks	\$30,000.00
10/20/08	WW Grainger	Yrly Blanket Order – misc items	\$32,500.00

INFORMATION TECHNOLOGY (Ronald McKinze)

IT Dept Overview

This Status report covers the activities of the Information Technology Department for the period from 10/16/2008 through 11/14/2008. It is organized into the following areas:

- Significant Accomplishments
- Significant Issues
- Schedule Status
- Travel Activity

Accomplishments from Month:

- Deployed laptops to P&Z, Acting ACM, Acting Parks Director, all Sgt and above, all new PD officers, HR Asst Director and many others which are on the Hurricane Preparedness Response Team.
- Upgrade monitors for Community Development. Also upgraded monitors for those with difficulty seeing.
- Upgraded EDEN Cashiering modules.
- Attended EDEN annual conference with a large contingency of other CMG staff. Guided staff to take beneficial courses which would help in the EDEN user experience at CMG
- Organized and lead a contingency of CMG staff for an EDEN demo at Palm Beach Gardens. This allowed various departments to see a successful implementation of EDEN at a city similar in size to Miami Gardens. The result has been motivation for all departments to work together to develop a successful implementation of EDEN at CMG.
- Created and deployed a “City Publication” icon on the City Web Site. This allows individuals to see many of the cities publications on line in its entirety.
- Continued updating the PD and City website. This included adding a Stormwater site with flood plain information that can be retrieved externally by citizens.

- Created and distributed instructions for receiving and viewing pay stubs via email or over the web. This was distributed to all CMG staff via email and the intranet.
- Deployed additional desktops to Parks.
- Worked with Procurement to get bids and place order for low voltage cabling in the new build out in Suite 300 and 400. Ordered low voltage cabling and electricity for suite 128 and 100.

- Significant Issues
 - Major Power Outage on the City Hall campus. IT was able to bring up all users and equipment within 3 hours after power was turned on.
 - CMG staff had issues accessing paystubs last pay period. IT created and disseminated instruction to all.
 - Continue experiencing issues with the L3 cameras in the Police vehicles. Working with L3 on a resolution. May have to put fans in the back of the vehicle to keep the unit cool.
 - Microsoft issued a critical patch that must be applied to all servers. We have updated all of the servers in CH last weekend. We will upgrade all servers at PD this weekend.
 - Continue experiencing issues with Motorola MCTs in the police vehicles. WE are now only ordering DELLs and continue researching the latest in technology to keep our PD safe and current.
 - Working with Procurement to get a Mechanical Engineer to produce a Mechanical drawing for Suite 300. We must also size and order an air-conditioning unit for the computer room. Until AC unit is installed, no computer equipment can be installed and no users will be able to occupy that space.
 - Additional equipment needed for redundancy of CAD, RMS and other services as PD. Cost for all equipment expected to exceed \$50K.

- Schedule Status
 - Office 2007 deployed to 95% of CH users and all of PD users. Expected completion for all CMG is end of November

- New Antivirus software deployed to 95% of CH users and all of PD users. Expected completion for all CMG is end of November
- Put port security deployment on hold. Will resume after MS critical patches have been deployed and no issues realized for 30 days.
- Purchase and establish redundancy of PD applications as soon as possible.
- Looking for Call Accounting System
- Looking for Asset Management System
- Found training course for email monitoring systems. Sending Tristan to the course in January of '09.
- Scheduled date for relocation of Parks, IA, Procurement, CIP, CSG and IT is before the end of the year. Most furniture have been ordered.

- Travel Activity
 - Chassaing Paul attended Time Management Training in November '08.
 - Ron McKenzie and Ricardo attended EDEN conference at the end of October.
 - Sylvia Simmons attended Cross Avaya training in Minnesota in November '08.
 - Ron scheduled to attend Six Sigma training December '08
 - Ricardo scheduled to go to new Managers Training in January '09.
 - Claude Charles scheduled to go to ICND Cisco training in January '09.
 - Mbaxi scheduled to go to new Manager Training in December '08.
 - Tristan scheduled to go to ISA (email monitoring system) training January '09
 - Tristan scheduled to attend Laserfiche Conference January '09
 - Mbaxi scheduled to attend Web Master Development conference March '09
 - Ricardo scheduled to attend Microsoft Annual Conference May '09.

