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November 19, 2003

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**CITY OF MIAMI GARDENS
REGULAR COUNCIL MINUTES
NOVEMBER 19, 2003**

1. CALL TO ORDER/ROLL CALL OF MEMBERS

The City Council of the City of Miami Gardens, Florida met in regular session on Wednesday, November 19, 2003, beginning at 7:08 p.m., in Suite 201 of the Administrative Offices, 17801 NW 2nd Avenue, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Aaron Campbell and Council members Audrey J. King, Barbara Watson, Melvin L. Bratton, Sharon Pritchett and Oscar Braynon, II.

Also in attendance were: Interim City Manager Cynthia W. Curry, Transition Coordinator William J. Green, Interim City Attorney Hans Ottinot and City Clerk Ronetta Taylor.

2. INVOCATION

The Invocation was delivered by Reverend Gregory Williams

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited in unison.

4. APPROVAL OF MINUTES

4A) Approve minutes of City Council meeting of November 5, 2003

It was moved by Vice Mayor Campbell, seconded by Councilman Bratton to approve the minutes with the necessary corrections as follows: page 5, line 45 change the word pass to past; page 6, line 30 change the word fractured to factored; page 9, line 22 change the words "Interim City Manager" to "Mayor"; also on the same line change the word firm to firms; page 9, line 45 change the initials D.D. to G. D.; page 10, line 18 delete the word "was"; page 10, line 28 correct the word spelled RELATLING to RELATING . **The motion carried by a 7-0 vote.**

**5. AGENDA/ORDER OF BUSINESS(ADDITIONS/DELETIONS/
AMENDMENTS):**

Councilwoman Watson removed Item No. 7A from the official agenda. She asked for an opportunity to discuss this matter under Council Reports Section of the Agenda.

Councilwoman Pritchett withdrew Item No. 12A from the Official Agenda until a more opportune time at a future meeting in view of the fact that the Council has an extremely long agenda for this evening.

Mayor Gibson added the described resolution to the official agenda, as Item 10A, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPOINTING _____ TO SERVE AS CITY MANAGER OF THE CITY OF MIAMI GARDENS; PROVIDING THE MAYOR THE AUTHORITY TO NEGOTIATE A CONTRACT WITH THE CITY MANAGER SUBJECT TO COUNCIL APPROVAL; PROVIDING FOR AN EFFECTIVE DATE"

Mayor Gibson moved Item 14A forward on the official agenda to be heard under the Interim City Manager's Report as Item No. 11C.

It was moved by Vice Mayor Campbell, seconded by Councilman Bratton to approve the additions and deletions to the Official Agenda. Motion **carried by a 7-0 vote.**

6. SPECIAL PRESENTATIONS:

There were none.

7. ORDINANCES FOR FIRST READING:

~~7A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO LOBBYING, CREATING CHAPTER ___ OF THE CODE OF ORDINANCES OF THE CITY OF MIAMI GARDENS, ENTITLED "LOBBYIST REGISTRATION"; PROVIDING DEFINITIONS AND EXCLUSIONS; PROVIDING FOR DEFINITIONS AND EXCLUSIONS; PROVIDING FOR REGISTRATION OF LOBBYISTS, DISCLOSURE OF MEETINGS WITH CITY PERSONNEL AND REPORTS ON EXPENDITURES; REQUIRING DISCLOSURE OF COMPENSATION OF LOBBYISTS AND PROHIBITING CONTINGENCY FEES; CREATING PENALTIES FOR VIOLATIONS AND DEBARMENT; PROVIDING FOR APPEALS TO SPECIAL MASTER; PROVIDING FOR ORDINANCES IN CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE (SPONSORED BY COUNCILMEMBER WATSON)~~

8. PUBLIC COMMENTS – 10 MINUTES

Elois Johnson of 2321 NW 174th Terrace appeared before the City Council to express her concerns about a reported increase in property taxes.

Barbara Jordan of 2251 NW 188th Terrace appeared before the City Council to express her views about the City accepting pro bono services.

