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**August 25, 2004**

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**CITY OF MIAMI GARDENS  
REGULAR CITY COUNCIL MINUTES**

**AUGUST 25, 2004**

**1. CALL TO ORDER/ROLL CALL OF MEMBERS:**

The City Council of the City of Miami Gardens, Florida, met in regular session on Wednesday, August 25, 2004, beginning at 7:12 p.m., in the City Council Chambers, 1515 NW 167<sup>th</sup> Street, Building 5, Suite 200, Miami Gardens, Florida.

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

Also in attendance were: City Manager Dr. Danny O. Crew, City Attorney Sonja K. Knighton and City Clerk Ronetta Taylor.

**2. INVOCATION:**

Ms. Pat Lightfoot 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:**

Regular Council Meeting - July 28, 2004

It was moved by Vice Mayor Campbell, seconded by Councilman Braynon to approve the minutes with the following corrections: Page 1, line 8, delete the month of September and replace with July; page 8, line 14, delete the word "to"; page 8, line 1, change the word possible to possibly. There being no further corrections this motion **passed and carried by a 7-0 vote.**

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

Councilman Braynon asked that Mr. Leroy Jones be allowed to speak under Item No.

6.

Manager Crew asked that Item No, 7A be deleted and that the following items be added.

Item No. 7B as follows **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING A FEE FOR THE REVIEW AND APPROVAL OF COMMUNITY DEVELOPMENT DISTRICTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE;**

**PROVIDING AN EFFECTIVE DATE”.**

**10M) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS IN FURTHERANCE OF APPLYING FOR THE GRANT AND ACCEPTING THE SAME; PROVIDING FOR A MATCH FROM THE CITY FOR ALL GRANT FUNDS RECEIVED; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.**

It was moved by Councilman Braynon, seconded by Vice Mayor Campbell to approve the official agenda with the removal of Item No. 7A and the addition of Item No. 7B, and 10M. This motion was **passed and adopted by a 7-0 vote.**

**6. SPECIAL PRESENTATION(S):**

**a. Deborah Dorsett – Greater Miami Service Corp**

Ms. Dorsett, Interim Director of Greater Miami Service Corp appeared before the City Council to expound on this program. The participants are at-risk youth between the ages of 18-23. Many of the participants receive scholarships to obtain a higher education.

Ms. Minkins, residing at 17310 NW 36<sup>th</sup> Avenue, Miami Gardens, Florida, and a participant in this program appeared before the City Council to share with the Council her rationale for joining this program. She further shared the invaluable experience and knowledge she’s gained through this program.

Mr. Joseph Steers, residing at 21423 NW 37<sup>th</sup> Avenue, Miami Gardens, Florida, and participant in this program, appeared before the City Council to share his educational experience through this program. He related that he is currently enrolled at Miami Dade College, and is on his way to earning a Business Degree.

Mr. Kevin Lewis, a representative of Greater Miami Service Corp, appeared before the City Council to share that he’d met with Ms. Codner, the City’s Director of Keep Miami Gardens Beautiful Program, to discuss some potential beautification and landscape projects within the City, as well as pursuing funds through Florida Department of Transportation.

Councilwoman Pritchett asked how many individuals, who actually reside within the corporate boundaries of Miami Gardens, were participating in this program.

Ms. Dorsett replied approximately ten of the participants are residents of the City of Miami Gardens however, this number changes with each cycle.

Mayor Gibson thanked Ms. Dorsett and Mr. Lewis for this very informative presentation and for introducing the young participants who spoke this evening.

**b. Mr. Leroy Jones, Founder of Brothers of the Same Mind**

Mr. Leroy Jones appeared before the City Council to expound on Brothers of the Same Mind. This organization focuses on finding gainful employment for ex-offenders. He further expressed opposition to the Florida Department of Corrections Workforce Program. He encouraged the City Council to give those individuals that might not otherwise get one, an opportunity to become a whole person. He related that he's been able to accomplish very positive deeds because he was given an opportunity.

Councilman Braynon related that he'd invited Mr. Jones to speak tonight because Brothers of the Same Mind has provided opportunities to those individuals who don't normally get opportunities. Mr. Jones has also been instrumental in keeping small businesses within this community afloat, with grant funding that he's fought for. Twenty-two businesses within this community have received funding through his program.

Councilwoman Pritchett asked whether any of the participants through Brothers of the Same Mind Program were residents of the City.

Mr. Jones related that this is a County-wide program and there are some residents of this City in the program. Approximately 90% of the participants are ex-offenders. He related that he would provide an accurate number of residents at a later date.

Councilwoman Pritchett asked what form of media was being used to advertise this program.

Mr. Jones shared that the program is being advertised through flyers. He conveyed his hopes that the City of Miami Gardens would rethink the utilization of prison labor for public work services.

Vice Mayor Campbell inquired as to what Mr. Jones was asking from the City Council, tonight.

Mr. Jones stated that he was before this Council to request that they not utilize the services of the Florida Department of Corrections (prison labor) to save money. He opined that it will save a few dollars, but morally what will it do to the residents of the City, when they see people in prison uniforms cleaning up the streets and the people that live in Miami Gardens don't have a job. Mr. Jones further provided contact information as follows: (305)688-3319 or (786)426-6263.

Mayor Gibson commended Mr. Jones for his efforts, and shared that she first became acquainted with Mr. Jones in 1995. She related that volunteerism is a worthy thing to do and opined that Mr. Jones' organization has been such a success because he's had individuals to volunteer their time, and people can see that they are sincere about what it is that they do. She further applauded Mr. Jones for what he has been able to accomplish in the government arena. She related that she did not have a problem hiring people from the Community. She reiterated her position that Miami Gardens can set the example of hiring inmates when they have completed serving their sentences; unless the job relates to what they were convicted for. She opined that the City of Miami Gardens can set the example by not holding someone's past against them so that they can not be gainful employed. She related that the City can hire as many people as it deems necessary, however that

hiring comes with a price. The funds will have to come for the residents and tax payers.

Mr. Jeffrey Mellerson, residing at 10085 NW 8<sup>th</sup> Avenue, Miami, Florida, appeared before the City Council to further expound on the Florida Department of Corrections Labor Program. He related that he was an ex-felon, and it is very difficult for ex-felons to find jobs here in South Florida. He said that Mr. Jones' comments were very viable and very important. He opined that there needs to be a better understanding through a deeper dialogue about the importance of employing individuals from this community. He referenced a document entitled a CQE "Certificate of Qualified Employment" and related that he's started writing the legislation to try to get this CQE implemented through the Department of Corrections. His rationale is if he can work in prison, for fifteen cents an hour, ensuring that all officers' uniforms were appropriate for work, when released from prison, he should be able to provide a service to the community, as a felon, a person returning to their respective communities, and being integrated into society.

