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February 25, 2004

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**CITY OF MIAMI GARDENS
CITY COUNCIL MINUTES
February 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, February 25, 2004, beginning at 7:02 p.m., in Suite 201 of the Administrative Offices, 17801 NW 2nd Avenue, Miami Gardens, Florida.

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

Also in attendance were: City Manager Danny O. Crew, Transition Coordinator William J. Green, City Attorney Sonja K. Knighton and City Clerk Ronetta Taylor.

2. INVOCATION:

Reverend Bernard Anderson 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 - February 11, 2004

It was moved by Vice Mayor Campbell, seconded by Councilman Braynon to approve the minutes as presented.

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

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

Manager Crew requested that the official agenda be amended to include the following items.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING THE CITY MANAGER AS THE CITY'S ZONING DIRECTOR UNTIL SUCH TIME AS THE CITY MANAGER HIRES A PERMANENT PERSON TO FILL THAT POSITION;

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO FINALIZE AN AGREEMENT WITH WORLD WASTE SERVICES, INC., FOR THE PROVISION OF SOLID WASTE REMOVAL SERVICES IN ALL CITY OF MIAMI GARDENS PARKS; PROVIDING FOR A WAIVER OF THE COMPETITIVE BID REQUIREMENTS OF ORDINANCE NO. 2004-17; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY SAID AGREEMENT; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION;

It was moved by Councilman Braynon, seconded by Councilman Bratton to amend the official by adding the above referenced items. The motion to amend the official by adding the above referenced items **passed and carried by a 7-0 vote.**

6. SPECIAL PRESENTATIONS:

None

7. ORDINANCES FOR FIRST READING:

7A) AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING AN OCCUPATIONAL LICENSE TAX PURSUANT TO CHAPTER 205, FLORIDA STATUTES (1999); PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew asked that the ordinance be amended to include additional "whereas clauses as recommended by the City Attorney and included as follows: "Whereas, pursuant to Sections 4.9, 8.3 and 8.4 of the Charter of the City of Miami Gardens, the City levied and collected occupational license taxes pursuant to Miami-Dade County occupational license ordinance; and

Whereas, pursuant to Section 205.0315, Florida Statutes, the City of Miami Gardens can adopt its own occupational license ordinance based upon the rate structure and classifications adopted by adjacent local governments that have implemented Section 205.0535, Florida Statutes; and

Whereas, the City of Miramar has previously adopted an occupational license rate structure and classifications and the City of Miami Gardens would like to impose the rate structure and classification that have been imposed by Miramar.

Councilwoman Watson indicated that the ordinance should be corrected to read "City Council" instead of "City Commission" this wording is reflected throughout the document.

Councilwoman Watson further indicated that she did not see a category for companies that

rendered services.

Manager Crew said those services would be listed under the unclassified section.

Councilwoman Pritchett referenced the accompanying memorandum, specifically the language referring to “operating in zoning district” and asked if the City would be issuing occupational licenses in districts.

Manager Crew explained that one of the components of the occupational license ordinance is to ensure that businesses are operating in proper zones.

Councilwoman Pritchett again referenced the accompanying memorandum and suggested inserting Florida to identify the Florida League of Cities.

At the conclusion of this discussion, it was moved by Councilman Braynon, seconded by Councilwoman Watson to approve this item on first reading, as amended with second reading and public hearing scheduled for March 10, 2004. The 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

8. ORDINANCES FOR SECOND READING (PUBLIC HEARINGS):

ORDINANCE NO. 2004-05-21

8A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA; RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN, AS ADOPTED BY THE CITY OF MIAMI GARDENS CHARTER; ACTING UPON SMALL-SCALE AMENDMENT APPLICATIONS FILED IN APRIL 2003 CYCLE TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN. (1st Reading – February 11, 2004) (SPONSORED BY THE CITY MANAGER)

Manager Crew explained that this ordinance was related to the Comprehensive Development Master Plan small scale applications. This item was first heard by the City’s Local Planning Agency and forwarded to the City Council for approval.

Mayor Gibson opened the floor for the public hearing for the first part of this application, for YWCA’s request.

Attorney Jerry Proctor, a registered lobbyist with offices at 200 S. Biscayne Boulevard, Miami, Florida, representing YWCA, appeared before the City Council to ask their approval of this item.

Mr. Sanford Freedman, with offices at 11900 Biscayne Boulevard, North Miami Beach, Florida appeared before the City Council in support of this item.