9. ORDINANCES FOR SECOND READING (PUBLIC HEARINGS):

**9A) ORDINANCE NO. 2003-14
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA , RELATING TO PUBLIC RECORDS; ESTABLISHING A RECORDS RETENTION COMMITTEE;**

PROVIDING FOR PHOTOGRAPHING AND DESTRUCTION OF PUBLIC RECORDS; PROVIDING FOR MICROFILMING, PROVIDING FOR MANNER OF DESTROYING RECORDS; PROVIDING FOR REPEALER; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY CLERK.

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

Councilwoman Pritchett asked how was the composition for the Records Retention Committee established.

Clerk Taylor explained that the guidelines for establishing the Records Retention Committee are the same guidelines used by other municipalities.

Councilwoman Pritchett asked if private citizens were a part of other municipal Records Retention Committees.

Clerk Taylor replied that this was not the case because it's an administrative committee however adding citizens is something this Council could consider.

Councilwoman Pritchett asked Attorney Ottinot his opinion on this issue.

Interim City Ottinot said that he was in agreement with the Clerk, if the Council wanted to amend the ordinance to include citizens it could.

Councilwoman Pritchett shared that the Council has had many citizens come before this Body stating that they would like to see committees created whereby the citizens could actively participate. The Records Retention Committee seems to be one of the many avenues that could be utilized to effectuate participation from the community. She opined that it would behoove the Council to seriously consider adding members from the community to serve on the Records Retention Committee. She further asked how many members usually served on the Records Retention Committee.

Clerk Taylor indicated that the Records Retention Committee is normally comprised of in-house administrative staff, along with the Mayor, and mainly consist of four members. The average Committee however consists of odd numbers (i.e. 5, 7, 9...)

Interim City Attorney Ottinot further indicated that this committee would not actually begin work for about three years.

Councilwoman King opined that a meeting time should also be designated in the ordinance, since administrative meetings are normally held during working hours.

Clerk Taylor related that the designated meeting time could be worked out where it is conducive to everyone's schedule.

At the conclusion of this discussion, it was moved by Councilman Braynon, seconded by Councilwoman Pritchett to adopt the ordinance as amended to include three citizens, for a total of seven members.

At the conclusion of the discussion the motion **passed by a 7-0 Vote.**

Councilman Bratton:	Yes
Councilman Braynon:	Yes
Councilwoman King:	Yes
Vice Mayor Campbell:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	Yes
Mayor Gibson:	Yes

9B)

ORDINANCE NO. 2003-15

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO CITY RECORDS; ADOPTING THE STATE OF FLORIDA GENERAL RECORDS SCHEDULE FOR STATE AND LOCAL GOVERNMENT AGENCIES (SCHEDULES GS1-1, GS2 AND GS3); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY CITY CLERK)

Mayor Gibson opened the floor for the public hearing. After there were no interested parties to speak on behalf of this item the public hearing was closed.

There, being no discussion on this item, it was moved by Councilman Braynon, seconded by Councilwoman King to adopt this ordinance. Motion **passed by a 7-0 vote.**

Councilman Braynon:	Yes
Councilwoman King:	Yes
Vice Mayor Campbell:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Mayor Gibson:	Yes

9C)

ORDINANCE NO. 2003-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO REQUIRING AND COLLECTING PERMIT FEES FROM PROVIDERS OF COMMUNICATION SERVICES AND INCREASING THE LOCAL

COMMUNICATIONS SERVICES TAX; PROVIDING FOR INTENT; PROVIDING FOR ELECTION NOT TO REQUIRE AND COLLECT PERMIT FEES; PROVIDING FOR ELECTION TO INCREASE LOCAL COMMUNICATIONS SERVICES TAX; PROVIDING FOR NOTICE TO THE DEPARTMENT OF REVENUE; RE-AFFIRMATION OF ORDINANCE NO. 2003-03; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY ATTORNEY)

Mayor Gibson opened the floor for the public hearing. After there were no interested parties to speak on behalf of this item the public hearing was closed.

