

**INDEX**  
**CITY COUNCIL MINUTES**  
**September 24, 2003**

1.	Called to Order/Roll Call of Members.....	Page 1
2.	Invocation.....	Page 1
3.	Pledge of Allegiance.....	Page 1
4.	Approval of Minutes.....	Page 1
	4A) Approval of City Council meeting of August 7, 2003	
	4B) Approval of City Council meeting of August 20, 2003	
	4C) Approval of minutes of Special Council Meeting of August 27, 2003	
	4D) Approval of minutes of City Council meeting of September 10, 2003	
5.	Agenda/Order of Business (Additions/Deletions/Amendments.....	Page 2
6.	Special Presentations.....	Page 2
	6A) None	
7.	Ordinances for First Reading	
	7A) None.....	Page 2
8.	Ordinance for Second Reading (Public Hearings) .....	Page 3-4
	8A) Ord. # 2003-05 Adopting General Fund Operating Budget for FY 2003/2004.....	Page3-11
	8B) Ord. # 2003-06 Designating the Code of Ordinances for the City Of Miami Gardens.....	Page 11
	8C) Ord. 2003-07 Rules of procedure for the City Council.....	Page 11-12
	8D) Ord. 2003-08 Reimbursement of Business and travel related Expenses.....	Page 12-13
	8E) Ord. #2003-09 Designating a Purchasing Agent.....	Page 13
	8F) Ord. 2003-10 Assuming jurisdiction by the City Council over Planning and Zoning decisions.....	Page 13-15
9.	Resolutions	
	9A) Res. #2003-32 Relating to interim cost of Localized and Specialized Police Services.....	Page 15
	9B) Res. 2003-33 Expressing support fro Display “2003 Caribbean Carnival.....	Page 15
10.	Reports of Interim City Manager	
	10A) Transition Status Report.....	Page 15-16
	10B) City Logo/Seal Presentation.....	Page 16
11.	Reports of Mayor and Council Members	
	11A) General Reports from Mayor and Council Members.....	Page 16-17
12.	Requests, Petitions & Other Communications from the Public	
	12A) Presentation by Dr. Maria G. Rodriguez (not present).....	Page 17
	12B) S.O.C.A.....	Page 18
13.	Adjournment.....	Page 18



**CITY OF MIAMI GARDENS  
REGULAR CITY COUNCIL MINUTES  
SEPTEMBER 24, 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, September 24, 2003 beginning at 7:03 p.m., at the City of Miami Gardens Administrative Offices, 17801 NW 2<sup>nd</sup> Avenue, Suite 201.

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

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

**2. INVOCATION**

Attorney James Saunders delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited in unison.

**4. APPROVAL OF MINUTES:**

**4A) APPROVE MINUTES OF CITY COUNCIL MEETING OF AUGUST 7, 2003**

Vice Mayor Campbell indicated that the minutes should be corrected to reflect the correct surname of the Transition Coordinator, instead of William J. King, Jr., it should read William J. Green, Jr.

Councilmember Pritchett questioned whether the August 7, 2003 minutes were accurately recorded.

Interim Manager Curry indicated that all the minutes were recorded.

Councilmember Pritchett made a request to review the tape because of a discrepancy under Section 6 of the minutes.

Interim Manager Curry advised the Council that this item would be transcribed in verbatim form, and would be shared with Ms. Pritchett.

Councilmember Pritchett further indicated that Item No. 9, last paragraph should read "All voted in favor of the previous motion with the inclusion of the additional depositories".

Councilmember Bratton referenced Item No. 9B; the surname of Attorney Reginald Clyne is misspelled with a "K" and should be corrected to reflect the correct spelling with a "C".

Councilmember Pritchett referenced Item No. 12B, the correct spelling of the surname should be Arribas instead of Arivas.

Councilmember King also referenced Item No. 12B and indicated that the surname should be Isley instead of Isom.

- 4B) APPROVE MINUTES OF CITY COUNCIL MEETING OF AUGUST 20, 2003
- 4C) APPROVE MINUTES OF SPECIAL CITY COUNCIL MEETING OF AUGUST 27, 2003
- 4D) APPROVE MINUTES OF CITY COUNCIL MEETING OF SEPTEMBER 10, 2003

It was moved by Vice Mayor Campbell, seconded by Councilmember Bratton to approve the minutes with the necessary corrections. All voted in favor. The motion carried by a 7-0 vote.

**5. AGENDA/ORDER OF BUSINESS (ADDITIONS/DELETIONS/AMENDMENTS):**  
Mayor Gibson amended the Agenda to include under Item No. 12A, a presentation by SOCA.