## 7. ORDINANCE(S) FOR FIRST READING:

~~7A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY MIAMI GARDENS, FLORIDA, REPEALING ORDINANCE NOS. 2003-09 AND 2004-01-17; ESTABLISHING PURCHASING PROCEDURES; PROVIDING DEFINITIONS; PROVIDING FOR A PURCHASING AGENT; PROVIDING FOR PURCHASING LIMITATIONS AND COMPETITIVE BIDDING; PROVIDING FOR BID AWARDS, PROVIDING FOR THE EVENT OF ONLY ONE RESPONSIVE BID; PROVIDING FOR ALL BIDS TO BECOME THE PROPERTY OF THE CITY; PROVIDING FOR A WAIVER OF COMPETITIVE BIDDING PROCEDURES; PROVIDING FOR A VENDOR'S LIST; PROVIDING FOR EXEMPTION FROM BIDDING; PROVIDING FOR A LOCAL PREFERENCE PROGRAM; PROVIDING FOR COOPERATIVE BIDDING; PROVIDING FOR CONTRACT ADMINISTRATION; PROVIDING FOR PROTEST PROCEDURES; PROVIDING FOR ETHICS IN PUBLIC CONTRACTING; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)~~

7B) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING A FEE FOR THE REVIEW AND APPROVAL OF COMMUNITY DEVELOPMENT DISTRICTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Manager Crew explained that a Community Development District is a legal mechanism by which a developer can establish one of these districts in a potential development, where the

developer builds the infrastructure (e.g. roads, sewer and water). The developer then sells it to the Community Development District. The homes are then assessed, for that district, over the life of the mortgage. This is a way to get the infrastructure paid for by the developer. The individual that purchases a home in this development would have to pay for the infrastructure either way (e.g. the developer will pay for it and then increase the price of the house or sell it to the Development District, with the property owner paying for it through the assessment).

Manager Crew stated that the Florida Statutes provides for the Community Development District. Miami-Dade County previously approved these districts. Now that Miami Gardens has incorporated, it will have the sole authority to approve any new districts that come along after October 1, 2004. There is currently one developer that has already applied and paid a \$15,000.00 to Miami-Dade County, however, they can not be approved without the City's approval. He opined that if Miami Gardens provides the same service as Miami-Dade County, then Miami Gardens should have the same fee as Miami Dade County. This ordinance provides that any developer that has applied for one of these special districts, to pay the City of Miami Gardens, a fee of \$15,000.00.

The Florida Statutes is set up in a way to ensure that if the development is over 1,000 acres, the City would get the fee anyway. Because this particular development is under the 1,000 acres and because of the unusual time frame involved, administration thought that it would be appropriate to have a Community Development District for the City of Miami Gardens.

Moved by Councilman Braynon, seconded by Councilwoman Watson to approve this item on first reading. This motion **passed and carried by a 6-0 vote.**

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

## **8. ORDINANCE(S) FOR SECOND READING (PUBLIC HEARINGS):**

None

## **9. PUBLIC COMMENT – 10 MINUTES**

Ms. Diana Leslie, a merchant with a business address at 4641 NW 199<sup>th</sup> Street (the Dolphin Plaza) appeared before the City Council to ask that the City Council re-examine the Occupational License Fees being charged to the local businesses. She related that the rates being charged by the City are almost double those being charged by Miami-Dade County.

Mr. Raul Martinez, with a business address at 4641 NW 199<sup>th</sup> Street, Miami Gardens, appeared before the City Council to express concern on behalf of the small business at the Dolphin Plaza, the City's Occupational License Fee Structure and asked that it be re-examined. He related that one of the businesses in this Plaza has been assessed, by the City, an Occupational License Fee of \$7,000.00.

Councilwoman Watson asked Mr. Martinez what type of business was being charged the \$7,000.00.

Mr. Martinez identified the business as a local pharmacy. He invited the City Council to visit the shopping plaza.

Councilwoman Pritchett thanked the merchants for coming before the City Council to express their concerns.

Mayor Gibson asked that Mr. Martinez and Ms. Leslie meet with Mr. Steers regarding this issue.

Ms. Pat Lightfoot, residing at 2750 NW 172<sup>nd</sup> Terrace, Miami Gardens, Florida, appeared before the City Council to express her views about the hiring of prison in-mates to perform public works services within the City of Miami Gardens. She further expressed support of Mr. Jones and Brothers of the Same Mind.

Mayor Gibson acknowledged Mr. Wilbert T. Holloway, State Representative for District 103.

Mr. Fred Douglas, residing at 17620 NW 27<sup>th</sup> Court, Miami Gardens, Florida, appeared before the City Council to state that he did not know about the City Council meetings, and did not know the names of the members of the elected body. He further expressed concern as to whether the school crossing guards currently employed within the City of Miami Gardens were properly trained. He also expressed concern with the trash piles in his neighborhood and how he'd made several phone calls to report them. In addition, he expressed concern about the huge increase in property taxes.

Mayor Gibson advised Mr. Douglas to provide his information to Mr. Steers, the City's Assistant to the City Manager. She further asked Mr. Douglas his suggestion on getting the word out to the Community about the meetings.

Mr. Douglas suggested putting the announcements on the television as well as the newspapers.

Councilwoman Pritchett asked Mr. Douglas if he'd received assistance with the issue they'd discussed.

Mr. Douglas related that he'd spoken with someone about that particular issue and was expecting someone to make a site visit.

Councilwoman Pritchett asked Mr. Douglas to please keep the City Council abreast of this progress. She related that the Council members were here to meet the needs of the residents, and everyone on the council works diligently to do that. She further encouraged Mr. Douglas to heed Mayor Gibson's advice and speak with Mr. Steers.

Councilwoman Watson related that she wasn't clear with whom Mr. Douglas had spoken to in regard to his complaints.

Mr. Douglas related that he's spoken with representatives from Miami-Dade County. Miami-Dade County advised him to call the City of Miami Gardens. When he called the City of Miami Gardens, he was not able to speak with an individual due to the City's computerized phone system.

Manager Crew addressed Mr. Douglas' concerns about the School Crossing Guards and related that even though this service is being provided by an independent contractor all the guards are State Certified. He further encouraged Mr. Douglas to give the city a call when he witnesses any unsatisfactory performances by the school crossing guards.

Mr. Winston Grant, with a business address at 19934 NW 2<sup>nd</sup> Avenue, Miami Gardens, Florida, appeared before the City Council to express concern with the franchise fee for waste management, and the increased amount of his occupational license.

Ms. Fredericka McCalla, with a business address at 18400 NW 2<sup>nd</sup> Avenue, Suite #8, Miami Gardens, Florida, appeared before the City Council to express concern about the City's Occupational License Fee for her convenient store.

Manager Crew related that the occupational license is based on an inventory formula. He asked that Ms. McCalla provide the City with applicable documentation so that an evaluation of her occupational license fee can be conducted.

Ms. Elois Holton, residing at 4350 NW 207<sup>th</sup> Drive, Miami Gardens, Florida, appeared before the City Council in support of the Florida Department of Corrections Inmate program.