FLEET SERVICES (Herman Bruce)

Attend meeting in City Hall Conference Room chaired by Mr. H. McHugh, return to office and discuss essence of meeting with staff, continued to review last week's paperwork and schedule needed services. Visit EVS in Coral Springs to evaluate building status on new PD Vehicles, addressed concerns and set up an appointment for next day inspection and testing. Visit EVS to check on recommended changes and evaluate equipment operation. Give go-ahead on production. Meet with Asst. City Manager Mr. H. McHugh to review performance evaluation and routine department meeting. Return to EVS to make final inspection and approve vehicle delivery; scheduled delivery of vehicles for 10/21/2008 to end of week. Attend Fleet Manager's Training Seminar. Meet with departments to discuss specifications for new vehicle purchasing, review Vendor invoices, Work complete,

Vehicle Condition Reports, Fuel receipts, and Fuel reconciliation report with staff and requested missing information from departments to complete all reports.

Meet with Asst. City Manager Mr. H. McHugh to give report on department's status. Assist with weekly fleet inspection and minor repairs. Attend Department Directors Meeting, brief staff on meeting procedures, review last week's inspection reports, schedule repairs and process purchase requisitions. Meet with interm Asst. City Manager Ms. V. Nelson to discuss department's status. Attended and assist in procurement's reverse trade show. Performed Complete Fleet Inspection with assistance of Fleet's Service representative.

Fleet Service Rep. performed weekly vehicle inspections on all city owned vehicles, performed minor repairs and assisted in receiving all new Police Vehicle. Install Tags, Fire Extinguishers, First aid Kits, Registration and "uniformed" Hub Caps on all new vehicles. Coordinated and monitored status of vehicles pick up and drop off for routine service, repairs, and warranty repairs.

Review weekly vehicle Checklists and perform minor repairs. Review weekly vehicle checklist, coordinate services and repair for vehicles with concerns. Maintain spare tire inventory at PD lot.

Fleet services Administrative assistant performed weekly fuel reconciliation and mileage report for all departments. Assist fleet services manager with final preparations for new marked vehicles including order for Sun Passes and emergency equipment installation. Assisted Fleet services representative with reconciliation of vehicle data and recording, checklist management for all city owned vehicles. Prepared original documents for drop off at Tag agency for all new vehicles purchased. Continue with ongoing original vehicle documentation files for Assistant City Manager. Receive on invoices for purchases and services rendered. Update Vehicle Inventory, Service status and Mileage report to include any missing information captured during Fleet inspection by Fleet Services Rep, in default fields.

PARKS & RECREATION DEPARTMENT REPORT (Kara Petty)

A.J. King Park

- There are 24 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 21 children visiting Laser Fun Zone, and on November 4th fifteen children attended AMF Bowling Lanes.
- There is line dancing taking place in Wednesday, Thursday and Friday nights, 6:30pm -8pm.
- Golden Glades Optimist Club is in playoffs; therefore they still are practicing Mondays through Fridays, 6:30 pm -8:30pm.

Brentwood Park

- There are 39 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts,

creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.

- Kids Day Off took place on October 24th with 42 children visiting Laser Fun Zone, and on November 4th forty-two children attended AMF Bowling Lanes.
- North County Optimist Club is in playoffs; therefore they still are practicing Mondays through Fridays 6:00-8:00pm.
- Seniors are meeting every Monday to enjoy social interaction and recreation activities. On October 22nd, the Seniors traveled to Las Olas Riverfront Movie Theater.
- The remaining murals were painted on the pillars.

Buccaneer Park

- There are 21 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 21 children visiting Laser Fun Zone, and on November 4th nineteen children attended AMF Bowling Lanes.
- Seniors are meeting every Friday to enjoy social interaction and recreation activities. On October 22nd, the Seniors traveled to Las Olas Riverfront Movie Theater.
- Mondays – Tuesdays, 6:30-7:30pm Seniors are engaged in Line Dancing lessons.
- Mondays –Thursdays, 6:30-7:00am Seniors exercise around the park.
- Line dancing lessons are offered on Saturdays from 8:30a.m.-12:00noon for all ages.

Bunche Park

- There are 11 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 10 children visiting Laser Fun Zone, and on November 4th ten children attended AMF Bowling Lanes.
- Bunche Park Optimist Club is in the playoffs; therefore they still are practicing Mondays through Fridays 6:00-8:00pm.
- Seniors are meeting every Friday to enjoy social interaction and some recreation activities. On October 22nd the Seniors traveled to Las Olas River Front Movie Theater.
- The sidewalk around the park is complete and they are working on the turf pavers which serve as an area for overflow parking.

Cloverleaf Park

- The Seniors Club has resumed meeting on Wednesdays and they have 30 in attendance. On October 18th the seniors traveled to Las Olas River Front Movie Theater.