**6. SPECIAL PRESENTATIONS:**  
6A) NONE

**7. ORDINANCES FOR FIRST READING:**  
7A) NONE

It was moved by Councilmember Watson, seconded by Vice Mayor Campbell to move item No. 9A up to be heard after the 8A. The motion carried by a 7-0 vote. This item is reflected in its respective place in the official minutes..

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

**ORDINANCE NO. 2003-05**

- 8A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A GENERAL FUND OPERATING BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR POST AUDIT; PROVIDING FOR EXPENDITURE OF FUNDS APPROPRIATED IN THE BUDGET; PROVIDING FOR AN EFFECTIVE DATE. (INTERIM CITY MANAGER)

Interim Manager Curry recounted that a workshop was held on September 8<sup>th</sup> outlining the FY 2003-04 Budget. This item was introduced on first reading at the September 10<sup>th</sup> Council meeting. Between that time frame administration has had an opportunity to work with the County Budget Office as well as with several of the other revenue sponsors, with one of those sponsors being Florida Power & Light. In the case of the Franchise revenue for electricity budgeted in the first reading at 3.4 million dollars. Because Florida Power & Light has not yet specified all of the tax associated with the City of Miami Gardens their representative is not comfortable with providing a budgeted figure for Electrical Franchise Taxes. Administration has been working with Miami-Dade County, since this is the entity that receives the revenue, for an estimate of this particular revenue item. Because administration has not been able to get an accurate figure the amount has been reduced. Therefore, the revised estimate for the Electrical Franchise Fee is 2.6 million dollars. This amount is still higher than what Miami-Dade County suggested budgeting. The gas portion is being left at \$205,000.00, leaving the total estimate at 2.805 million dollars.

Interim Manager Curry recommended being very conservative with potential franchise revenues since the City has no history as to what has been received in the past. This is the rationale she used for the \$800,000 reduction on the electrical franchise (3.4 million down to 2.6 million). If this amount comes in higher the difference can be put into the City's reserve. Reductions were also made on the expenditure side. The Tax Equalization Reserve was reduced from \$500,000 to \$300,000. Funds were shifted from the Public Works department, and use of Transportation Fund money were earmarked to fund Public Works road related activities, which is acceptable. This acceptable use was confirmed by Miami-Dade County's Budget Office. The real reduction is in the Parks & Recreation Department, where at the first reading of the budget the departmental budgeted amount was 2.3 million dollars. It has now been reduced to 2.1 million dollars. This represents a reduction of \$200,000. All other budgeted items remain the same as discussed at the budget workshop and first reading on the budget. The budget adopted tonight will become a part of the Interlocal Agreement with Miami-Dade County, which will then translate into service.

Interim Manager Curry emphasized that there is no room for movement within the budget at all. She said the Contingency Reserve is considered untouchable because it is needed to balance off any potential uncollected revenue the City might have on the revenue side because there is no history as to whether the revenues will come in as anticipated. The Tax Equalization Reserve is considered a holder, whereas the Contingency Reserve can be accessed based on what is occurring within the fiscal year. The City has a 1 million dollar Contingency Reserve.

Interim Manager Curry reiterated the importance of not spending any funds from either the Tax Equalization Reserve or Contingency Reserve because the City has no revenue history and should be used as a holder in case there are anticipated revenues that don't come in. Included in the budget is a Revenue Utility Tax budgeted at 5.975 million dollars; however there is a large portion of this Utility Tax that is very dependent on the Florida Power & Light account. Because Florida Power & Light can't provide accurate figures it is very important that the Revenue Utility Tax item be monitored very closely on a monthly basis. This will ensure it is in line with the projections in the budget because if there is a flip, adjustments will have to be made on the expenditure. Watching the revenues and making the necessary adjustments on the expenditure side is critical during this transition year. This is especially essential as it related to the interim cost between May 13, 2003, and the end of this fiscal year, September 30, 2003. Those costs include everything that the County has provided for the City within that period. At that time the City had preliminary numbers and at present still do not have those final numbers from Miami-Dade County. Just based on the numbers the City has, there is a deficit of close to a quarter million dollars, moving into the 2003/04 Fiscal Year. That amount did not include police cost or cost for the elections previously held. The police cost in the interim is in excess of the budgeted amount for 2003/04. This will have a significant impact on that deficit figure. A very detailed report will be provided to the Council members at the October 8<sup>th</sup> Council meeting detailing all expenditures and encumbrances on the budget adopted in August. The cost associated with the interim period can be worked out through the Interlocal agreement with Miami-Dade County. However it is important that the Council understand that there will be a deficit scenario based on expenditures and revenues for the interim period. The police department has a budget of \$21, 680, 080. Those figures were provided at a previous workshop in terms of what services will be provided.