Mr. Wendell James, residing at 18820 NW 29<sup>th</sup> Place, Miami Gardens, Florida, appeared before the City Council to express concern with the formula used to assess the occupational license fee.

Mr. Leonard Coles, residing at 2010 NW 191<sup>st</sup> Terrace, Miami Gardens, Florida, appeared before the City Council to advise that the tax bill mailed out by Miami-Dade County has the wrong address for the City of Miami Gardens' City Hall. He further expressed concern that individuals are not aware of the City Council meetings. The meetings are noticed on the City's webpage; however the agenda is not posted. He further opined that the minutes should be readily available to the public. He also opined that the people should have an input on the level of taxes and services to be imposed. He referenced incorporation information put out during the incorporation initiative and stated that there were a lot of promises made and the Council members should be working toward those promises.

Ms. Naomi Wright, residing at 18339 NW 38<sup>th</sup> Court, Miami Gardens, Florida, appeared before the City Council to provide information on the Florida Department of Transportation's Initiative for "Livable Communities". She related that she'd asked if representations would come

out into the community to do presentations, which they confirmed they would do. She further shared that beautification is also a part of this initiative.

Councilwoman Watson related that she was concerned by comments made by Mr. Douglas in regard to taxes tripling. She stated that the City's taxes were not tripling and asked that staff sit with Mr. Douglas to explain how his taxes would be affected.

Mayor Gibson asked Manager Crew to explain the process for setting a millage rate.

Manager Crew explained that as per the State Statutes, the City Council adopted a maximum millage rate on July 29<sup>th</sup>; which in turn was sent to the Miami-Dade County Property Appraiser's Office. During the months of August and September, and prior to the adoption of the budget and the millage rate, the City Council will hold two public hearings. In addition, this Council is conducting five Town Hall meetings in the various districts to explain the budget and the millage and to answer questions for the public. On September 15, 2004, a public hearing will be held to adopt a tentative millage. A final public hearing to adopt the budget and set a millage rate will be held on September 29, 2004.

Mayor Gibson reiterated that the City Council will make a final decision on the millage rate. She related that the Council can not impose a millage rate higher than what was proposed, July 29<sup>th</sup>. The millage rate can be lowered but it can not go higher than 3.6484 because that information has already been sent to Miami-Dade County as a proposed millage rate.

Mayor Gibson shared that anyone in the audience that is interested in knowing what the proposed tax rate increase would be for their property can go to Mr. Steers and have him access this information for them. This service is taking place at every Town Hall meeting and City Council meeting. She further shared that she's asked staff to provide everyone in the audience with a copy of the Town Hall and Public Meetings Schedule.

Councilwoman King shared that the reason the Council wanted to get this information out to the residents is because there has been so much talk about property taxes increases by 100 and 200 percent. She emphasized the importance of not believing all the rumors, and getting the correct information, first hand for the right source.

Councilman Bratton inquired as to whether the City Council meetings could be televised.

Manager Crew indicated that this is something that could be done in the future, but not at present.

## **10. RESOLUTIONS:**

### **RESOLUTION NO. 2004-83-134**

- 10A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, AN ADDENDUM TO THAT CERTAIN LEASE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND**

**GOLDEN GLADES ASSOCIATION, LLP, SUBJECT TO THE REVIEW AND APPROVAL OF THE SAME BY THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained that in preparation for the October 1, 2004, timeline when the City takes over, from Miami-Dade County, the departments of Planning and Zoning, Building and Public Works, staff has been in discussions with Golden Glades Association, LLP, for the additional leasing of 6,600 square feet of space in the building directly behind this building. The space has been offered at the same base rate as the rate currently being charged for the City Hall building. Golden Glades has also agreed to pay the first \$66,000 cost, in renovations that will be required. It is staff's belief that all of the required renovations will be at that \$66,000 amount. He referenced the prior lease and indicated that the final cost overrun for renovations was \$211,000.00 (additional build-out cost). The Addendum outlines all of the change orders that were required for the renovation of the current building. Out of the 20 items listed by the architect, all but three were mandated by the Building Code. The renovation cost for City Hall will be in increment payments over a five year period. The lease of the second building will start as of October 1, 2004. The City has been given a six month grace period on the rental payments.

Attorney Knighton indicated that when the resolution was drafted, staff did not anticipate the additional build-out cost being included in the Addendum. As a result, the cover memorandum and the resolution would have to be amended, since the original lease is being amended to include the additional build-out cost.

It was moved by Vice Mayor Campbell, seconded by Councilman Braynon to adopt this resolution.

Attorney Knighton recommended an amendment to the resolution as follows: Delete the Whereas Clause on line 14 of the resolution and add the following Whereas Clauses "Whereas, as a result of the anticipated build-out of the current lease premises, the annual lease term has increase by approximately \$211,000.00; and, Whereas, the City Manager recommends that the lease be amended to provide for that increase in the annual lease terms.

It was moved by Councilman Braynon, seconded by Vice Mayor Campbell to amend the resolution as recommended and stated by the City Attorney.

Councilwoman Pritchett questioned whether the \$10.00 per square foot on the interior improvements mentioned in staff's memorandum was different from the \$11.95 being discussed now.

Manager Crew explained that the \$10.00 per square foot is the allowance being provided by Golden Glades, Association, for renovations. The \$11.95 is the basic rate for rent, which includes water and sewer.

Mr. Horace McHugh, Assistant City Manager for the City of Miami Gardens, appeared before

the City Council and stated that in negotiating this Addendum, the owner indicated that it would be the same terms and conditions as the original lease. He said originally, the owner had proposed up to 18,000 square feet. The City only used approximately 10,000 square feet of that original proposal. With the anticipation of the additional services coming on board, the City is now requesting that additional square footage originally proposed. He emphasized that it is extremely convenient to have the additional facility in close proximity to City Hall. He further related that the owner might not have this particular parcel available a month from now, and time is of the essence. He placed emphasis on the importance of getting this item approved so that the renovations can be initiated prior to the October 1, 2004, deadline for the City to take on the additional services.

Mayor Gibson placed emphasis on the importance of starting the six month provision after the renovations have been completed, a Certificate of Occupancy has been issued, and the day the City is able to move into the facility.

Mr. McHugh said that this provision would be included in the agreement.

Councilman Braynon referenced the proposed dedicated parking spaces and the amount of day traffic in the complex. He also referenced the proposed signage, identifying the City Hall Complex, which he has not seen.

Manager Crew indicated that there are ten dedicated parking spaces on the south side of the building, facing the Palmetto. He further shared that he'd asked that the owner hold off on the signage because he wanted that signage to match the Entranceway signage. The parking on the north side of the complex where the extra lease space is located is significantly less utilized than the south side.

