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CITY COUNCIL MINUTES
August 20, 2003

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**CITY OF MIAMI GARDENS
MINUTES OF THE WENDESDAY, AUGUST 20, 2003
MEETING OF THE CITY COUNCIL**

Miami Norland Senior High School
1050 N.W. 195 Street
Miami Gardens, FL 33169

1. CALL TO ORDER; ROLL CALL

Mayor Gibson called the meeting to order at 7:05 p.m. The following members of the City Council were present:

Mayor Shirley Gibson
Vice Mayor Aaron Campbell, Jr.
Council Member Barbara Watson
Council Member Audrey J. King
Council Member Melvin L. Bratton
Council Member Sharon Pritchett
Council Member Oscar Braynon, II

The following staff members were present:

Interim City Attorney Hans Ottinot
Interim City Manager Cynthia Curry
Transitional Coordinator William J. ~~King~~ Green
Acting City Clerk Meighan Pier

2. INVOCATION

Mayor Gibson read the Athenian Oath.

3. PLEDGE OF ALLEGIANCE

William Green led the audience in the pledge of allegiance.

4. APPROVAL OF MINUTES:

- 4A) APPROVE MINUTES OF INSTALLATION CEREMONY-JULY 23, 2003 (as amended)
- 4B) APPROVE MINUTES OF CITY COUNCIL MEETING-JULY 24, 2003 (as amended)

Council Member King moved to approve the Minutes as amended. Seconded by Vice Mayor Campbell. All voted in favor. The Motion carried.

5. **AGENDA/ORDER OF BUSINESS (ADDITIONS/DELETIONS/AMENDMENTS):** There were no additions, deletions or amendments offered.

6. **SPECIAL PRESENTATIONS:**

6A) **PROCLAMATION TO COMMISSIONER BETTY T. FERGUSON**

Mayor Gibson and the Council presented a plaque to Commissioner Betty T. Ferguson, acknowledging and thanking her for her commitment and assistance with incorporation efforts and representing District One.

Commissioner Ferguson expressed her gratitude and wished all the best in the future.

6B) **PROCLAMATION TO MEIGHAN PIER, ACTING CITY CLERK**

Mayor Gibson and the Council provided a plaque to Acting City Clerk Meighan Pier, thanking her for volunteering her services.

Mrs. Pier thanked the Council for the opportunity to serve the City.

7. **ORDINANCES FOR FIRST READING:**

7A) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A GENERAL FUND OPERATING BUDGET FOR THE FISCAL YEAR COMMENCING MAY 13, 2003 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR POST AUDIT; PROVIDING FOR EXPENDITURE OF FUNDS APPROPRIATED IN THE BUDGET; PROVIDING FOR AN EFFECTIVE DATE.**

Ms. Curry provided a report, advising that funds for the City are received from several revenue sources, including State Revenue Sharing and utility tax. She noted that some of the expenditures listed are Charter-mandated salary for Council and allowance for reimbursement; salary for transition staff; and operating expenses, such as legal advertisements, insurance, legal services, audio support, training, executive search, in addition to providing contingency.

Vice Mayor Campbell questioned the staffing for the Clerk position.

Ms. Curry advised that this is the last meeting of Mrs. Pier. Staff is seeking to identify another volunteer; however, if this can not be done, the budget including funds to pay someone to provide Clerk services.

A Motion to approve the proposed Ordinance on first reading was made Council Member Pritchett. Seconded by Council Member Braynon. All voted in favor. The item was approved on first reading (7-0).

8. ORDINANCES FOR SECOND READING (*PUBLIC HEARINGS*):

- 8A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, IMPLEMENTING THE UTILITY TAX AUTHORIZED BY FLORIDA STATUTE SECTION 166.231, ET. SEQ., UPON THE PURCHASE OF ELECTRICITY, WATER SERVICE, METERED OR BOTTLED GAS, FUEL OIL AND TELECOMMUNICATIONS SERVICE WITHIN THE CITY LIMITS; PROVIDING FOR ASSESSMENT OF INTEREST AND PENALTIES; PROVIDING NOTICE TO THE DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Attorney Ottinot explained the item.

Mayor Gibson opened the public hearing at 7:36 p.m.

Mr. Leonard Coles, 2010 N.W 191 Terrace, asked if cable services were included.

Attorney Ottinot advised that cable is included in the next item: local communications.

Mr. Billy Isom, 1741 SW 183 Street, asked how the advance provided by the County was calculated.