There, being no discussion on this item, it was moved by Councilman Braynon, seconded by Councilman Bratton to adopt this ordinance. Motion **passed by a 6-1 vote.**

Vice Mayor Campbell: Yes
Councilwoman King: Yes

Before Councilwoman Pritchett voted she read into the record from the City of Miami Gardens' Charter, Section 4.4 under Emergency Ordinances. "To meet a public emergency affecting life, health, property or the public peace, the Council may adopt, in the manner provided in this Section, one or more emergency ordinances. Section (4) Repeal. Every emergency ordinance except emergency appropriation ordinances shall automatically be repealed as of the 61st calendar day following its effective date, but this shall not prevent re-enactment of the ordinance under regular procedures", having said that she voted no

Councilwoman Pritchett: No
Councilwoman Watson: Yes
Councilman Bratton: Yes
Councilman Braynon: Yes
Mayor Gibson: Yes

10. RESOLUTIONS:

RESOLUTION NO. 2003-39

10A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPOINTING BARBARA LIPSCOMB TO SERVE AS CITY MANAGER OF THE CITY OF MIAMI GARDENS; PROVIDING THE MAYOR THE AUTHORITY TO NEGOTIATE A CONTRACT WITH THE CITY MANAGER SUBJECT TO COUNCIL APPROVAL; PROVIDING FOR AN EFFECTIVE DATE

Mayor Gibson passed the gavel to Vice Mayor Campbell before recounting the process, procedure and events leading up to her selection of Ms. Barbara Lipscomb as the City Manager. She acknowledged and commended the Citizens Advisory Committee to Select a City Manager for doing an outstanding job in such a short period of time. She

related that this was indeed a difficult decision to make after interviewing the five finalists and speaking with representatives from their respective municipalities.

Mayor Gibson related that Ms. Lipscomb currently serves as the Deputy City Manager for the City of Lakeland, Florida. She is a 17 year employee of that City and possesses the knowledge, qualifications and experience the City of Miami Gardens needs to accomplish the tasks ahead. An employment package will come back before this Council for approval, if tonight's appointment is approved.

Councilwoman King asked when Ms. Lipscomb would be available to start work.

Mayor Gibson related that Ms. Lipscomb would probably not start until the end of December. She said that negotiations must first conclude. The City Council will not meet again until December 10th, at which time it is anticipated that an employment contract will be presented for the Council's approval.

Councilwoman King inquired as to Mayor Gibson's rationale for selecting Ms. Lipscomb.

Mayor Gibson related that she used the information that was provided to each Council member, which listed each candidate's qualifications. She said that she also relied on the one-on-one interviews, as well as speaking to the references provided by each candidate.

Councilwoman Pritchett inquired as to who would run the City on the day-to-day basis from the time that Ms. Curry and her transition team leaves to the time that Ms. Lipscomb comes aboard, if the appointment is approved by the Council.

Mayor Gibson related that she would be discussing that issue later on during tonight's meeting under the Mayor and Council Reports. She conveyed that out of the five candidates there is not one of them that could be on board within two weeks.

At the conclusion of this discussion, it was moved by Councilman Bratton, seconded by Mayor Gibson to appoint Barbara Lipscomb as City Manager for the City of Miami Gardens.

There, being no further discussion the motion **passed by a 6-1 vote.**

Councilwoman King:	Yes
Councilwoman Pritchett:	No
Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Councilman Braynon:	Yes
Vice Mayor Campbell:	Yes
Mayor Gibson:	Yes

After the vote was taken, Vice Mayor Campbell returned the gavel to Mayor Gibson.

Please note that **Item No. 10B** was discussed under **Transition Status Report**, however the resolution is reflected in its respective place in the official minutes.

RESOLUTION NO. 2003-40

10B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REQUESTING THAT MIAMI-DADE COUNTY POLICE DEPARTMENT CONTINUE TO PROVIDE SCHOOL CROSSING GUARDS FOR THE CITY OF MIAMI GARDENS UNTIL FURTHER NOTICE IS PROVIDED; PROVIDING FOR AN EFFECTIVE DATE.

Moved by Councilwoman Watson, seconded by Councilwoman King to approve this resolution. The motion carried by a 7-0 vote. Please see discussion reflected under **Transition Status Report**.

Please note that **Item No. 10C** was discussed under **Transition Status Report** however, the resolution is reflected in its respective place in the official minutes.