Interim Manager Curry said that it is important to state that if the City in fact continues to receive services at the cost that the County provides those services, the City will not be able to afford those services at that cost. The City has to contract with Miami-Dade County for three years for police services. The city is currently negotiating at a point where administration is relatively comfortable with the police numbers. However, based on the cost associated with the City's Parks and other departments there is no way the City can afford to buy those services from Miami-Dade County at the current level that Miami-Dade County provides those services. Quality of service is a question mark because who is to say that the service provided by Miami-Dade County is a better service than what the City may provide either by direct hiring of employees or contracting the service out because there is no prior history of what the cost would be.

Interim Manager Curry indicated that the City has to immediately move into a transition mode where those services currently being provided by Miami-Dade County are moved out of the County and into the City. The City then needs to make the decision as to whether employees are hired or services are contracted out. This will not be an easy task until there is a revenue history and a cash flow.

Councilmember Braynon questioned the difference between the interim cost and FY 2003/04 cost for police services.

Major Thompson, a representative of the Miami Dade Police department appeared before the

City Council to address Councilmember Braynon's question. He indicated that what the City is contracting for is a little less than what Miami-Dade County currently provides. The COPS component (26 officers and four sergeants) will not be a part of the contract. Currently, COPS officers provide police services during events held at public parks. That service will no longer be provided once the agreement is signed. The police department's 97 officers will still provide the police service for events held at public parks, however that will mean there will be less officers patrolling the streets. This may result in slower response time.

Major Marshall, a representative of the Miami Dade Police department appeared before the City Council to further expound on comments made by Major Thompson. He related that the City will still have the 97 police officers once the contract is signed. The COPS program however, will not be in effect because there will not be available manpower. He shared that crime within the City of Miami Gardens is down 7% across the board. The City also leads Miami-Dade County in overall reduction in robberies, down 18%.

Major Marshall emphasized that the Miami-Dade Police Department is committed to providing the highest level of police service to the City.

Mayor Gibson asked Major Marshall to expound on the Operation Safe Streets initiative.

Major Marshall explained that this program was initiated through the County Mayor's Office. Each year a certain amount of money is budgeted to be used as overtime to help fight crime. As of the last budget there was \$600,000, of which \$567,000 was actually used. The worst area for robberies in the City of Miami Lakes is between 37<sup>th</sup> and 47<sup>th</sup> Avenue, which the police department will be taking over as well. In addition, the Miami-Dade County police department will be taking on the 441 corridor, because of all the auto dealerships there are a lot of auto thefts and burglaries. The reporting cap is going to be higher because right now his department is not doing that, but once the services commence, those crime reporting statistics will be reflected.

Councilmember Pritchett asked Major Marshall if the Council members can receive a copy of the information he'd provided.

Major Marshall indicated that this information would be provided to the City Manager.

Councilmember Pritchett asked if a list could be made available of the current services the Miami-Dade police department provides, as well as a list of those services to be provided during the next budget cycle.

Major Marshall related that Major Thompson would be providing that information.

Major Thompson indicated that this information would be provided to the City Manager.

Mayor Gibson asked for clarification on the Enhancement monies and whether this money was used for officers to attend court.

Major Marshall said that the overtime money was being used for the officers when appearing in court.

Councilmember Braynon asked how much the cost would be to the City to keep the same level of service currently being provided by the Miami-Dade County Police Department.

Amber Riviera, a representative from the Miami-Dade County Budget Office appeared before the City Council and related that the interim cost is approximately 22 million dollars. Specialized services will be at an additional cost.

Interim Manager Curry interjected to state that there were two periods that the City was working on. The May through September, FY 2002/03, for local police service only the cost is 22 million dollars. Added to that is 6 million dollars for specialized services. That is a cost of 28 million dollars for police services for the interim period. For FY 2003/04 the cost for localized police service is 15 million and specialized service is 6 million for a total amount of 21 million dollars.

Major Marshall indicated that the 28 million dollars represented the current level of service for not just Miami Gardens, but includes the Intercostal and Miami Lakes.

Major Thompson indicated that the City will not be billed the \$200.00 service charge for individual calls.

Councilmember King questioned the need to have so many officers at one call. She related a shooting incident in the Winn Dixie parking lot where she noticed approximately 30 police officers on the scene. She asked how would this impact the budget.

Major Thompson said that would equate to only one call. He said the additional officers are needed to secure the crime scene and talk with potential witnesses. The immediate response when a shooting incident goes out is to aid and comfort the victim, and get the bad guy.

Major Marshall related an incident where a shooting victim was actually driven to the police station, when the call went out, all the police officers immediately descended to the police station. This is a proactive police measure and the way the police department does business.