Ms. Curry advised that the City may realize \$3-\$4 Million in utility taxes; however, she was uncertain as to how the advance was determined but that the \$300,000 received is adequate for current transition efforts. She asked Mr. Isom to visit the City offices for further information.

Mayor Gibson closed the public hearing at 7:43 p.m.

A Motion to approve the proposed Ordinance was made by Vice Mayor Campbell. Seconded by Council Member Bratton. The vote was as follows: Mayor Gibson: Yes; Vice Mayor Campbell: Yes; Councilmember Pritchett: Yes; Councilmember Watson: Yes; Councilmember King: Yes; Councilmember Bratton: Yes; Councilmember Braynon: Yes. Ordinance 2003-01 was adopted unanimously (7-0).

- 8B) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, IMPLEMENTING THE LOCAL COMMUNICATIONS SERVICES TAX AUTHORIZED BY FLORIDA STATUTE SECTION 202.19 ET. SEQ.; PROVIDING FOR INTENT; PROVIDING FOR THE IMPOSITION OF A

LOCAL COMMUNICATIONS SERVICES TAX RATE; PROVIDING FOR NOTICE TO THE DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Ottinot explained the item, noting that the tax is currently being collected by the County and this Ordinance would put procedures in place for the City to collect this existing tax.

Mayor Gibson opened the public hearing at 7:45 p.m.

Ms. Rhonda Lier, 17200 NW 9 Place, asked if the revenue comes from the provider or is the resident required to pay additional tax.

Attorney Ottinot noted that the tax is allowed by State law and is collected from communication providers.

Ms. Curry asked Ms. Lier to come to the City offices and discuss the matter.

Mayor Gibson closed the public hearing at 7:49 p.m.

A Motion to approve the proposed Ordinance was made by Council Member Watson. Seconded by Council Member Braynon. The vote was as follows: Mayor Gibson: Yes; Vice Mayor Campbell: Yes; Councilmember Pritchett: Yes; Councilmember Watson: Yes; Councilmember King: Yes; Councilmember Bratton: Yes; Councilmember Braynon: Yes. Ordinance 2003-02 was adopted unanimously (7-0).

9. RESOLUTIONS:

9A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ENCOURAGING RESIDENTS AND VISITORS TO SUPPORT BUSINESSES WITHIN THE BOUNDARIES OF THE CITY OF MIAMI GARDENS; DIRECTING INTERIM CITY MANAGER TO DEVELOP A PLAN OF ACTION TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

Council Member Watson sponsored the Resolution. She explained that is imperative that citizens support local businesses, as when a business is doing well, new employees are hired, the City tax base is increased and new development is encouraged.

A Motion to adopt the proposed Resolution was made by Council Member King. Seconded by Vice Mayor Campbell.

Council Member Braynon asked for information regarding how this Resolution

would be effectuated.

Following discussion, Ms. Curry advised that she would return to Council with a plan of action.

All voted in favor of the previous Motion. Resolution 2003-23 was adopted unanimously (7-0).

10. TRANSITION TEAM DISCUSSION ITEMS:

10A) REPORTS OF INTERIM CITY MANAGER

Mr. Green provided a written report to Council, indicating items that require attention. He noted that the web page is currently being developed.

Mayor Gibson asked the creation of the City seal, logo and slogan be given priority.

Discussion ensued regarding how best to solicit an artist to provide renderings. Council Members Watson and Braynon advised that some submissions had been received.

Ms. Curry advised that staff would return information to the Council.

Mayor Gibson remarked that the police Interlocal agreement must be negotiated as soon as possible in order to determine the budgetary impact of public safety.

Vice Mayor Campbell concurred, adding that he would be willing to chair a subcommittee that would take this item under consideration.

Attorney Ottinot noted that the Charter requires that an ordinance be adopted to form any committee.

Ms. Curry advised that an informal staff committee could be formed and Council could be invited to the public meetings.

Council Member Braynon asked for status regarding the hiring of a permanent City Attorney.

Ms. Curry advised that staff is in the process of bringing an item to the Council concerning selection of a search firm for the City Manager position. She advised that the City would be seeking a permanent Clerk next and then begin the process of hiring a permanent City Attorney. She noted that the hiring of a City Attorney would not require a national search with assistance through a firm, rather the City would

seek resumes from the South Florida area.

Ms. Curry reported that the State legislative session would commence in the Spring and in order for the City to be in position to have representation, she requested approval to develop and issue a Request for Qualifications (RFQ) for representation and consulting services.