RESOLUTION NO. 2003-41

10C) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REQUESTING THAT MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT CONTINUE TO PROVIDE THE SAME LEVEL OF SERVICE TO THE CITY OF MIAMI GARDENS PARKS UNTIL JANUARY 31, 2004; PROVIDING FOR AN EFFECTIVE DATE

Moved by Councilwoman Watson, seconded by Councilman Bratton to approve this resolution. Motion carried by a 7-0 vote. Please see discussion reflected under **Transition Status Report**.

11. REPORTS OF INTERIM CITY MANAGER:

11A) CLARIFICATION OF ISSUE REGARDING TEMPORARY OFFICE SPACE

Interim City Manager Curry related that she'd brought this item back for clarification purposes. She related that the conclusion of her research, the record does not reflect that this item was brought back to Council for approval. This was supported by listening to the audio tape of that meeting, the resolution that was approved by the Council, which basically asked the Mayor to negotiate and establish terms and conditions, and bring the lease agreement back to the Council for approval.

11B) TRANSITION STATUS REPORT

Interim City Manager Curry related that she's received several letters from the Miami-Dade Police Department, which were provided to the City Council on last week. The time frame of the letters had to do with the fact that the **school crossing guard program** was slated to be cut from the services on December 1st. The Miami-Dade County Police department indicated that they wanted some additional information confirming that the City did not want the school crossing guard program provided. If Miami-Dade County did not get that written confirmation, they would continue to provide the service. The cost submitted for this service by the Miami-Dade Police Department is \$1,064,000.00 for an annual period. A copy of the resolution approved by the Council in September 2003 was provided to the Miami-Dade Police Department. This resolution stated that the police services were to be provided at a level of the adopted budget, which did not include the school crossing guard service.

Interim City Manager Curry related that the next issue she wanted to discuss involved the **Park and Recreation Department Program**. At the last Council meeting there was some discussion regarding the RFP/RFQ process for services. The RFQ has been done and forwarded to the Interim City Attorney for review. Administration received a call from Miami-Dade County Park Department asking the question of whether they would continue to provide services through December or whether their services would be through January 2004. They have asked that a motion be considered tonight by the Council giving them clear direction on when their services would end.

Mr. Green the City's Transition Coordinator indicated that discussion was warranted in regard to the Interlocal Agreements, which were still outstanding. He said according to the City's Charter there is a 180 day provision in which to get the Interlocal Agreements done. He said that direction has to come from this Council in regard to the Interlocal Agreements.

Mayor Gibson invited Ms. Redman-Jones, a representative from the Miami-Dade County Police Department to come forward for comments in regard to the school crossing guard program.

Councilwoman King referenced the school crossing guard program and inquired about the inconsistency in the dollar amount that was first quoted (\$800,000) and the dollar amount presented recently (\$1.06 Million).

Ms. Redman-Jones indicated that the difference had to do with cost-of-living adjustments and annual merit increases.

Councilwoman Pritchett related her understanding that a representative from the police department would be going around to the different schools advising that there would be no school crossing guards as of December 1, 2003. She asked what measures would be implemented by the police department to inform the public.

Ms. Redman-Jones said that every effort will be made through the schools to ensure that parents are aware that there would be no school crossing guards after December 1, 2003.

Councilman Braynon related that he had a serious problem with the elimination of the school crossing guards. He questioned whether the decision to not have school crossing guards would impact the City's liability because this service is a state mandated service.

Interim City Attorney Ottinot related that the first issue is who is responsible for maintaining the streets at this time. Right now the streets are under the jurisdiction of Miami-Dade County, and as such Miami-Dade County has the legal liability and exposure if they fail to provide the service. The issue, as it relates to the fiscal impact on the City of Miami Gardens would have to be researched. As per state law, the owner of the street has the responsibility of making that street safe.

Councilman Braynon emphasized the importance of keeping the children safe, and articulated the urgency of this situation and the Council's due diligence in addressing this issue.

Major Marshall, District Commander of the Miami Gardens Police Department related that Miami-Dade County made no policy decision in regard to school crossing guards. This was discussed in part with the City's Interim City Manager who indicated that based upon the adopted budget the police department's service level did not include school crossing guards. He related that on December 1, 2003 the City of Miami Gardens, and not Miami-Dade County will be responsible for whatever happens with school crossing guard services.