Lake Lucerne Park

- There are 14 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 20 children visiting Laser Fun Zone, and on November 4th fourteen children attended AMF Bowling Lanes.
- There is line dancing taking place on Tuesday and Thursday nights from 6:30pm until 8pm.

Miami Carol City Park

- There are 19 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 15 children visiting Laser Fun Zone, and on November 4th eighteen children attended AMF Bowling Lanes.
- Due to construction, programming and rentals have been moved to Myrtle Grove Park until further notice.
- Walkers exercise around the park starting 7:00a.m. every morning.
- Miami Gardens Optimist Club is in the playoffs; therefore they still are practicing Mondays through Fridays 6:30-8:30pm.

Myrtle Grove Park

- There are eight children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 17 children visiting Laser Fun Zone, and on November 4th sixteen children attended AMF Bowling Lanes.
- The exterior of the building was painted.
- Miami Gardens Optimist is in playoffs; therefore they are practicing Monday through Friday 6:00-8:00pm.

Norwood Park

- There are 31 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 36 children visiting Laser Fun Zone, and on November 4th thirty-five children attended AMF Bowling Lanes.

- North Dade Optimist Club is in the playoffs; therefore they still are practicing Mondays through Fridays 6:30-8:30pm.
- The softball field has been laser leveled.

Rolling Oaks Park

- There are 40 children enrolled in the Shining Stars After-School Program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, etc. In addition to, having certified teachers improving their reading, math and science skills. We participated in the National Lights on Afterschool on October 16th with family members coming out to observe what the after-school program has to offer.
- Kids Day Off took place on October 24th with 49 children visiting Laser Fun Zone, and on November 4th forty-nine children attended AMF Bowling Lanes.
- Line dancing lessons taking place on Wednesdays, 6:30pm until 8:00pm.
- Seniors are meeting every Thursday to enjoy social interaction and some recreation activities. On October 22nd the seniors traveled to Las Olas Riverfront Movie Theater.
- The resurfacing of the basketball courts is in process.

Scott Park

- There are 24 children enrolled in the Shining Stars After-School program. The children are engaged in various activities such as homework assistance, arts & crafts, creative indoor and outdoor activities, chess, and certified teachers. We participated in the National Lights on Afterschool on October 16 with family members coming out to attend and see what the afterschool program has to offer.
- Kids Day Off took place on October 24th with 32 children visiting Laser Fun Zone, and on November 4th thirty-four children attended AMF Bowling Lanes.
- Scott Lake Optimist Club is in the playoffs; therefore they still are practicing Mondays through Fridays 6:30-8:30pm.
- The recreation center has been painted.

Vista Verde Park

- Vista has been operating a community program for school-age children. The program allows children in the community to interact with others in a structured environment.
- During Kids Day Off on October 24th the children enjoyed a Movie Day and received pop-corn, and on November 4th they attended AMF Bowling Lanes.
- The children in the community ages 5-12 also have the opportunity to participate in the drop-in program where they will receive homework assistance, outdoor activities, and a snack. The program operates Monday through Friday.
- Grand Opening Celebration for the new playground took place on October 24th, where neighbors enjoyed music and ice cream.

Athletics

- **Sports Development:** The Goal Getters Soccer Program has begun at AJ King Park. Twenty-five children are learning the fundamentals of the game, team work, and camaraderie. The program will run through December 20th and is only \$10 per child.
- **Saturday Tennis:** The instructional tennis program runs on Saturdays at Buccaneer Park starting at 9am. It will continue for the entire school year and is only \$10 per month.

- **Walking Club:** The Walking Club currently has 22 members and we will be meeting monthly to set personal and team fitness goals.
- **Marian Center:** The exercise and arts & craft track began with the Marian Center on October 7th at Buccaneer Park. Recreation Staff are coaching participants through a variety of fitness activities and craft projects. This track will run through December 9th. There are currently 25-30 participants from the Marian Center.

Teen Programs

- Our Teen Leadership Academy has wrapped up the Environment & Science Track which lasted the duration of the first nine weeks of the school year.

For the second nine weeks the teens will focus on Sports, Media, and Entertainment. Six guest speakers and several trips have already been lined up including a trip to one of the Miami Heat games which will hopefully include a behind-the-scenes tour.

The number of participants enrolling in our program has continued to increase. We now have 28 participants.

- **October 24th,** the teens were out of school so the program participated in cleaning up Sunshine Parkway which is the road adopted by our program.

During that the evening participants visited the City of North Miami Beach Parks and Recreation Department, who hosted a Step Show and Teen Dance.