Vice Mayor Campbell said considering the fact that Miami-Dade County has already budgeted for those cost for services utilized by Miami Gardens during the interim period, and considering the fact that they have already collected the revenues for that budget, they have been the ones providing the service without any input from the City. He asked why charge the City for those interim police services for which it had no control over, and allow the City to start out fresh on October 1, 2003.

Ms. Riviera indicated that Ms. Curry was very clear in explaining that the cost of service being provided now exceeds the amount of revenue that has been collected.

Vice Mayor Campbell provided a clarification for his comments and suggested that Miami-Dade County forgive those cost for services because the funds were already allocated in Miami-Dade County's FY 2002/03 budget.

Major Thompson indicated that this question could not be answered by the staff present at tonight's meeting.

Councilmember Pritchett asked if the Communication Tax included all of the taxes that will be coming directly to the City.

Interim Manager Curry related that the budget does include the rates that have been approved by the Council.

Mayor Gibson opened the floor for the Public Hearing for FY 2003/04 Budget.

Reverend Coles appeared before the City Council to encourage implementing Vice Mayor Campbell's suggestion. He then referenced the Interlocal Agreement and questioned whether Miami-Dade County would be responsible to the City for the actual cost as opposed to what the City is currently paying.

Mayor Gibson shared that the Town of Miami Lakes did a very detail audit of police cost and ended up getting a refund from Miami Dade County of approximately 1.3 million dollars. She shared that there is an issue of trying to find out from a fiscal agent that has our money, how much they actually have and how much they are spending.

Interim Manager Curry referenced the memorandum she'd provided to the Council members in regard to this budget. She indicated that Major Marshall has worked out the performance measures that need to be built into the contract with the police department.

Ms. Barbara Jordan, a resident of Miami Gardens and an Assistant County Manager residing at 2251 NW 188<sup>th</sup> Terrace appeared before the City Council to explain the difference between a donor city and a recipient city. She identified Miami Gardens is a recipient city because it is not revenue sufficient. She further expressed concern with respect to the reduction of the current level of police service and parks (the closure of three parks and two pools).

Mayor Gibson interjected and stated that the 17 parks in this area are in dire need of repairs, etc., this didn't happen as of May 13<sup>th</sup> but has been an on-going problem in this area for years. She related that none of the Mitigation funds collected from these donor cities have reached poorer areas of Miami-Dade County.

Ms. Riviera appeared before the City Council and related that members of the Miami-Dade Parks Department were available to answer any questions as it related to Parks and Recreation. She further explained that the Municipal Services Trust Fund money (Mitigation fee) collected from Miami Lakes goes to police budget. This fund is designed to combat the negative financial impact of the donor areas departure from Miami-Dade County.

Interim Manager Curry referenced the Parks budget and indicated that when she'd spoken with Ms. Rodriguez, the Parks Director for Miami-Dade County, she indicated a budget of over 3 million dollars and in order to address services to the city with a budget of 2.1 million dollars, they were going to have to reduce services. In doing so, two parks and two pools were identified for closing, with the elimination of eight full time positions. This would involve all the programming in the parks including the After School care and summer programs. However it would be the decision of this council as to what parks and what pools would be closed if in fact that is the mix this council wants to live with. There will be a reduction in services by Miami-Dade County if they provide the services; if those services are provided by the City in conjunction with a contractor that may not be the case. In addition, the closing of those parks and pools is contingent on this council and other issues involved with the Interlocal agreement.

Councilmember Watson related a situation with the Village of Pinecrest where the Council members decided to pave some streets and asked Miami-Dade County to provide a price for this service. Miami-Dade County provided an amount, but when the work was bid out it came in at a much lower rate than what Miami-Dade County had provided. She emphasized that by having in house services the City may do better than what Miami-Dade County can provide.

Mr. Alphonso Brewster of 1812 NW 192<sup>nd</sup> Street appeared before the City Council to express his views about the budget. He questioned how much money would be left if the City has to pay Miami-Dade County for providing services. He further questioned whether solid waste and waste management services were included in this budget.

Mayor Gibson explained that some of the items were included in the Budget, however the City would not be providing water and sewer and solid waste services.

The Honorable Betty Ferguson, Miami-Dade County Commissioner for this District appeared before the City Council to thank them for allowing for public input per subject area. She indicated that the COPS program was based on a grant. She related that the grant funds received were based on statistics from this area. However, this area can not get the service. She related that the City has to be very creative in supplementing its budget. She challenged those police officers living in this area to assist with the writing of grants to assist this city. She further encouraged the citizens to form lobbying groups, which in term will be assistance to her at the County level. She emphasized that this transition period is very critical.