Councilwoman King concurred with Councilman Braynon and opined that the Council members are responsible and accountable to the residents and children of Miami Gardens. She asked what can the Council do to allocate funds to cover the school crossing guards for another month.

Major Marshall related that if the Council passed a resolution indicating its desire to have the school crossing guard service continued to whatever period of time, Miami-Dade County would invoice the City for whatever that cost is.

Mayor Gibson suggested having Council adopt a resolution to continue to provide school crossing guard service until the end of February 2004. She said this will provide administration with an opportunity to look at this issue.

Councilman Bratton indicated that schools would be closed for approximately two weeks during the Christmas holidays and questioned whether the employees would get paid for that time.

Major Marshall indicated that the school crossing guards would not be paid for that time.

Councilwoman Watson asked if there would be any administrative cost incurred even though the school crossing guards will not be working for two weeks during the month of December.

Major Marshall related that the program operates all-year-round and as such, there are supervisors that are full time employees. Therefore, there will be a charge associated with the supervisors.

Councilwoman Pritchett asked Major Marshall if he knew what that cost would be.

Major Marshall indicated that he did not know but would provide that information to the Council.

Councilwoman King asked that a breakdown of the positions also be provided along with the associated cost information requested by Councilwoman Pritchett.

At the conclusion of this discussion it was moved by Councilwoman Watson, to extend the school crossing guard service to February 28, 2004 in order to allow the Council and the new city manager an opportunity to review this matter. She related that she wanted to make certain that the streets are safe for the children of Miami Gardens. This motion was seconded by Councilwoman King.

Interim City Attorney Ottinot read the title of the proposed resolution into the record. "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA REQUESTING THAT MIAMI DADE COUNTY POLICE DEPARTMENT CONTINUE TO PROVIDE SCHOOL CROSSING GUARDS FOR MIAMI GARDENS UNTIL FURTHER NOTICE IS PROVIDED; PROVIDING FOR AN EFFECTIVE DATE."

This resolution is reflected in its respective place on the Official Agenda under Item 10B.

Interim City Manager Curry indicated that the police department has been providing service above and beyond what is currently funded in the budget since October 1, 2003. The cost to keep the school crossing guard services until the end of February 2004 would cost approximately \$250,000.00. She emphasized that those costs are not in the budget.

Councilman Brayton related that the Florida Marlins went to the County Commission to ask them to search for million of dollars to build a stadium and opined that the City should request that the County Commission search for 1.06 million dollars to help the children that live within the City of Miami Gardens. He related that if this

requires the Council members to do what the Marlins did, which is lobby the Commission, the City should go a head and do that. As per the Miami-Dade County Lobbying Ordinance elected officials representing their municipality are exempt from registering as a lobbyist.

Vice Mayor Campbell concurred with Councilman Braynon's suggestion. He opined on critical issues like this, the Council should deal directly with the County Commission and not rely on staff to deal with county staff.

Councilwoman Pritchett inquired about the results of Vice Mayor Campbell research for other avenues to fund the school crossing guard program.

Vice Mayor Campbell shared that he'd met with the Chief of the School Board Police Department and was provided with information about the state statute in regard to funding. Even with that legal identified source of funding as provided by state statute, the funds would not be enough to cover the cost. He related that when traffic tickets are written in Miami Gardens, the ticket is suppose to be identified as such. This has not been the case. Since May when this City was incorporated, the traffic tickets were being identified as Miami-Dade County. He opined that the City should have been collecting this money.

Mayor Gibson conveyed her belief that it would be more cost effective for the City to have its own School Crossing Guard program. She opined that as long as some of these departments are still with Miami Dade County, the City is going to have the same factors involved. The City has no control over cost as long as Miami-Dade County is providing these services to us. The City has no choice about police services it must utilize the Miami-Dade County police department for the next four years. She conveyed that the City can have the other departments under the control of the City of Miami Gardens. She emphasized that as long as the services are with Miami-Dade County the City will be charged County rates.

Councilwoman Watson encouraged Major Marshall to reinforce to his staff the importance of putting the correct venue on the traffic tickets written in Miami Gardens. She emphasized the importance of this having this procedure corrected because the City is having trouble identifying those funds that should be coming back to the City due to tickets allegedly being assigned to un-incorporated Miami-Dade County. She questioned whether Major Marshall reviews the tickets prior to having them processed through to Miami-Dade County. She further asked what measures will he take to make sure those dollars come to this City.