- **November 4th,** the Teen Leadership Academy visited the Museum of Contemporary Art in North Miami, where a tour guide lectured and allowed us to view modern art displayed in the museum.
- **November 13th,** Departmental Staff , Rashod Smith and Rodney Best, will facilitate a discussion with the participants of the program regarding the sports field, relating to them their past experiences in sports in high school, college and the present. They will also highlight how sports influenced their choice of college majors and their current careers.
- **November 14th,** the Teens will travel to the American Airlines Arena, where they will watch the Miami Heat take on the Washington Wizards.
- **November 15th,** the Teen Leadership Academy and the Parks and Recreation Advisory Board planted a garden at Andover Park. After their hard work the teens enjoyed an afternoon at Norwood Pool.

Training

- The Recreation Leaders attended the Florida Recreation and Parks Association Southeast Region meeting on October 22nd in Tamarac. They participated in numerous educational sessions and a business luncheon.

Meetings:

- 10/15: Family Fall Festival; Meeting with Opa-Locka Police Department; Strategic Partners
- 10/16: Capital Improvement Projects Progress; Lights on After-School; Bunche Park Neighborhood Revitalization Strategy Area (BPNRSA); Parks and Recreation Advisory Board
- 10/17: MGCC Change Order; Brentwood Tennis/Basketball Courts
- 10/20: Playground Committee
- 10/21: We Achieve Organization; MGPD Weekly Briefing; P& R Management Team
- 10/22: Agile Courts ref; Rolling Oaks Project; CET law Enforcement Committee; City Council
- 10/23: Capital Improvement Projects Progress
- 10/23: Family Fall Festival
- 10/24: Vista Verde Playground Grand Opening
- 10/27: Playground Committee
- 10/28: Family Fall Festival; Miami Carol City High School Observation Team
- 10/29: MGCC AE and Staff Coordination; Pre Construction ref: new courts at Rolling Oaks
- 10/30: Capital Improvements Projects Progress; YWCA
- 11/4: Playground Committee; Festival of Carols
- 11/5: Jazz in the Gardens Planning; Strategic Partners
- 11/6: Council Agenda; T-Mobile
- 11/7: Recreation Superintendent Interviews; Fleet Update
- 11/10: Livable Neighborhood Brief; MDPS Town Hall
- 11/12: Strategic Partners; City Council
- 11/13: Interviews for Children's Trust Grant positions

PARKS MAINTENANCE DIVISION

A J King Park

- 26 Janitorial visits to clean park
- Premises blown 1x
- 3 Landscaping visits
- Grass cut & watered grounds
- 10/10, 10/27 & 11/6 Inspected and troubleshot system
- 10/31 & 11/5 Installed new sod
- 9/11 Painted edges of sidewalk
- 10/23 Removed the trailer siding from north side of trailer
- 10/27 Took out and demolished the trailer ramp
- 10/29 Removed metal pieces from bench frame
- 10/31 Cleared the space where the old trailer was located
- 10/31 Re-installed the welcome sign
- 10/31 Re-installed the 2 poles with concrete for trailer frame
- 11/3-11/4 Received 3 pallets of grass and installed
- 26 Trash removals

Andover Park

- 19 Janitorial visits to clean park
- Premises blown 1x
- 1 Landscaping visits
- Grass cut & watered grounds
- 10/10 & 11/6 Inspected and troubleshot system

- 10/17 Drained and cleaned fountain
- 19 Trash removals

Brentwood Park & Pool

- 25 & 26 Janitorial visits to clean sites
- 3 & 3 Landscaping visits
- Grass cut & watered grounds
- 10/9 (pool) Located irrigation heads & troubleshot system
- 10/14 (pool) Located valve box
- 10/10, 10/27, 10/30 & 11/6 Inspected and troubleshot system at pool as well
- 10/29 Changed a broken valve
- 25 & 26 Trash removals

Buccaneer Park

- 26 Janitorial visits to clean park
- 2 Landscaping visits
- Premises blown 1x
- Grass cut & watered grounds
- 10/29 Replaced 2 basketball nets
- 10/10 & 11/6 Inspected and troubleshot system
- 11/5 Repaired damaged BBQ grille
- 26 Trash removals

Bunche Park & Pool

- 25 & 21 Janitorial visits to clean sites
- 3 & 1 Landscaping visits
- Grass cut & watered grounds
- 24x & 0x premises blown
- 9/26 Repaired fence along canal near 22nd Ave
- 10/21-10/22 Planted flowers and mulched
- 10/10 & 11/6 Inspected and troubleshot system
- 10/6 Pressure cleaned and painted sidewalks, steps and ledges yellow traffic
- 10/29 Reset breaker for football pole lights
- 10/30 Replaced 3 basketball nets
- 25 & 21 Trash removals