There being no further discussion on the amendment, the **motion passed and carried by a 7-0 vote.**

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

There being no further discussion on the resolution as a whole, **the motion passed and carried by a 7-0 vote.**

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

**RESOLUTION NO. 2004-84-135**

- 10B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE A SECURITY AND ACCESS CONTROL SYSTEM FROM SEGUTRONIC INTERNATIONAL INC. IN AN AMOUNT NOT TO EXCEED \$17,500; WAIVING THE COMPETITIVE BID REQUIREMENTS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained that this is an extension of the existing system the City currently has in place. He asked that the City Council approve the bid waiver and award this contract to this company in order to ensure that the same service is provided in both buildings.

It was moved by Vice Mayor Campbell, seconded by Councilwoman Watson to adopt this resolution.

Manager Crew indicated that the Public Works Department will be the first user of this facility therefore this cost would be allocated from that budget.

Councilwoman Pritchett asked Manager Crew to explain, for the benefit of the audience, the competitive bid waiver process, as per the City's Charter.

Manager Crew explained that the Charter requires that, under normal circumstances, that the City acquires three competitive quotes, depending on the value of the service being requested. That process was performed when the City was seeking to install a security system in the City Hall complex. To ensure uniformity, the same applies to the telephone system, which is also on tonight's agenda for the Council's consideration and approval.

Councilwoman Pritchett commented the bottom line is that the competitive bid process was followed during the initial process and this is just a continuation.

There being no further discussion, on this item the motion to **approve passed and carried by a 7-0 vote.**

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

**RESOLUTION NO. 2004-85-136**

- 10C) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI**

**GARDENS, FLORIDA AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AGREEMENT WITH BELL SOUTH COMMUNICATION SYSTEMS FOR EQUIPMENT, WIRING, INSTALLATION AND MAINTENANCE, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained that this is the second item involved with the Lease Addendum and the new building to house City services. A competitive bid process did take place during the initial process for the City Hall complex. This is an extension of that contract and would allow for the unification of the telephone system from one building to the other.

Mr. McHugh further explained that half of this cost involves the wiring.

It was moved by Councilman Braynon, seconded by Councilwoman Watson to approve this item.

Councilwoman Pritchett asked for a clarification regarding the quantity, which is list at 45, yet the actual equipment identified is listed at 34, which is a difference of nine telephones.

Mr. McHugh explained that initially the City had purchased extra telephones this eliminated the need to purchase phones for every single person. In addition, some of the equipment being provided is for printer and fax jacks.

Councilwoman Pritchett stated that the Council members had received, in their Agenda packet information regarding the \$21,206 expenditure, but did not see anything definitively regarding the \$23,049.67 expenditure, for the equipment and wondered why that information was not included in the packet.

Mr. McHugh explained that it is being handled differently because the wiring portion of the contract is being subcontracted out through BellSouth, and the electronic portion is done by BellSouth.

Councilwoman Pritchett opined that Council should have been provided with this information, as well so that they could at least have an overview before they voted.

Manager Crew apologized for this oversight. He opined that as a safeguard, the Council could include Proposal #1.

Attorney Knighton for clarification purposes stated that there is backup information provided for the \$21,206 expenditure, but no backup for the \$23,049.67 expenditure. However, the question becomes "is that actually the amount".

Mr. McHugh related that this is the amount they are proposing not to exceed.

Attorney Knighton said that she would make this issue clear by striking out the June 25<sup>th</sup> date and make that proposal an addendum.

At the conclusion of this discussion, the motion to approve **passed and carried by a 7-0 vote.**

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

**RESOLUTION NO. 2004-86-137**

**10D) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI GARDENS FOR VEHICLE MAINTENANCE AND FUELING SERVICES, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained that this is a contingent contract, which provides the City with an option. Miami-Dade County has agreed to allow the City to fuel its vehicles at the Police Station and to use their maintenance facility. The City is not required to do this. Fueling is about 7% lower than what the retail market charges. It is anticipated that the City will use the fueling portion of this contract the most.

It was moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item.

Mayor Gibson asked if another resolution providing for an alternative would be brought forward for the Council's consideration.

Manager Crew shared that the City has the option of soliciting three quotes from local other vendors for those known vehicular repairs.

Mayor Gibson asked if a list of those local vendors, able to provide the repair service would be established for the City's utilization on a rotating basis.

Manager Crew responded by sharing that one of the things the Purchasing Agent will be responsible for is the establishment of a Bidder's List, where vendors will be invited to bid for services.

Mr. McHugh further expounded on this issue and related that towing services are also included

in this contract. He related that in some instances the labor might be more expensive but the parts are less expensive.

Councilwoman Pritchett questioned the provision that related to parts “at cost plus twenty-five percent.”

Mr. McHugh said that even though that provision is in place, the cost is still less than what one would pay at a local vendor because Miami Dade County purchased its parts in bulk.

Councilman Bratton inquired as to whether the City would allow take-home vehicles.

Manager Crew said that other than a public works vehicle to address emergencies, he did not believe in take-home vehicles for general employees.

Mayor Gibson asked for further clarification of the twenty-five percent charge.

Mr. McHugh said the twenty-five percent charge relates to administrative cost.

At the conclusion of this discussion, the motion **passed and carried by a 7-0 vote.**

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

**RESOLUTION NO. 2004-87-138**

**10E) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATIONS FOR GRANTS FROM THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM; AUTHORIZING THE CITY MANAGER TO TAKE WHATEVER OTHER STEPS MAY BE DEEMED NECESSARY AND APPROPRIATE IN CONJUNCTION WITH THE APPLICATIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained that there are projects that funds have already been allocated for, and approved by Miami-Dade County, prior to the incorporation of the City, that can not be changed. Even though the funds are allocated for the parks located within the City of Miami Gardens, the City has to apply for and ask for the allocation.

It was moved by Councilman Braynon, seconded by Councilwoman Pritchett to approve this

item.

Councilman Braynon indicated that there was no cover memorandum on this item. He opined the purpose of the cover memorandum is to explain the rationale behind why the City Manager is making the recommendation, and items should uniformly have an accompanying cover memorandum.

Manager Crew and that this certainly is his policy and apologized for not having a cover memorandum on this and other items on the agenda. He said this is an isolated incident and would ensure that applicable documentation is provided in the future.

Councilwoman Pritchett asked whether the City had a time-frame as to when these funds would actually come to the City's coffers, if this item is approved tonight.

Manager Crew related that the funds are anticipated after the first of next year. He said this is a five year allocation. The City is still working off of funds that were allocated previously, which are about ready to expire.

Councilwoman Pritchett asked what would happen if the City was not able to use the funds previously allocated before the expiration timeframe.

Manager Crew indicated that the funds would go back into the Safe Neighborhood Park Fund Pool to be awarded as part of a new grant. He emphasized that the City is not in any danger of losing any funding.

Vice Mayor Campbell commented that it would be beneficial for the City Council to know exactly how much total funding is allocated for each park project from the different funding sources.

Manager Crew related that he would provide the City Council with an updated spreadsheet, provided by Miami-Dade County, outlining the different funding sources and total allocation for each park project.

Vice Mayor Campbell emphasized the importance of having a Project Manager on board to keep track of the various park projects.