Major Marshall related that this information will be provided to the officers during roll call in order to make sure they are aware of the change. The midnight desk officer processes the tickets therefore, before the tickets are sent downtown to the Clerk's office, that desk officer will go through the tickets manually to make sure they are properly coded.

Councilwoman Watson asked if there was a process in place at the Miami Gardens Police station to identify the citation number of the tickets previously written in an effort to assist the City in collecting the back dollars owed.

Major Marshall related that all those things are done through the Miami-Dade County budget office and did not have the authorization to do what Councilwoman Watson was asking.

It was moved by Councilwoman Watson, seconded by Councilmember Bratton to adopt a resolution requesting Miami-Dade Park and Recreation Department to provide Park services through January 31, 2003. This motion carried by a 7-0 vote.

Interim City Attorney Ottinot read the title of the proposed resolution into the record "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REQUESTING THAT MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT CONTINUE TO PROVIDE THE SAME LEVEL OF SERVICE TO THE CITY OF MIAMI GARDENS PARKS UNTIL JANUARY 31, 2004; PROVIDING FOR AN EFFECTIVE DATE."

This resolution is reflected in its respective place on the Official Agenda under Item 10C

11C) PRESENTATIONS REGARDING ADMINISTRATIVE OFFICE SPACE RENTAL

1) Golden Glades, LLP

Attorney Earl G. Gallop and Michael Wright, Managing General Partner of Golden Glades, LLP were afforded an opportunity to make a presentation before the City Council. It was conveyed through the presentation that at no additional cost to the City of Miami Gardens, the Golden Glades Office Park owners proposes to provide the following funds for Tenant improvements: 1) Option A: 1405 NW 167th Street (Building 2) \$1.50 per square foot for each lease year for the first five years and \$1.00 per square up to an additional five years of the primary lease term. Maximum amount is \$225,000; 2) Option B: 1515 NW 167th Street (Buildings 4 & 5) \$2.00 per square foot for each lease year for the first five years and \$2.00 per square foot for each additional lease year up to an additional five years, of the primary lease term. Maximum amount is \$360,000.

The Landlord will consider providing the first right of refusal or purchase option to the City of Miami Gardens to purchase either of the buildings listed.

Improvements Highlights – 1) New exterior entry feature prominently displaying "City of Miami Gardens"; 2) City Council chambers with 200 person capacity and raised dais; 3) New private bathroom facilities for the City Council and senior staff; 4) City Hall will be painted with color selected by the City of Miami Gardens from the building's

approved color palette; 5) Main entry lobby to be Class "A" marble flooring. New carpet or vinyl flooring will be installed throughout the balance of the City Hall; 6) Existing buildings' floor plans will be reconfigured where necessary to satisfy the requirements of the City of Miami Gardens RFP-01; 7) Covered, reserved parking for City Council and senior staff, not to exceed 10 parking spaces.

Golden Glades Office Park Amenities – 1) Abundant windowed offices; 2) exterior building signs facing the Palmetto Expressway; 3) tranquil environment with lush landscaping and courtyard with fountains and benches (adjacent to Option B); 4) Sedate, quiet, campus-like setting; 5) On-campus restaurant serving breakfast and lunch (immediately adjacent to Option B); 6) Roving security guard 7 days per week; 7) Public transportation (bus stop) directly in front of office park; 8) Convenient location on the north side of the Palmetto Expressway offers easy access to and from the office park; 9) Excellent visibility from Palmetto Expressway with approximately 180,000 vehicles passing by the office park daily; 10) Office park has 6 entrances and exists; 11) Parking ration of 5/2 vehicles per 1,000 square feet of rentable area for a total of almost 1,000 vehicles; 12) Multi-million dollar improvement package planned for the office park, including landscaping enhancements, additional lighting and sign package; 13) full-time, on-site property management staff consisting of a property manager, 2 building engineers and a day porter.

Councilman Bratton inquired about the dimensions of the office space.

Mr. Wright said that he'd have to get this information from the architect and get back with the Council on that.