Bunche – 15620 W. Bunche Park Drive

- 0 Janitorial visits to clean site
- 0 Landscaping visits
- 0 Trash removal

MGCC Acreage

- 2 Landscaping visit
- 2 Trash removal

Cloverleaf Park

- 21 Janitorial visits to clean park
- Premises blown 1x
- 1 Landscaping visits
- Grass cut & detailed grounds

- 10/10 & 11/6 Inspected and troubleshot system
- 10/21 Installed replacement playground parks
- 10/24 Mixed wood in playground
- 21 Trash removals

Inspection Station

- 19 Janitorial visits to clean site
- 10/11, 10/31, 11/1& 11/7 Cleaned trucks
- 2 Landscaping visits
- 10/14, 10/23, 10/27 & 10/31 General maintenance on equipment (check oil, sharpen blades, etc)
- 19 Trash removals

Jordan's Landing

- 2 Landscaping & Trash removal visits

Lake Lucerne Park

- 25 Janitorial visits to clean park
- Premises blown 1x
- 3 Landscaping visit
- Grass cut & watered grounds
- 10/10 & 11/6 Inspected and troubleshot system
- 10/16 Fertilized plants and trees
- 25 Trash removals

Miami Carol City Park

- 51 Janitorial visits to clean park
- Premises blown 1x
- 3 Landscaping visits
- Grass cut & watered grounds
- 10/10 & 11/6 Inspected and troubleshot system
- 10/14 Repaired broken picnic table under pavilion
- 10/27 Removed metal pipe coming out the ground
- 10/30 Replaced broken swing on playground
- 10/31 Removed trash from the roof tops of restrooms
- 11/3 Replaced all Baywest dispensers & screen for wall opening in women's restroom
- 11/3 Covered hole with white sand
- 11/4 Repaired a break in main line
- 51 Trash removals

Miami Job Corps

- 25 Janitorial visits to clean site
- 3 Landscaping visits
- Grass cut & detailed grounds
- 25 Trash removals

Myrtle Grove Park & Pool

- 29 & 21 Janitorial visits to clean sites
- Each premises blown 1x
- 1 & 1 Landscaping visits

- Grass cut & watered grounds
- 10/10 & 11/6 Inspected and troubleshot system
- 10/30 Replaced 1 basketball net
- 11/3 Changed some broken irrigation heads
- 29 & 21 Trash removals

North Dade Optimist Park

- 25 Janitorial visits to clean park
- 3 Landscaping visits
- Grass cut & detailed grounds
- 25 Trash removals

Norwood Park & Pool

- 28 & 20 Janitorial visits to sites
- 1 & 1 Landscaping visits
- Each premises blown 1x
- 10/10 & 11/6 Inspected and troubleshot system
- 10/15 Replaced pump line flange
- 10/20 (pool) Repaired pump room door
- 28 & 20 Trash removals

Risco Park

- 25 Janitorial visits to clean park
- 2 Landscaping visits
- 11/4 Removed a piece of glass in toilet that prevented the unit from working
- 11/6 Painted east wall
- 11/7 Contacted contractor Main Line for clogged drain line
- 25 Trash removals

Rolling Oaks Park

- 24 Janitorial visits to clean park
- Premises blown 1x
- 1 Landscaping visit
- Grass cut & detailed grounds
- 10/10 & 11/6 Inspected and troubleshot system
- 10/15 Replaced broken wood planks in wooden fence near playground
- 24 Trash removals

Scott Park

- 25 Janitorial visits to clean park
- 1 Landscaping visits
- Premises blown 23x
- Grass cut & trimmed trees
- 9/22 Installed bulletin flyer board
- 10/7 Changed a valve, a broken line and troubleshot system
- 10/10 & 11/6 Inspected and troubleshot system
- 10/15 Repaired ice cooler & water fountain cup holders
- 10/29 Installed janitorial sign back on side door enter
- 10/29 Repaired 2 water fountains
- 25 Trash removals

Vista Verde Park

- 25 Janitorial visits to clean park
- Premises blown 1x
- 3 Landscaping visits
- 9/30 Installed 6 perimeter garbage cans
- 10/10 Installed new deadbolt and door knob for storage room
- 10/9 Removed debris
- 10/10 & 11/6 Inspected and troubleshot system
- 10/22 Dumped white sand around the new playground
- 10/24 Back-filled the playground with sand
- 10/31 Repaired water fountain
- 11/3-11/4 Received and installed 2 pallets of grass
- 11/5 Replaced toilet seat in men's restroom
- 10/15 Filled large holes around premises
- 10/23 Mulched Tot lot
- 11/5 Installed sod
- 25 Trash removals

201st Street and 39th Ave.