Manager Crew related that a Park Maintenance Supervisor Position is provided for in FY 04/05 Budget. In addition, the City's Public Works Director has experience in Project Management, and would actually be assisting with these projects.

There being no further discussion, this **item passed and carried by a 6-0 vote.**

Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Councilman Braynon:	Yes
Councilwoman King:	Yes
Councilwoman Pritchett:	Yes

Vice Mayor Campbell: Yes  
Mayor Gibson: Out of room

**RESOLUTION NO. 2004-88-139**

- 10F) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AGREEMENT WITH COOL KIDS LEARN, INC. FOR YOUTH PROGRAM MANAGEMENT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew stated that ultimately it is the desire and intent of administration to bring the Parks and Recreation Department in-house. However, the City does not have the capacity to bring the Department in-house for FY 04/05. The contract is basically the same as the existing contract. He further related that he's only heard good things about Cool Kids Learn, Inc., performance in the Parks.

It was moved by Councilwoman Watson, seconded by Councilwoman King to approve this item.

Councilwoman King related that she's not heard any complaints about Cool Kids Learn or the programs currently being performed. She conveyed her support of renewing this contract.

Ms. Vernita Nelson, Director of Cool Kids Learn, Program, residing at 1683 NW 193<sup>rd</sup> Street, Miami Gardens, Florida, appeared before the City Council to answer questions.

Councilwoman Pritchett inquired as to whether Cool Kids Learn had selected which parks would be utilized to provide the Senior Citizens Programs, outlined in FY 04/05 budget. She further asked if transportation would be provided for those seniors that do not drive.

Mrs. Nelson related that a very successful Senior Citizens program was sponsored at Buccaneer Park. Most of the residents in this area, as part of their exercise, either walk over as a group or drive. During this upcoming fiscal year, a Senior Citizens Program will be initiated at Bunche Park. Transportation to the parks will not be provided, however transportation for field trips will be provided.

Manager Crew shared that the City has applied for a grant to start a Senior Citizens Transportation Program.

Mrs. Nelson also shared that Cool Kids Learn has been partnering with the local churches for its transportation needs. She related that the seniors have been carpooling, so there has not been a real need to provide transportation.

Councilwoman Pritchett referenced Cool Kids Learn's proposed budget of 1.7 Million dollars, and stated that by allowing Cool Kids Learn to operate the 16 parks and four pools, the City has cut the

estimated cost of 3 Million dollars, to operate the parks, in half.

Councilman Bratton related that the most common comment being made by residents is that they are not aware of the services being offered in the parks. He asked by what means is Cool Kids Learn utilizing to get the word out into the community.

Mrs. Nelson said that the Saturday Edition and Miami Herald Neighbors Section have been utilized, as well as the local schools, the PTA and the Optimist Organizations, to get the information out into the community.

Councilman Bratton commended Mrs. Nelson and Cool Kids Learn for doing an excellent job.

Vice Mayor Campbell referenced the issue of residents not knowing about the various City sponsored programs/activities and related that from his experience, no matter how much money is spent on getting the word out utilizing the various Medias there will always be some people to say they did not know about it.

Mayor Gibson conveyed her appreciation to Mrs. Nelson and Cool Kids Learn for the excellent job they have done. She referenced a comment made by Councilwoman Pritchett as it related to the cost for park programming and indicated that even though Miami-Dade County might have had programs outlined on paper, there were no structured park programs in the parks. The City now has tangible programs.

Councilman Bratton inquired as to how individuals might apply for employment with Cool Kids Learn, Inc.

Mrs. Nelson shared that interested parties can log on to the Cool Kids Learn website or visit Clover Leaf Park. She indicated that currently there are no vacant positions.

At the conclusion of this discussion, the motion **passed and carried by a 7-0 vote.**

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

**RESOLUTION NO. 2004-89-140**

**10G) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN ADDENDUM TO THE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND WEED-AWAY, INC., A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT**

**"A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained that this is the park maintenance portion of the Parks and Recreation Department. The City had anticipated taking over this service as of October 1, 2004, unfortunately due to the necessary staffing required and the necessary equipment purchases required, the City will not be ready to take on this service until six month into the new fiscal year. This is a six month contract on a month to month basis.

It was moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item.

There being no discussion on this item, the motion to approve **passed and carried by a 7-0 vote.**

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

Mayor Gibson declared a point of order to allow State Representative Wilbert T. Holloway an opportunity for comments.

Representative Holloway, residing at 17831 NW 28<sup>th</sup> Court, Miami Gardens, Florida, appeared before the City Council to convey congratulations and a heartfelt thank you to the Mayor and City Council for providing leadership for the City of Miami Gardens. He further conveyed his support of the Greater Miami Service Corp. He further shared with the Council that at the State level he does have the City's interest at heart.

**RESOLUTION NO. 2004-90-141**

**10H) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING THE CITY'S DIRECTOR OF DEVELOPMENT SERVICES, AS THE "DIRECTOR" FOR ALL PURPOSES RELATED TO THE MIAMI-DADE COUNTY ZONING CODE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew related that the Miami-Dade County Code has a lot of minor provisions in it that could be handled administratively, and did not require the attention of the City Council. This resolution would designate the City's Director of Development Services as the Director for the

purposes of the Miami-Dade County Code.

It was moved by Councilman Braynon, seconded by Mayor Gibson to approve this item.

Attorney Knighton clarified that this resolution gives administrative approval to the City's Director of Development Services to perform those duties as prescribed by the Miami-Dade County Code for the City's purposes.

There being no further discussion, the motion to approve **passed and carried by a 6-0 vote.**

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

**RESOLUTION NO. 2004-91-142**

**10I) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AUTHORIZING THE RENEWAL OF INSURANCE COVERAGE FOR ELECTED OFFICIALS, OFFICERS, WORKERS' COMPENSATION, PROPERTY, FACILITIES, VEHICLES AND EQUIPMENT, WITH THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew explained the mitigating factors involved with the City's Liability Insurance Coverage. He said that one of the downsides of becoming a City is that the insurance bill goes up. This current year, the estimated insurance is \$12,000.00, next fiscal year the estimated insurance cost is \$220,000.00. The Florida League of Cities provides one of the most reasonable rates for insurance coverage in the State of Florida.

It was moved by Councilman Braynon, seconded by Councilwoman Watson to approve this item.

Mayor Gibson shared that she is a member of the Florida League of Cities Trust and opined that this Trust is very sound financially. She conveyed her commitment of keeping abreast of everything that is happening with the Trust and bringing a report back to this Council.