Mr. Anselm Smith of 721 NW 187<sup>th</sup> Drive appeared before the City Council to express his views about being a recipient city and not knowing how much money is suppose to come to this community. He further referenced the COPS Program and related that this money was in place because of this community, therefore the money should still be in place for this community. He referenced the Parks and indicated that Miami-Dade County is paying its Parks employees a higher salary than other areas. He opined that the City did not have to reduce any services with the City Manager's due diligence through this trying time.

Councilwoman Pritchett asked how many school crossing guards were allocated for the City

of Miami Gardens.

Major Thompson said there were none earmarked. He explained that this issue has to be worked out with the City Manager because there is a charge for the school crossing guards. He said there is however, some revenue that would come back to the City but it would not be enough to pay 100% for this service.

Interim Manager Curry shared that she'd specifically asked this question of the County's budget staff and was told that there was no money allocated in the police budget for a school crossing guard program. The County's budget staff indicated that there was money in the unincorporated Miami-Dade County area to supplement the school crossing program.

Ms. Riviera indicated that if the Council wanted to add this program to the police level of service it could be negotiated in the contract.

Councilmember Pritchett expressed concern with the safety issue associated with no having allocated for school crossing guards in FY 2003-04 Budget. She inquired as to how this can be rectified because the safety of our children is imperative. She related that she did not hear any solutions for keeping the children safe and this aggrieved her

Councilmember Braynon asked if the school crossing guard program was in that 7 million dollar gap in FY 2003-04 Budget.

Interim Manager Curry shared that there is a portion of grant funding available to assist with this program.

Ms. Rondalier Sims of 17200 NW 9<sup>th</sup> Place appeared before the City Council to express concern about the reduction of service in the Parks and Recreation Park program.

Ms. P.S. Wimberly of 17351 NW 29<sup>th</sup> Avenue appeared before the City Council to express her views about the budget and the Parks and Recreation program. She emphasized the importance of grant funding to assist with city programming. She suggested, for litigation purposes the creation of a Planning & Zoning Board and appointing those residents with zoning experience that previously served on the Community Council.

Mayor Gibson indicated that she will take Ms. Wimberly's and Reverend Coles' suggestions under advisement and will look into initiating a resolution for the Council's consideration. As Commissioner Ferguson stated, this would further help her as she continues to fight for a lot of other services for this area.

Mr. Les Williams of 17204 NW 49<sup>th</sup> Place appeared before the City Council to express his views about the budget. He opined that a budget is a political document not a business document.

Mr. Lemuel Wims of 19675 NW 32<sup>nd</sup> Court appeared before the City Council to express his views about the budget and the Parks and Recreation Programs.

Ms. Janice Coakley of 19681 NW 33<sup>rd</sup> Avenue appeared before the City Council to express her views about the budget and the lack of funding for the City's Parks and Recreation program. She questioned the allocation of funding for the Optimist Clubs. She suggested creating a Parks and Recreation Board.

Commissioner Ferguson addressed the Council to expound on the grant funding allocation Ms. Coakley had questioned. She indicated that for the ten years that she's been on the County Commission, every year Miami-Dade County has appropriated in its budget approximately \$75,000 for inner City parks. However just about zero moneys have been spent from that allocation. She indicated that it's in the budget but it's not spent. She suggested addressing this issue during the City's negotiations with Miami-Dade County about the Parks service.

Ms. Pat Lightfoot of 2750 NW 172<sup>nd</sup> Terrace appeared before the City Council to get a clarification of a donor City.

Ms. Barbara Jordan explained the difference between a donor community and recipient community by stating that when a community receives more services than it can pay for it becomes a recipient community. She related that as an Assistant County Manager she was concerned about hearing that Miami-Dade County wasn't providing the numbers and would find out why this was happening.

Ms. Lightfoot further expressed concern with the fact that Miami-Dade County can't provide the City of Miami Gardens with the exact dollar amounts.

Ms. Riviera conveyed Miami-Dade County's commitment to working with the City of Miami Gardens to ensure that all pertinent information is received.

Ms. Sonia M. Harrison appeared before the City Council to express her views about the budget.

Ms. Pat Stripling of 20733 NW 9<sup>th</sup> Court appeared before the City Council to express her views about the budget.

After there were no other interested to speak on behalf of this item, the public hearing was closed.

At the conclusion of this discussion, it was moved by, Councilmember Pritchett, seconded by Councilmember Bratton to adopt this ordinance. This motion passed by a 7-0 vote.