- 1 Landscaping visit
- 1 Trash removal

ASSISTANT CITY MANAGER FOR BUSINESS SERVICES (Dan Rosemond)

- N/a new.

COMMUNITY DEVELOPMENT BLOCK GRANT/HOUSING (Daniel Rosemond)

Enclosed is a list of tasks completed during the October 15, 2008 – November 15, 2008 reporting period.

- In our continual effort to establish a viable financial literacy program, CD has for the past year, been trying to join forces with a compatible organization to provide a curriculum based program to eligible City residents. This month we had a promising meeting with a non-profit organization by the name of *Partners for Self-Employment*. This organization receives funds to provide matching funds for Individual Development Accounts (IDA's). We are waiting for them to identify a physical space in the City where their classes can be conducted. Once established, we can consider establishing a sub-recipient agreement to carry out a program that meets our desired criteria.
- As identified in our 2006-2011 Consolidated Plan, it was CD's intent to establish Neighborhood Revitalization Strategy Areas (NRSA) where a concentration of funding and programming could be invested in order to revitalize severely distressed areas. This month staff conducted the 2nd required stakeholder's meeting in order to complete this process. CD staff will now amend our Annual Action Plan to reflect the programs that will be carried out as part of this effort.
- In preparation for the Neighborhood Stabilization Program, HUD conducted a regional workshop in Orlando (10-16-08) where detailed information was provided about the

specifics of the program. There were over 300 grantees represented and several HUD officials outlined the parameters of the program. Staff subsequently conducted a workshop for Council (on 10-30), where the public was also invited to attend. And the City's draft plan was subsequently approved by Council at their November 12th Council Meeting.

- As a follow-up to an employee survey provided several months ago, CD conducted a "lunch and learn" session to teach interested employees about homeownership. The presentation was conducted by a licensed realtor as well as by representatives from Wells Fargo Bank. Approximately 30 employees attended and were given essential information about the homeownership process. Staff feels that through the NSP, we may be able to assist some qualified employees to purchase a home in the City.
- Staff was approached by Jim Kraft (Kraft Development II, LLC) about an assisted living facility project in the former Parkway Hospital facility. The principal is doing his due diligence about the feasibility of gutting the existing building and obtaining approval for a high-end ALF at this location.
- CD staff held a meeting with several realtors to discuss their plans for the NSP. It is staff's intent to utilize licensed realtors to assist the City in purchasing the properties from the banks. Staff will select 3-4 realtors through a formal solicitation process to be done in the coming weeks. It is expected that the realtors will be compensated a flat fee for each property for which they are able to negotiate a successful purchase.
- The construction permit for the Stop N Shop (N.W. 40th Avenue & 167 Street) has been issued! This is a façade project that is partly funded with County funds and has been in the pipeline for quite some time. Construction should commence immediately and should be completed within 90-120 days. The City's agreement with the County will need to be extended, as it expires on December 31, 2008.
- In September, CD staff held an Economic Development Workshop with City Council and other business stakeholders. One of the objectives of that workshop was to identify the 10 retailers to which the City would market. Buxton Company would prepare the marketing packages and provide the City with the contact person for those retailers. That process has been completed and the following retail establishments were identified:
 - **Retailers**
 - Beall's
 - Christopher & Banks
 - Country Kitchen
 - Red Robin
 - Shoney's
 - Smokey Bones
 - Texas Roadhouse
 - Applebee's
 - Olive Garden
 - Red Lobster

Buxton has established initial contact with the contact person for each of these retailers and CD staff will follow-up within a week before the packages are sent out.

Participated in the following meetings:

- NSP meeting sponsored by Federal Reserve Bank (10-24)
- Housing Finance Authority Board Meeting (10-27)
- Site visit with the Mayor & Comm. Jordan to the Little Haiti Community Center (10-29)
- NSP Council for Workshop/Public Hearing (10-30)
- Meeting with executive director of Switchboard of Miami to discuss a program to assist seniors in the City (10-31)
- Business Roundtable breakfast (with Councilman Gilber) (11-14)

DEVELOPMENT SERVICES (Jay Marder)

PLANNING – Jay Marder and Bhairvi Pandya

- **School Concurrency – Implementation** – The City is working towards participating in the web-based School Concurrency Management System set up by the School Board. The Building Department will be the initial intake for most typical building permits. Planning and Zoning will process CDMP and rezoning/site plan/platting applications. Received demonstration from School Board representative.
- **Capital Improvements Element – List of Capital Improvements** – On November 5 the City Council, acting as Local Planning Agency, and the City Council, adopted the updated list of capital improvements and related changes to the Comprehensive Development Master Plan. All advertisements and procedures were followed. The amendment package has been transmitted to the Florida Department of Community Affairs.
- **Water Supply Facilities Amendment to Comprehensive Development Master Plan** – Ongoing- Now that the required Capital Improvements Element List of Capital Improvements amendment is complete, staff is moving back to the Water Supply related amendments which will involve amending several elements of the CDMP.
- **Subsidized Housing Study** – Data and analysis has been completed; developing a presentation for City Council with recommendations.