There being no further discussion, the motion **passed and carried by a 6-0 vote.**

Councilwoman King:	Yes
Councilwoman Pritchett:	Out of room
Councilwoman Watson:	Yes

Councilman Bratton: Yes  
Councilman Braynon: Yes  
Vice Mayor Campbell: Yes  
Mayor Gibson: Yes

**RESOLUTION NO. 2004-92-143**

- 10J) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AGREEMENT FOR PROFESSIONAL PLAN REVIEW AND INSPECTION SERVICES WITH CSA SOUTHEAST, INC., NOT TO EXCEED THE AMOUNT OF \$300,000.00, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A", PIGGYBACKING ON THAT CERTAIN AGREEMENT BETWEEN CSA SOUTHEAST, INC. AND THE CITY OF CORAL GABLES, DATED MAY 19, 2003, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew advised the City Council that this item and the next item were related. He also apologized because this is one of the items that should have had a cover memorandum. He explained that the City is facing the October 1, 2004 deadline, and it is extremely difficult to hire the specialty inspectors (building, structural, plumbing, etc) as in-house employees anymore. The market is such that most of these inspectors can make a significant amount of money, working for municipalities on a part time basis. The Village of Pinecrest was having an extremely difficult time hiring any inspectors; however it is the same everywhere. When building the City's Building Department, this was taken into consideration. Administration plans to get an in-house Building Official, who will serve as the Department head, as well as a Chief Building Inspector, who will also be an in-house employee. The interview process is underway for those two positions. Initially, thoughts were to hire the inspectors on an individual basis, but that is not feasible. Administration did a survey of other municipalities and the majority of those cities recommended CSA Southeast, Inc., and M.T. Causley.

Manager Crew said that the City of Coral Gables has contracts with both CSA Southeast, Inc, and M.T. Causley. This type of practice provides for stability and flexibility because if one firm couldn't provide service at a particular time, the other firm could. His rationale for using the firms is because the City did not have any history in the Building Department therefore the City did not know if it needed one or ten plumbing inspectors. Utilizing a firm would provide that flexibility until the City can establish what its needs are in staffing the Building Department. He further said, with the use of a contractor the City will determine the level of service required, rather than hiring individuals and having to lay them off when their services were not required. The City of Coral Gables had used the state process under the Competitive Consultant Negotiations Act to hire these consultants, which is the proper procedure. He said that if the City Council approves these resolutions and agreements, he would ask that the fourth whereas clause in the resolution as well as the agreement be stricken. This language was incorporated into the resolution prior to knowing whether Coral Gables had gone through the proper procedure in hiring these firms.

Mayor Gibson asked for clarification as to the other services being provided by CSA, Southeast, Inc.

Mr. Christopher Steers, the Assistant to the City Manager for Business Services, appeared before the City Council to further expound on this item. He shared that the City might have need of survey.

Attorney Knighton further clarified that the Coral Gables Contract included architectural, engineering and planning services, which are covered by the Competitive Negotiations Act. There are special bidding requirements when those types of services are acquired. Coral Gables' contract with these entities provided that they would do professional services. She related that she'd drafted the contract deleting those other services because she had a concern as to whether they had complied with the ACT. Mr. Steers contacted Coral Gables to find out if they had followed the procedures prescribed by the Competitive Negotiations Act. Coral Gables confirmed that they did follow the procedures required by the ACT. She related that the City's contract is not to exceed \$300,000.00 for whatever services are provided by CSA. She placed emphasis on the fact that the resolution reiterates in the Authority Clause, that the Contract is not to exceed \$300,000.

It was moved by Councilwoman Watson, seconded by Mayor Gibson to approve this item.

Councilwoman Watson asked if it was necessary to have a Certificate of Insurance.

Manager Crew replied that it was.

Councilwoman Watson said, although there is a Certificate of Insurance issued to the City of Coral Gables, she wanted to make sure that there was a Certificate of Insurance issued to the City of Miami Gardens as well. She placed emphasis on the importance of having this provision incorporated into the document.

Attorney Knighton related that this provision was included in Paragraph 1A of the Agreement with Coral Gables, which would be incorporated into the City of Miami Gardens' agreement.

Manager Crew referenced the language "the City shall be named as an additional insured on this said policy (e.g. comprehensive, general liability, workers compensation, etc...)"

Councilwoman Pritchett asked to be provided with a copy of the Coral Gables contract so that the City Council can review it, prior to voting on the matter. She inquired as to why the City was not advertising for an RFQ/RFP, when it is required as per the City's Charter.

Manager Crew explained that the State law recognizes that every city does not have to put out a bid. If another city puts out for a bid all a city has to do is buy off of that bid. Coral Gables went through that RFP process.

Councilwoman Pritchett said that she was concerned because the City Council did not have any

of that information before them to confirm that the bid process took place. She further pointed out that the City Council did not have a cover memorandum on this item as well. She opined that this is unacceptable and that she was uncomfortable voting for this item without the supporting documentation.

It was moved by Councilwoman Watson, seconded by Councilman Bratton to defer Items 10J and 10K, until such time as the supporting documentation is provided to the City Council, during this meeting.

The motion to defer Items 10J and 10K, until later in the meeting **passed and carried by a 7-0** vote.

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

Please Note, at this time, the Council considered Item No. 10L, that discussion is reflected in its respective place in the minutes.

Once Item No. 10J was brought back for discussion, Manager Crew indicated that the contract, provided to the City Council was basically the same for both Items 10J and 10K. He referenced page five of the contract, which outlined the hourly rate to be charged. The contract outlines the payment schedule as well as terms and conditions, which essentially states that either side can terminate the agreement for or without cause. Even though the contracts are a few years old, the City is being allowed to use the fees that were established at that time.

It was moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item.

Councilman Braynon inquired as to the number of companies out there that could do this type of work.

Manager Crew shared that the City of Coral Gables received five bids.

Councilman Braynon asked if staff had researched any firms outside of Coral Gables.

Mr. Steers, Assistant to the City Manager appeared before the City Council and shared that this is the result of about two months of research, and meetings with the various building officials and City Managers. The names of these two companies continuously pop up in the industry. Both companies have been servicing municipalities for many years. He opined that this is by far the best contract for the city because the services are at an hourly rate, utilizing an older fee schedule. He placed emphasis on the fact that a lot of research has been done to get to this point.

Manager Crew related that representatives from both companies are present to answer any questions the Council might have.

Councilman Braynon related that he was okay with this item now, but with the information given to him, there is absolutely no that he could have made a decision. If he could have known the information that Mr. Steers and the City Manager had shared it would have allowed him as well as the Council members to feel comfortable with the background and research that was done. He reiterated that he was alright with this document now, although he did have some reservations.

Councilwoman Watson referenced a discrepancy in the pricing outlined in the contracts regarding the Inspector's rate (e.g. building, mechanical plumbing, structural, threshold, electrical). One contract list the rate at \$65.00 per hour, and the other contract has this rate at \$60.00 per hour. She inquired as to which price would the City be charged.

Mayor Gibson asked Attorney Knighton if the difference in the hourly rate affected the overall amount of the contract, which is not to exceed \$300,000.00.

Attorney Knighton related that this price difference would not affect the contracted amount.

Councilwoman Watson said that she did not have a problem as long as the City stayed under the \$300,000.00 threshold. She related that she was concerned with that extra five dollars increasing the amount (e.g. \$100,000 as apposed to \$120,000).