Councilmember King:	Yes
Councilmember Bratton:	Yes
Councilmember Watson:	Yes
Vice Mayor Campbell:	Yes
Councilmember Pritchett:	Yes

Councilmember Braynon: Yes  
Mayor Gibson: Yes

**ORDINANCE NO. 2003-06**

- 8B) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING THE CODE OF ORDINANCES OF THE CITY OF MIAMI GARDENS; PROVIDING FOR DEFINITIONS AND ESTABLISHING RULES OF CONSTRUCTION FOR THE CITY CODE OF ORDINANCES; PROVIDING FOR THE REPEALER AND SEVERABILITY OF PARTS OF THE CODE; PROVIDING FOR AN EFFECTIVE DATE FOR ALL ORDINANCES; FURTHER PROVIDING FOR GENERAL PENALTIES FOR VIOLATIONS FOR CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (INTERIM CITY ATTORNEY)

Interim City Attorney explained the relevant issues involved with this ordinance.

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 closed.

Councilwoman Pritchett amended the last sentence of Section 5 to include the wording “ As stated in the Citizens Bill of Rights.

At the conclusion of this discussion it was moved by Vice Mayor Campbell, seconded by Councilmember Watson to adopt this ordinance. This motion passed by a 7-0 vote.

Councilmember King: Yes  
Councilmember Bratton: Yes  
Councilmember Pritchett: Yes  
Councilmember Braynon: Yes  
Vice Mayor Campbell: Yes  
Councilmember Watson: Yes  
Mayor Gibson: Yes

**ORDINANCE NO. 2003-07**

- 8C) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO RULES OF PROCEDURE FOR THE CITY COUNCIL; REPEALING SECTION 2-1 OF ARTICLE 1, CHAPTER 2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR PURPOSE AND INTENT; ESTABLISHING PROCEDURES FOR MEETINGS OF THE CITY COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY

COUNCIL MEMBER OSCAR BRAYNON, II)

Councilmember Braynon explained the important issues associated with this legislation.

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.

At the conclusion of the discussion it was moved by Councilmember Pritchett, seconded by Councilmember King to adopt this ordinance. This motion passed by a 7-0 vote. As amended.

Councilmember King:	Yes
Councilmember Bratton:	Yes
Councilmember Pritchett:	Yes
Councilmember Braynon:	Yes
Vice Mayor Campbell:	Yes
Councilmember Watson:	Yes
Mayor Gibson:	Yes

**ORDINANCE NO. 2003-08**

8D) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO REIMBURSEMENT OF BUSINESS AND TRAVEL RELATED EXPENSES; PROVIDING FOR PURPOSE AND INTENT; ESTABLISHING GUIDELINES FOR THE REIMBURSEMENT OF EXPENSES; PROVIDING FOR VERIFICATION OF TRAVEL EXPENSES; PROVIDING THE CITY MANAGER WITH THE AUTHORITY TO ADOPT ADMINISTRATIVE PROCEDURES TO CARRY OUT THE PURPOSE OF THIS ORDINANCE; PROVIDING FOR PENALTIES FOR FRAUDULENT CLAIMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR AN EFFECTIVE DATE. (INTERIM CITY MANAGER)

Interim Manager Curry made clear the intent of this ordinance.

Mayor Gibson opened the floor for the public hearing. After there were no other 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 Councilmember King, seconded by Councilmember Pritchett to adopt this ordinance. This motion passed by a 7-0 vote.

Councilmember Watson:	Yes
Councilmember King:	Yes
Councilmember Bratton:	Yes

Councilmember Pritchett: Yes  
Councilmember Braynon: Yes  
Vice Chairperson Campbell: Yes  
Mayor Gibson: Yes

**ORDINANCE NO. 2003-9**

- 8E) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING A PURCHASING AGENT; PROVIDING FOR INFORMAL COMPETITIVE BIDDING; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (INTERIM CITY MANAGER)

Interim City Manager Curry explained that this item simply provides some flexibility during the competitive bidding process.

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.

Moved by Councilmember Campbell, seconded by Councilmember Bratton to adopt this ordinance. Motion passed by a 7-0 vote.

Vice Mayor Campbell: Yes  
Councilmember Watson: Yes  
Councilmember King: Yes  
Councilmember Bratton: Yes  
Councilmember Pritchett: Yes  
Councilmember Braynon: Yes  
Mayor Gibson: Yes

**ORDINANCE NO. 2003-10**

- 8F) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO ZONING; ADOPTING CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, ENTITLED "ZONING"; ASSUMING JURISDICTION BY THE CITY COUNCIL OVER PLANNING AND ZONING DECISIONS; PROVIDING FOR CODIFICATION, ORDINANCES IN CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE. (INTERIM CITY MANAGER)

Interim Manager Curry explained the relevant issues associated with this item.