Councilwoman Watson related that she did not see the provision in this proposal that was a part of the first which indicated that Golden Glades, LLP would aid the City with its moving expenses to the new location.

Mr. Wright related that this information was not included in the new proposal because staff forgot to put it in. A letter was submitted to Mr. Green re-affirming this offer. In addition, Golden Glades, LLP would give the City two months rent free from the move in date.

2) G.D. Ross Properties

Attorney Dean Dibartoleomo appeared before the City Council and announced that he was not representing G.D. Ross Properties because approximately two hours ago this property was sold to Trinity Church, Inc. That was a transition that has been in negotiations for approximately 45 days. Trinity Church is not in a position to make a presentation at this particular time because of the time frame involved with the purchase negotiations.

Reverend Rich Wilkerson, Pastor of Trinity Church appeared before the City Council to provide a highlight of some of the services being offered by Trinity Church,

Inc. He related that a second part of the church's mission is to help the poor by providing job training and job funding by partnering with Florida Workforce. He said that there was high visibility in this area and the City of Miami Gardens would have signs everywhere. In reference to property management, this will be the third building in Miami-Dade County that Trinity Church oversees. He related that he was prepared to provide the City with the current space being utilized, the executive offices and space across the hall from the executive office, which equates to approximately 18,000 square feet. He related that the lease agreement would have a ninety day notice clause in it, which would allow the City to break the lease at any time within the next five years.

Attorney Dibartoleomo indicated that Trinity Church is making an offer to allow for the City to stay in this particular building until February 1, 2004 irregardless as to whether it decides to go with another proposal.

Councilwoman Pritchett asked Mr. Green will the fact that there is a new owner of this building change the tone and intent of the Selection Committee's recommendation.

Mr. Green replied that it did not.

Mayor Gibson conveyed that the lease for free space on this facility concludes at the end of November. The question now comes before this Council to make a decision, the City has to move someplace until the issue of where the City will be located more permanently is resolved. The Council now has the distinct pleasure of making a decision about this space. She conveyed that this is a separate issue that has to be decided now in light of the fact that the lease on this space would expire prior to the next the Council meeting on December 10, 2003.

At the conclusion of the presentations, it was moved by Councilwoman Pritchett, and seconded by Councilman Braynon to accept the presentation from the Golden Glades, LLP and direct the appropriate staff to move forward in negotiating a contract.

There, being no further discussion the motion **failed by a 3-4 vote.**

Councilman Bratton:	No
Councilman Braynon:	Yes
Vice Mayor Campbell:	No
Councilwoman King:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	No
Mayor Gibson:	No

Councilwoman King and Councilman Bratton asked for clarification as to the next step in this process.

Interim City Attorney Ottinot related that one issue is the extension of time that was provided by Trinity Church for this space. In addition, the next issue is that Trinity wanted an opportunity to present their full proposal to the Council at a future date. After that time Council would have had an opportunity to review both proposals and make a decision.

Councilwoman Pritchett asked if the Cone of Silence applied.

Interim City Attorney Ottinot said that this is not a competitive bid process therefore the Cone of Silence did not apply.

At the conclusion of additional discussion on this item, Trinity Church and Golden Glades, LLP were invited to make full presentations at the December 10, 2003 Council meeting.

It was moved by Vice Mayor Campbell, seconded by Councilman Bratton to accept the proposal by Trinity Church to provide an extension of free office space to the City until January 31, 2003. City Administration will provide an Occupant Estoppel Letter, which the Mayor is authorized to sign to Trinity Church affirming this arrangement.

There, being no further discussion the motion **passed by a 5-2 vote.**

Councilman Braynon:	Yes
Vice Mayor Campbell:	Yes
Councilwoman King:	No
Councilwoman Pritchett:	No
Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Mayor Gibson:	Yes

12. REPORTS OF CITY CLERK

12A) OVERVIEW OF CITY CLERK RESPONSIBILITIES

This item was tabled until further notice by Councilwoman Pritchett.

13. REPORTS OF MAYOR AND COUNCIL MEMBERS

13A) GENERAL REPORTS FROM MAYOR AND COUNCIL

Councilwoman Watson conveyed that she'd like to have her colleagues' input on this ordinance. Perhaps there are some issues they'd like to have incorporated. She emphasized that she did not want to overlook any recommendations her colleagues might want addressed in this ordinance.