Mayor Gibson related that she was not disagreeing with Councilwoman Watson's concern or due diligence in looking at this.

Manager Crew related that he would not be surprised if the City had to come back and extend this amount. He shared that Palmetto Bay, a much smaller municipality, has already extended their contract amount to \$500,000.00. He emphasized that time is of the essence in getting this function implemented. He said depending on the amount of building activity (e.g. Wal-Mart, and new housing developments) within the City, will depend on whether the City has to amend this contract.

Mayor Gibson shared that if this contract has to be amended, it is a plus because that would mean the City of Miami Gardens is having that much percentage more in construction/development. She further opined that this department should be self sufficient because of the revenues being generated.

Manager Crew shared that there is a fifteen percent surcharge in the budget that would be added to the fees.

Councilman Braynon asked the representatives from both M.T. Causley and CSA, if they had African American Engineers in their Corporations.

Both representatives indicated that they had companies all across the United States and were not sure as to whether there was African American Engineers represented within in their corporations.

CSA's representative pointed out that the City of Miami Gardens has hired many of the African Americans hired by his company, as full time employees for the City Code Enforcement Department.

Mayor Gibson opined that the City of Miami Gardens can not make either CSA or M.T. Causley do a certain amount of diversity in their respective workforce. She conveyed her belief that each organization should be looking for qualified individuals to work for them. She opined that it would be a good thing if there were efforts made by any company because of their client base, if they don't have individuals in their companies, who may look like a lot of their clients, as the City of Miami Gardens, the companies would make that kind of extra effort to bring people on board.

Mr. Jorge Lopez, a representative from CSA Southeast explained that unfortunately, there is a small pool of professionals to work from because many of these individuals are working for larger municipalities that offer pensions.

Mayor Gibson further explained that many times there are many opportunities and different professions that African Americans are not aware of. African Americans need to know what it is that is required to get into that small pool of professionals.

Mr. Causley related that his company provides the learning tools to get people certified. Unfortunately Miami-Dade County's requirements does not allow for flexibility, which limits what his company can do. M.T. Causley also helps cities to set up their departments and hire their own employees.

Mayor Gibson suggested that Mr. Leroy Jones contact these individuals for further information about opportunities that are available in other professions.

Councilwoman Pritchett indicated her understanding of Manager Crew's desire to move forward with the implementation of this function. She opined that some of the misconception or confusion here is that both contracts say "Consultants", they don't specifically say CSA or M. T. Causley. She stated, for the City Council to get this information tonight, without the cover letter, without even one of the contracts having the specificity the Council needs to make the right decision is unacceptable.

Attorney Knighton related that each firm was identified in the actual document; either the name of the company or the word "consultant" was acceptable.

Councilwoman Pritchett asked why the Council had to vote when they'd just received this information. She wondered if it was prudent on the Council's part to do it this way without having the benefit or opportunity to go through the information. She voiced concern with having to adopt this item tonight because it seemed haphazard at best to her.

Mayor Gibson asked Attorney Knighton if she was aware of these contracts.

Attorney Knighton related that she was aware of the contracts because she prepared the resolutions.

Mayor Gibson shared that she also liked to read the documentation for herself, just as Councilwoman Pritchett. She conveyed that as legal Counsel, it is the Attorney's job to look for legal sufficiency for those items being considered by the Council.

Mayor Gibson conveyed her understanding that the Council members just received the supporting documentation however she was going to support the item because the City Attorney reviewed it. She reiterated the importance of the Council members having agenda briefing with staff prior to the City Council meetings. She placed emphasis on the fact that it is staff's responsibility to brief Council members and it is the responsibility of the Council members to make the time to be briefed. The briefings are important because it provides an opportunity to deal with some of the issues or concerns prior to being brought to the dais.

Councilman Braynon shared that a briefing wasn't beneficial unless he's had the agenda to review prior to the briefing. There have been times when he's gotten the agenda the same day as the briefing.

Mayor Gibson stated that the Council had mandated when the Agenda Packets were to be delivered to the City Council. If this is not happening, it is the Council's responsibility to make sure the process is followed.

Councilwoman Pritchett stated that the Agenda Packets were not ready on the Friday before the weekend but delivered during Councilwoman King's Town Hall Meeting. She said that even if there was a briefing, the supporting documentation was given to the Council members at tonight's meeting. The City Council does not have staff to rely on to do its research, therefore each Council member has to do his/her own. She opined that it is very unprofessional for the Council members to find themselves in this predicament tonight.

Vice Mayor Campbell stated that there is a motion on the floor and opined that the protocol as to when the documents were received and the reprimand being done should take place at another time and another place. He opined that the Council needs to deal with the issue that's on the floor.

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

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

**RESOLUTION NO. 2004-93-144**

**10K) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AGREEMENT PROVIDING FOR PROFESSIONAL PLANS REVIEW AND INSPECTION**

**SERVICES WHICH INCLUDES PLUMBING, ELECTRICAL, MECHANICAL AND BUILDING PLANS PROCESSING AND INSPECTION-RELATED SERVICES WITH M.T. CAUSLEY, INC., A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A", PIGGYBACKING ON THAT CERTAIN AGREEMENT BETWEEN M.T. CAUSLEY, INC. AND THE CITY OF CORAL GABLES, DATED OCTOBER 8, 2002, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew related that this is the second contract that was discussed previously.

It was moved by Vice Mayor Campbell, seconded by Councilman Bratton to approve this item.

There being no discussion, this motion **passed and carried by a 5-2 vote.**

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

**RESOLUTION NO. 2004-94-145**

**10L) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS RECOMMENDING THAT THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS RENAME THE "MIAMI GARDENS/CAROL CITY DISTRICT POLICE DISTRICT" TO THE "CITY OF MIAMI GARDENS POLICE DISTRICT"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY VICE MAYOR CAMPBELL)**

1  
2 Vice Mayor Campbell shared his rationale for sponsoring this item. This would provide some  
3 recognition for the City, with the renaming of the Miami Gardens/ Carol City District Police District to  
4 the City of Miami Gardens Police District.

5  
6 It was moved by Vice Mayor Campbell, seconded by Councilman Braynon to amend the  
7 resolution to change the word Department to District. The amendment to the resolution **passed and**  
8 **carried by a 7-0 vote.**

9  
10 Vice Mayor Campbell further suggested that any signage erected on this facility should be  
11 designated the City of Miami Gardens Police District.

Councilwoman Pritchett inquired as to who would be responsible for incurring the cost of making the change.

Mayor Gibson said that the City would be responsible for the cost.

Councilwoman Pritchett asked if there was a projected cost.

Manager Crew said the signage would be paid for out of the Police Department's budget, which would be approximately \$5,700.00.

It was moved by Vice Mayor Campbell, seconded by Councilman Braynon to approve this item.