Mayor Gibson opened the floor for the public hearing.

Commissioner Betty Ferguson appeared before the Council to remind them of a suggestion made earlier in the meeting regarding the creation of a Planning and Zoning Board.

Councilmember Pritchett inquired if the City was appropriately staffed at this time to assume the responsibility of processing applications.

Interim Manager Curry indicated that Miami-Dade County would be providing that service in the transition period for FY 2003-04.

Councilmember Pritchett asked if there would be a cost to the City.

Interim Manager Curry indicated that the application fee would remain with Miami-Dade County in order to offset the cost of their providing the service.

Vice Mayor Campbell asked if there would be a budget impact for support staff for a City of Miami Gardens Zoning Board?

Interim Manager Curry indicated that there would be a cost for additional support staff because this is an additional layer.

Councilmember Pritchett expressed concern with the City's ability to handle all of the pending applications expeditiously.

Interim Manager Curry related that Miami-Dade County will continue to provide all the services required to process the Zoning applications.

Councilmember Braynon inquired about a zoning date to consider the application.

Interim Manager Curry said that a date will need to be set.

Councilmember Watson inquired about the frequency in which a City might enter into litigation due to a unfavorable zoning matters and whether a buffer board was necessary.

Interim City Attorney said this would depend on the amount of development within a city. The bottom line is whether the Council sits as the Zoning Board or a group of citizens, anyone can sue the city.

At the conclusion of this discussion it was moved by Councilmember Braynon, seconded by Councilmember Watson to adopt this ordinance. Motion passed by a 7-0 vote.

Councilmember Braynon:	Yes
Vice Mayor Campbell:	Yes
Councilmember Watson:	Yes
Councilmember King:	Yes

Councilmember Bratton: Yes  
Councilmember Pritchett: Yes  
Mayor Gibson: Yes

## 9. RESOLUTIONS:

### **RESOLUTION NO. 2003-32**

- 9A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO THE INTERIM COST OF LOCALIZED AND SPECIALIZED POLICE SERVICES; PROVIDING FOR INCLUSION IN THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

Interim Manager Curry explained the issues involved with this item

At the conclusion of the discussion it was moved by Councilmember Braynon, seconded by Councilmember Pritchett to approve this resolution. Motion carried by a 7-0 vote.

### **ADDED ON AFTER THE FACT pursuant to discussion of Item 12B)**

### **RESOLUTION NO. 2003-33**

- 9 B) A RESOLUTION OF THE CTY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXPRESSING SUPPORT FOR “DISPLAY “2003” CARIBBEAN CARNIVAL, A CELEBRATION CULTURE, PRODUCED BY THE SOUTH FLORIDA ORGANIZATION OF CARIBBEAN ARTS, INC. , (S.O.C.A.); PROVIDING AN EFFECTIVE DATE.

Moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item. Motion carried by a 7-0 vote.

## 10. REPORTS OF INTERIM CITY MANAGER

### 10A) TRANSITION STATUS REPORT

The transition budget has been approved. An additional five thousand dollar expenditure was necessary to cover the cost of insurance for the elected officials. With the Council’s approval this expenditure would be allocated from the transition budget

Moved by Councilmember Braynon, seconded by Councilmember Pritchett to allow the Interim Manager to expend funds in the amount of \$5,000 from the transition budget to pay for the cost of insurance for the elected officials for FY 2003-04. Motion carried by a 7-0 vote.

Interim Manager Curry indicated that the Interlocal Agreement will come before the City Council on October 8, 2003. The next step in the process is the Miami-Dade Budget and Finance Committee on October 16, 2003 and the final step in the process is before the Miami-Dade County Commission on October 21, 2003.

Interim Manager Curry said that the search for the City Attorney is basically on hold until the selection for the City Manager is concluded. The search for the City Clerk has concluded.

Interim Manager Curry indicated that an additional expenditure of approximately \$1,500 is required to properly outfit the City Clerk's office.

Councilmember Pritchett related that the Council had voted unanimously to aggressively search for a permanent City Manager and City Attorney. She inquired as to why the City Attorney selection process had been put on hold.

Mayor Gibson shared her belief that the most important position to address is that of City Manager. The selection process for the selection of a City Manager is going to be an intense one. It is anticipated that this process will conclude on November 10, 2003. Although the direction was given to do the search for a City Attorney, no time frame was set for this process.

Councilmember Pritchett related that she did not understand nor agreed with placing the search for a permanent City Attorney on hold. She concurred that the City Manager's position was important however, the City Attorney's position was equally as important.