Following discussion, Attorney Ottinot noted that the contract with the vendor would return to Council following the RFQ process.

Ms. Curry noted that she would contact the Council Members individually with regard to the content of the RFQ.

The Mayor and the Council concurred.

Ms. Curry reported that with regard to advertising City Council meetings and other notices, staff recommend that Council meeting and workshops be advertised in the Miami Herald Neighbors-Zone 5 & 6, Saturday Edition and Diario de Las Americas. She further noted that Employment advertisements and public hearing notices would be placed in the Miami Herald, the Miami Times and Diario de Las Americas. She suggested advertising in this manner for a period of six months and then modify or adopt a more formal policy in the future. She explained that Zoning hearings would be advertised in the Miami Herald Neighbors- Zones 5 & 6. She advised that the current recommendation would cost approximately \$10-\$12,000 per month.

Following brief discussion, Council Member Watson moved to accept the recommendation on a six-month basis. Seconded by Council Member Pritchett. All voted in favor. The Motion passed unanimously (7-0).

Ms. Curry advised that staff had provided five sites for the public to view copies of the Agenda package. She clarified that at Florida Memorial College, the Agenda could be found in the Administration Building, Public Affairs Office.

11. REPORTS OF MAYOR AND COUNCIL MEMBERS

11A) REPORT OF MAYOR ON EMERGENCY MANAGEMENT

Mayor Gibson provided a report regarding emergency contact information given to the County. She advised that she, Vice Mayor Campbell and Ms. Curry were provided as the contact individuals. She noted that the City has a year to develop its plan and currently the City is still under the auspicious of Miami-Dade County, Area 7, the North Miami Beach area.

Ms. Curry added that there are two shelters in the City listed by the Red Cross, Norwood Elementary and Carol City Senior High.

Mayor Gibson announced the web site – www.miamigardens-fl.gov

11B) REPORT OF COUNCILMAN OSCAR BRAYNON ON RULES OF PROCEDURES

Council Member Braynon advised that he had met with staff and provided draft Rules of Procedure. He suggested scheduling a workshop.

Following discussion, August 27th was suggested as the date of a workshop.

Ms. Curry advised that she would notice the meeting.

11C) GENERAL REPORTS FROM COUNCIL MEMBERS

- Council Member Bratton offered that he had attempted to contact Dorothy Smith and Mr. Sinclair regarding Ms. Smith's concerns. He remarked that he is attempting to respond to all citizen's concerns.
- Council Member Pritchett requests that the address of the office and the Village phone number be placed on the Agenda.

Mayor Gibson replied that the location of the meeting is normally on Agenda; however, since the next meeting will be held at the City offices located at 17801 NW 2 Avenue, Suite 201, she would insure that staff includes the phone number as well.

Ms. Curry announced that budget workshops shall be held on August 27th and September 8th. She advised that the next Council meeting is September 10th.

Council Member Braynon suggested staff draft a letter of thanks to Norland High School for allowing the City the use of the auditorium.

12. REQUESTS, PETITIONS & OTHER COMMUNICATIONS FROM THE PUBLIC:

- 12A) R. Terry Cuson, President/CEO of North Dade Regional Chamber of Commerce: Mr. Cuson offered a presentation with regard to the North Dade Regional Chamber of Commerce, asking the Council and the City to join the Chamber and noting the Chamber's accomplishments. Mr. Andre Williams concurred, adding that young people should be encouraged to join the junior chamber commerce. He provided his phone numbers 305-733-1521 or 305-690-1923.

12B) PUBLIC COMMENTS

The following individuals addressed the Council: Mr. Reuben Burke, 2320 NW 182 Terrace; Ms. Ebony Johnson of The Resource Room; Janice Coakley, 19681 NW 33 Avenue; Carolyn Middleton, 1110 NW 182 Street; Johnny Crawford, 1401 NW 173 Terrace; Angelo LaVecchia, 17340 NW 27 Avenue; Herzen Bain, 4320 NW 182 Street; Leonard Coles, 2010 NW 191 Terrace; Oliver Gilbert, 17621 NW 23 Avenue; Wendell James, 18820 NW 29 Place; and, Ansel Smith, 721 NW 187 Drive.

13. ADJOURNMENT:

Vice Mayor Campbell moved to adjourn. Seconded by Council Member King. The meeting adjourned at 10:23 p.m.

Prepared and submitted by:

Meighan J. Pier, Acting City Clerk

*Adopted by the City Council on
this ____ day of September, 2003.*

Shirley Gibson, Mayor