There being no further discussion on the resolution as a whole, the motion **passed and carried by a 7-0 vote.**

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

**RESOLUTION NO. 2004-95-146**

**10M) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS IN FURTHERANCE OF APPLYING FOR THE GRANT AND ACCEPTING THE SAME; PROVIDING FOR A MATCH FROM THE CITY FOR ALL GRANT FUNDS RECEIVED; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE**

Manager Crew explained that this grant submission is in conjunction with the Greater Miami Service Corp., and is asking for the maximum amount allowed by law. Part of this grant may be used for tree planting and part may be used to purchase a water truck. The City may ask for either or both of those things.

It was moved by Vice Mayor Campbell, seconded by Councilwoman King to approve this item.

Attorney Knighton clarified the language in the cover memorandum, which indicated that the

grant requires a fifty, fifty match, but in actuality the grant requires a one hundred percent match.

Manager Crew said the funds are budgeted in the Transportation Fund.

There being no further discussion, the motion to approve **passed and carried by a 7-0 vote.**

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

## 11. REPORT OF THE CITY ATTORNEY

No Report.

## 12. REPORTS OF CITY MANAGER

Manager Crew reported that he inadvertently sent the wrong address of City Hall, announcing where the first Budget Hearing was to take place, to Miami-Dade County. Miami-Dade County will take out a quarter page ad in the Miami Herald Neighbors' Section, announcing the correct address. The City is also preparing a Newsletter to go out to the residents, the correct address will be reflected in this document.

Manager Crew related that members of the City Council would be attending a Conference in Washington, D.C., on September 8, 2004, and requested that the Regular City Council meeting be rescheduled to Tuesday, September 7, 2004.

Attorney Knighton opined that in the future a rescheduling of the Regular City Council meeting should be done by resolution. However, in order to expedite this matter because of the time frame, a motion will suffice.

It was moved by Councilman Braynon, seconded by Vice Mayor Campbell to reschedule the Regular City Council meeting from Wednesday, September 8, 2004 to Tuesday, September 7, 2004, at 7:00 p.m.

There being no further discussion, this motion **passed and carried by a 7-0 vote.**

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

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

Mayor Gibson recounted that several meetings back she'd mentioned during something along the lines of a Jazz Concert. She asked the Council members that if they had any thing they wanted to do along those lines to put it on the table now because time is of the essence in planning anything for next year.

Councilman Braynon suggested having the Council members bring their ideas back at the next Council meeting.

Councilwoman Watson shared that she has been working with a number of people in the community in regard to putting on a three day Festival (e.g. Woodstock; 1<sup>st</sup> day Rock Music, 2<sup>nd</sup> Day R and B, 3<sup>rd</sup> Day Jazz and Gospel Music) for the City's Anniversary.

Councilwoman Pritchett emphasized the importance of getting the Martin Luther King, Jr., Steering Committee activated because that event is at the beginning of the year.

Mayor Gibson advised Councilwoman Pritchett that Ms. Odom is working to schedule a meeting for the MLK Committee. She further extended an invitation to Councilwoman Watson's group to make a brief presentation at the next Council meeting to talk about what they are planning, in order to coordinate efforts.

Mayor Gibson further shared that the City of Miami Gardens was the only City in the State of Florida that had all of its Council members represented at the Florida League of Cities Annual Conference. She placed emphasis on the importance of the Council members' participation at these conferences and the benefits derived from these events.

Councilwoman Pritchett shared that because the City Council members are mindful of spending tax payers' dollars prudently, the members traveled back and forth each day to the event.

Councilwoman Pritchett further asked for a copy of the letter the City Manager had sent to Mr. Carballo, the Swim Coach at Norland High School.

Councilwoman King reported that she's received feedback from the residents who attended the Town Hall Meeting for District Three. She related that the residents thought that the meeting was very informative, educational, and most were very surprised and happy that the rumors being circulated were not true. She further suggested that a Master Calendar of the various Council activities be implemented for coordination purposes.

Vice Mayor Campbell made reference to comments being made by citizens coming before the City Council about more citizen participation. He shared that several months prior he'd met with a group of citizens and offered an opportunity for them to participate by forming committees and organizations. As a result several groups have been formed. In addition, a resolution was sponsored creating a Revenue Enhancement Committee. There were four major categories identified for citizen participation. He shared that to the best of his knowledge, none of those groups are working. The City Council has yet to hear a report from the Chairperson of the Revenue Enhancement Committee. The group of ministers met twice. Based on information he's received, Councilman

Bratton's group of Homeowner Associations met a couple of times. He expressed concern that he always hears citizens complain about needing more citizen participation. He said, the fact is, there have been four attempts to get that participation and to his knowledge none of them are working.

Councilman Bratton shared that the Homeowner Association Council he'd started a couple of years ago had great participation in the beginning, however as time went on the members disappeared. He further referenced proposed legislation to be adopted by the United States Congress with regard to identifying the applicable zip codes for newly incorporated municipalities. If this legislation is passed, the City of Miami Gardens' zip codes (33054, 33055, 33056 and 33169) would be identified appropriately.

Mayor Gibson further expounded on this legislation and explained that there are new municipalities all over the State of Florida that are being formed by incorporation and annexation, which is causing a problem for people not being able to designate on their mailing address what City they are apart of.

Please note that after there were no further comments from the City Council, Items 10K and 10J were considered at this time; that discussion is reflected in its respective place in the minutes.

#### **13A) GENERAL REPORTS FROM MAYOR AND COUNCIL MEMBERS**

Mayor Gibson announced that a presentation on the City's Health Insurance benefits is scheduled for tomorrow morning at 8:30 a.m., and invited those interested Council members to come and be apart of that presentation.

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

##### **14A) PUBLIC COMMENTS – 20 MINUTES**

Ms. Vernita Nelson, representing Cool Kids Learn, Inc., appeared before the City Council to present the City with a Plaque of Appreciation from Beacon Hill Prep School.

Councilwoman King asked that Mayor Gibson and City Manager Crew solidify their efforts with Florida Department of Transportation for the planting of trees along that service road on 167<sup>th</sup> Street between 17<sup>th</sup> and 27<sup>th</sup> Avenues, the residents in this area would appreciate the trees and this improvement would make the expressway look a lot better than what it looks like at present.

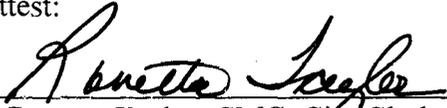
##### **15. SPECIAL PRESENTATION(S)**

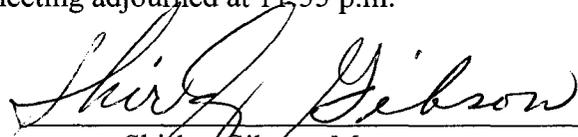
There were none.

**16. ADJOURNMENT:**

Upon being duly moved by Councilman Braynon, and seconded by Councilman Bratton and upon being unanimously voted upon, the meeting adjourned at 11:55 p.m.

Attest:

  
\_\_\_\_\_  
Ronetta Taylor, CMC, City Clerk

  
\_\_\_\_\_  
Shirley Gibson, Mayor