LAND DEVELOPMENT REGULATIONS - Jay Marder, Bhairvi Pandya, Cyril Saiphoo

- **Schedules Received from Consultant for Miami Gardens Zoning Code** – Reviewed the below schedules from Iler Planning Group. Transmitted the City's review of same. Anticipate revisions from IPG by November 21:
 - SCHEDULE A: GENERAL DEFINITIONS
 - SCHEDULE B: LAND USE DEFINITIONS
 - SCHEDULE C: TABLE OF PERMITTED USES
 - SCHEDULE D: AREA AND DIMENSIONAL REQUIREMENTS
 - SCHEDULE E: DESIGN CRITERIA

- SCHEDULE F: ADDITIONAL REQUIREMENTS AND CRITERIA FOR SPECIFIC USES
 - SCHEDULE G: PLANNED CORRIDOR DISTRICT
 - SCHEDULE H: LEVEL OF SERVICE STANDARD FOR CONCURRENCY
 - SCHEDULE I: SIGNS
 - SCHEDULE J: PARKING
 - SCHEDULE K: STREETScape, LANDSCAPE, TREE AND BUFFER REQUIREMENTS
 - SCHEDULE L: ENVIRONMENTAL RESOURCE PROTECTION
 - SCHEDULE M: NONCONFORMING USES AND STRUCTURES AND VESTED RIGHTS
 - SCHEDULE N: ALCOHOLIC BEVERAGE SALES AND ACTIVITIES
 - SCHEDULE O: ADULT ENTERTAINMENT USES
 - SCHEDULE Q: WORKFORCE HOUSING
- **Sign Code** – Prepared draft revisions to the Sign Code based on October Zoning Meeting with City Council. To be presented at December Zoning Meeting.
 - **Dolphin Center DRI** – As authorized by the City Council, staff transmitted a letter to the Florida Department of Community affairs that outlined the City’s objections to the Development Order adopted by Miami-Dade County Commission.
 - **Dolphin Center Permitting Issues** - Several meetings with Miami-Dade County staff to consider this matter have been rescheduled by the county. At this date, the rescheduled meeting date is December 9.
 - **Landmark Property Rezone and Comprehensive Development Master Plan** – Miami-Dade County’s application to amend the county’s CDMP to provide for mixed use development of land fronting 199th Street and 47th Avenue was discussed with the City Council at the November Zoning Meeting. Staff attended a portion of the BCC’s November 6 meeting. Eventually the BCC voted to withdraw the application. County staff stated that a market analysis was needed as well as a need to identify funding for necessary infrastructure improvements.
 - **City Strategic Plan** - Participated in Economic Development Strategy session with consultant and City staff.

ZONING - Cyril Saiphoo, Nixon Lebrun, Marilu Gunness, Jacquelyn Gardner

- Public Hearings
 - Processed and prepared Calder Race Track Unusual Use for Casino Gaming, attended and comments for DRC review of Calder Race Tract redevelopment plan. Contracted with Corradino to review applicant’s traffic study. Coordinated with Police Department to obtain analysis of impact on Police services.
 - Followed up with Lakeside Villas modification to Declaration or Restrictions application.
 - Follow up on Norwood Water Treatment Plant Declaration conditions; verbal with NMB officials.
- EDEN
 - Attended site visit to City of Palm Beach Gardens for EDEN demonstration.