Councilman Braynon applauded Councilwoman Watson's efforts in bringing this ordinance forward. He related that he'd read over the ordinance, which is very similar to

Miami Dade County's. He said that the definitions are very precise and conveyed his support of this ordinance.

Mayor Gibson indicated that she'd reviewed the document but would like more time to review for possible modifications appropriate for Miami Gardens. She suggested scheduling a workshop to devote time to this particular item.

Councilwoman Watson said that one of the areas that she wanted to get input on was the administrative cost, whereby the City could charge either a one time annual fee or a fee per item.

Councilman Braynon related that he was prepared to either schedule a workshop on this matter or provide individual input.

Interim City Attorney Ottinot related that he could meet with each Council member individually prior to first reading to get their input and make whatever necessary revisions needed.

At the conclusion of this discussion by unanimous consent the lobbying ordinance sponsored by Councilwoman Watson was placed on the December 10, 2003 Agenda for first reading.

Councilman Bratton referenced the signage "Miami Gardens" on 441 and County Line Road, eastbound in Broward County and asked if Mr. Green had contracted Broward County about the incorporation date.

Mr. Green related that he'd spoken with Broward County and was informed that this is not an incorporated area but a neighborhood. The signage was put up by the neighborhood association.

Vice Mayor Campbell indicated that the Revenue Enhance Committee appointments have not been made. He asked that the Council members provide the name of the individual they wish to serve on this committee at the December 10th Council meeting. He related that a subsequent resolution appointing those individuals would be provided for the Council's consideration at the January 14th meeting.

Councilman Bratton related that he'd submitted his selection to Mr. Green during the last Council meeting.

Councilwoman Pritchett thanked Principal Susan Renick of Parkview Elementary School and her fourth grade class Teacher Ms. Garcia for sending her a "Thank You For Making Our Community A Better Place" Brochure. She further reflected on the Thanksgiving holidays and asked everyone to pause and give thanks for all the positive things that have happened this year.

Councilwoman King thanked Ms. Curry for doing an excellent job as Interim City Manager.

Mayor Gibson showcased a Resolution adopted by the United States Congress, which congratulated the Florida Marlins for winning the 2003 World Series. She shared that the significant and historical aspects of this resolution is the fact that the City of Miami Gardens is recognized first and foremost.

Mayor Gibson referenced the departure of the Interim City Manager Ms. Curry and related Mr. William J. Green who has been working with Ms. Curry on the day-to-day operations as well as on the negotiations of the Interlocal agreements with Miami Dade County and is well aware of the operations of the City of Miami Gardens is her choice to take care of the day-to-day operations of the City. She opined that Mr. Green should remain in that position to do those things until a City Manager is on board.

Councilwoman Pritchett inquired if the City was legally protected according to the Charter, if it did not have an Interim City Manager managing the day-to-day operations of the City.

Interim City Attorney Ottinot opined that the City Council did in fact appoint a City Manager at tonight's meeting. For the short interim period the City has a Transition Coordinator who can handle the day-to-day operations until that individual comes on board. There is nothing in the Charter that precludes the Council for having an administrator to handle the day-to-day operations.

14. REQUESTS, PETITIONS & OTHER COMMUNICATION FROM THE PUBLIC:

14B) PUBLIC COMMENTS – 10 MINUTES

Mr. Thomas Spaulding of 18805 NW 32nd Place appeared before the City Council to express his views about the decorum of the City Council.

Ms. Barbara Jordan of 2251 NW 188th Street appeared before the City Council to express her views about the Cone of Silence as it related to the Office Space item. She further questioned how Trinity Church could be considered when they were not a party to the original RFP.

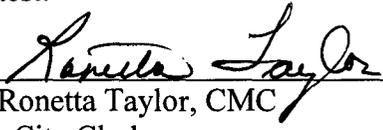
15. ADJOURNMENT:

There, being no further business to come before this Body, it was moved by Councilman Braynon, seconded by Councilwoman Watson to adjourn the meeting at 10:32 p.m.



Shirley Gibson, Mayor

Attest:



Ronetta Taylor, CMC
City Clerk