#### **10B) CITY LOGO/SEAL PRESENTATION**

A meeting is scheduled for Monday, September 29, 2003 to allow citizens input on the logo and seal. The meeting will take place at the Miami Gardens Executive Office, beginning at 7:00 p.m.

### **11. REPORTS OF MAYOR AND COUNCIL MEMBERS**

#### **11A) GENERAL REPORTS FROM MAYOR AND COUNCIL MEMBERS**

Councilmember Braynon brought forward an item for discussion at a later time. He related that the item is addressing the process that would allow the Council and community to get involved with the selection of the City Manager, City Attorney and City Clerk. This item is in no way intended to infringe upon the Charter given rights of the Mayor. He opined that it is important that a working relationship between the three appointed positions and the City Council be created from the beginning. He highlighted some of the significant aspects of the ordinance.

Councilmember Pritchett shared that each Saturday she has invited residents to come see the City of Miami Gardens City Hall facility in order to become familiar with it. She further asked members of the audience to share this information with their family and friends.

Councilmember King shared that she was very pro economic development and announced

that the Denny's Restaurant on 27<sup>th</sup> Avenue near 199<sup>th</sup> Street was open for business. She further encouraged everyone to patronize this establishment.

Councilmember Bratton asked if a survey or study was being done to identify a new City Hall site.

Interim Manager Curry said that there is an RFP and an RFQ pending. A pre-bid conference for the RFQ is scheduled on tomorrow. The RFQ involves lobbying services for Tallahassee. The RFP is for office space for the City, and a pre-bid conference was held on this particular item on yesterday. The agreement the City has for the space currently occupied will expire sometime in November.

Vice Mayor Campbell asked administration to prepare a resolution for the next City Council agenda with respect to asking Miami Dade County to forgive the fees associated with services being provided by Miami Dade County, for this fiscal year.

Mayor Gibson reported that Walmart Stores is in the process of purchasing 33 acres located in the Dolphin Center located 199<sup>th</sup> Street and NW 27<sup>th</sup> Avenue, to construct a 203,000 square foot super store with an adjacent gas station. There is a concern with the traffic impact this would cause as well as the design of the store. An economic impact will also be imposed on the small business of this community. Miami-Dade County has advised that the City's input would be taken.

Mayor Gibson shared that there would be a process so that Council will have an integral part in this selection process. The Interim Manager is getting together a list of citizens to sit on that Committee. The Committee will consist of seven members, with the Mayor selecting four of those members and the remaining three to be selected by Council. The final candidates will be presented to Council at a reception. There will also be a public process where the candidates will answer questions from the Committee members. The Mayor will then make a selection from those final candidates and that process will then come to the Council for its consideration on November 19, 2003.

Mayor Gibson announced that a Town Hall meeting has been scheduled for October 14, 2003 beginning at 7:00 p.m., at Miami Carol City High School.

Councilmember King asked if a flyer announcing the Town Hall meeting could be done to pass out to the Community.

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

12A) PRESENTATION BY DR. MARIA G. RODRIQUEZ REGARDING THE CHILD MENTAL HEALTH INITIATIVE. Not present

12B) S.O.C.A.

Celia Joseph appeared before the City Council to explain the philosophy behind the S.O.C.A. event scheduled to be held on October 12, 2003 at Pro-Player Stadium. There will be a charge for parking.

Interim City Attorney Ottinot suggested having a motion in support of this event, with a resolution ratifying the Council's action prepared to reflex Council's action at this meeting.

It was moved by Councilmember Watson, seconded by Councilmember Bratton to have staff draft a resolution ratifying the Council's support for having this event in the City of Miami Gardens. Motion carried by a 7-0 vote. This item is reflected as Item 9B) of the minutes.

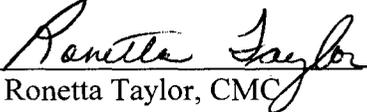
12B) PUBLIC COMMENTS – 20 MINUTES

The following individuals appeared before the City Council for comments. The Honorable Betty Ferguson; Janice Coakley; Mr. Williams re: City's Logo.

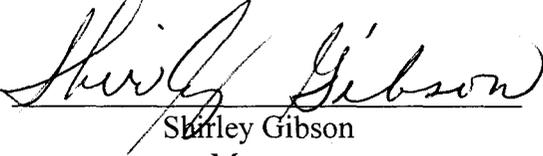
**13. ADJOURNMENT:**

There, being no further business to come before this Council, it was moved by Councilmember Braynon, seconded by Councilmember Pritchett to adjourn the meeting at 11:35 p.m. The motion carried by a 7-0 vote.

Attest:

  
Ronetta Taylor, CMC  
City Clerk

Approved:

  
Shirley Gibson  
Mayor