- Attended conference in Dallas, TX on EDEN
- Building Permits
 - Conducted 70 building plan reviews
 - Conducted 12 site inspections
- Sign Code Permits:
 - 7 sign plan permits processing
 - 2 window sign permits processed
 - 3 Temporary sign permits processed
- Verification Letters
 - Processed 5 Zoning Verification Letters including a request for a group home facility for the old hospital building.
- Address Assignments
 - Processed 3 new Address Assignment;
- CRHs
 - Processed 22CRH (Community Residential Home or Group Home) 1,000' radius verification letters; in addition, sent letters to old approved applicants to determine if any action has been taken to establish a CRH in order remove from "approved" inventory of homes if not action taken.
 - Inspections of 6 CRH on list but not verified in operation as part of ongoing data base update.
- Certificate of Uses
 - Reviewed 75 Certificate of Use/ Occupational License Applications
 - Denial of 2 CU applications
- Plats
 - 1 plat application processed
- Special Requests:
 - Prepare info for Public Information request by Rodger Bakerman, This included interface with Miami-Dade County.
 - Review and prepare letter for Brian Adler, Esq. for request to confirm development rights on property located at NW 7 Ave. and County Line Road
- ASPRs/Substantial Compliances/Administrative Variances
 - Review ASPR for Warren Henry Dealership
- Pre-Development meetings:
 - **Warren Henry Dealership** – Pre-application meeting with architect and Warren Zinn on new dealership and process.
 - **T-Mobile Site Feasibility** – Meeting with T-Mobile on site. Follow up with Zoning Verification letter. **Parks and Recreation Monument Signs** – Met with Recreation Department representative to review requirements for a Sign Plan so that monument signs can be placed at the City's parks.
 - **Norwood Treatment Plant of North Miami Beach** – Reviewed site to determine compliance with recent resolution. Working with NMB to insure compliance.
 - **Enforcement:** Prepared and testified at Special Masters on Rodger Bakerman case for unauthorized use; Bunny's West Indian store.

GIS and EDEN – Bhairvi Pandya

- Public Works Coordination – Met with PW staff to coordinate sharing of GIS data with Public Works and provided specific GIS data information.

- GIS Maps-
 - ✓ Created 6 CRH Maps with 1,000 feet radius.
 - ✓ Created 3 Zoning maps for owner notification listing (Calder Race Course).
 - ✓ Draft New LDR Zoning Map: Continuing to update new LDR zoning draft map to reflect new proposed zoning districts and assist consultants in developing City's first LDRs.
 - ✓ Participated in Eden meeting at Palm Beach Gardens. Discussed details on Planning and Zoning Department's two out of three main issues: 1) Parcel refresh, and 2) Activating GIS/Mapping function.
 - ✓ Religious Facility map: Coordinating with Public Outreach Department to produce a Religious Land Use map for the City.
 - ✓ Public Lands and Community Facility Map: Begin review of inventory and cross checking of information to produce GIS map.

OTHER DEVELOPMENT MANAGEMENT AND PLANNING ACTIVITIES

- **Coconut Cay/Andover Improvements** – Continued coordination of conditions of zoning resolution; resolved clarification of condition to repave 204th with staff and developer; the street does not need to be repaved; instead, a large segment of broken sidewalks is being redone to meet that stipulation.
- **Miami Dade MPO** – Represented city at monthly meeting

Miscellaneous Activities

- **FDOT Five Year Work Program Briefing** – As a voting member of the Metropolitan Planning Organization, Miami Gardens receives an annual work program briefing by FDOT representatives. This was attended by Tom Ruiz, Public Works Director, Bhairvi Pandya, Senior Planner, and Jay Marder, Development Services Director. It was discovered that a planned FDOT landscape project on State Road 7 had already been accomplished by the City. FDOT is to review this matter and allocate those funds for other state roads in the City, possibly Miami Gardens Drive or the northerly segment of State Road 7.
- **Park Signage** – The Department is facilitating the preparation of Sign Plans for the City's Parks in order to speed up the installation of existing monument signs similar to the City's entry signs.
- **Consultant Selection** – Assisted Procurement in reviewing and ranking about 40 proposals for planning, engineering, architectural and surveying services
- **Miami-Dade Planners Technical Committee** – The Department hosted the November Planners Technical Committee.
- **Miami-Dade Growing Together: Countywide Dialogue on Defining a Vision** - Attended and participated in program at Biltmore on October 24.
- **PLANNING INTERN** - Benjamin J. Sens and Bhairvi Pandya

- **Capital Improvements Element (CIE)** – Coordinated with the City Manager and Finance Departments and completed all relevant CIE tables for Goals, Objectives and Policies and Data, Inventory and Analysis.
- **Religious Facility Inventory- Ongoing-** Completed update to existing inventory of all religious facilities within the City including folio numbers and facility contact information. Next step will be to create a new GIS map of same.
- **City-wide contacts master list-** Ongoing -Developing a master contact list from existing contacts.
- **GIS Day November 21, 2008-** GIS Day Exposition – Event will include three schools and three classes from elementary and middle schools in Miami Gardens. Successful in obtaining confirmation several sponsors and vendors, FAU Visual Planning Technology Lab, FIU Metropolitan Center. Invitation letters and email invites sent to agencies and elected officials.