After there were no other interested parties to speak on behalf of the YWCA, Mayor Gibson closed this portion of the public hearing, and opened the second portion of the public hearing relating to Carlos Rodriguez d/b/a D’Roma Furniture request.

Mr. Felix M. Lascarte, a registered lobbyist with offices at One SE Third Avenue, Miami, Florida, representing Carlos Rodriguez d/b/a D’Roma Furniture, appeared before the City Council to solicit their support and passage of this zoning application.

After there were no other interested parties to speak on behalf of D’Roma Furniture the public hearing was closed.

There being no further discussion, it was moved by Vice Mayor Campbell, seconded by Councilman Bratton to adopt this ordinance. The motion **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

ORDINANCE NO. 2004-06-22

8B) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ENTITLED “ALARM SYSTEMS REGISTRATION”; PROVIDING FOR A PURPOSE; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION; PROVIDING FOR REGISTRATION FEE; PROVIDING FOR ALARM SYSTEMS IN APARTMENT COMPLEXES; PROVIDING FOR PROPER ALARM SYSTEMS OPERATION AND MAINTENANCE; PROVIDING FOR INDIRECT ALARM REPORTING; PROVIDING FOR ALARM SYSTEM OPERATING INSTRUCTIONS; PROVIDING FOR FALSE ALARM NOTIFICATIONS; PROVIDING FOR APPEAL OF FEES OR PENALTIES. (1st Reading – February 11, 2004)(SPONSORED BY MAYOR GIBSON)

Manager Crew indicated that Miami-Dade County is no longer accepting the Alarm System Registration Fee on behalf of the City of Miami Gardens. Hence, it is important that the City adopt its own Registration Fee.

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.

There, being no further discussion it was moved by Councilwoman Watson, seconded by Vice Mayor Campbell to adopt this ordinance.

Councilwoman Pritchett referenced page 3, section 4 of the ordinance, specifically the language regarding the "Alarm System Requirements" and asked if a grace period was allowed.

Manager Crew related that it is going to take approximately two months before this ordinance is instituted, with an effective date of April 1, 2004.

Councilwoman Pritchett asked if staff had any idea as to what the City's net revenue would be as a result of the Alarm Registration Fee.

Manager Crew said this information has to come from Miami-Dade County.

Councilwoman Pritchett asked if staff knew what the cost would be to implement this process.

Manager Crew said that software is being purchase to implement the occupational license process. This software can also address the Alarm System Registration. The cost of the software is approximately \$4,000.00. Ultimately the City would probably have to add one or two employees to handle the money and send out invoices.

Councilman Braynon inquired as to whether homeowners will be charged for false alarms, and whether Miami-Dade County will respond to an Alarm if the fine has not been paid.

Manager Crew said that no homeowner will be charged for false alarms prior to April 1, 2004. He further related that if an alarm goes off the police will respond to that property.

Major Marshall, District Commander for the Miami-Dade/Miami Gardens Carol City Police Station appeared before the City Council and related that the projected revenue for the Alarm Fee is approximately \$400,000. This amount does not include the Alarm Registration Fee. He related that the police department will respond to three false alarms at a certain property without issuing a fine. If the police department responds to a house four or five times and even though that property is not fined now, this information is still on record.

At the conclusion of this discussion, the motion to approve **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

ORDINANCE NO. 2004-07-23

8C) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RE- ADOPTING MIAMI-DADE COUNTY FLOOD HAZARD ORDINANCE AS A CITY ORDINANCE; PROVIDING FOR FLOOD DAMAGE PREVENTION; PROVIDING FOR THE INCORPORATION OF ALL ADMINISTRATION. (SPONSORED BY THE CITY MANAGER) (1st Reading – February 11, 2004)

Manager Crew indicated that the City is adopting an ordinance that is already adopted by Miami-Dade County.

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

Councilwoman Pritchett inquired as to why the Federal government was stipulating that the City pass this ordinance.

Manager Crew said that City adopted Miami-Dade County’s ordinance however, the Federal government is requiring that the City adopt its own.

At the conclusion of this discussion, it was moved by Councilwoman King, seconded by Councilwoman Pritchett to adopt this ordinance. **Motion passed and carried by a 7-0 vote.**

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

9) PUBLIC COMMENT – 10 MINUTES

Mr. Norm Hepburn, residing at 16740 NW 17th Avenue appeared before the City Council to express concern with excessive trash and conduct displayed by the members of the Adult Soccer Leagues utilizing Scott Park on Sundays. He shared that he was almost ran over when he asked an individual to remove their vehicle from his driveway. He related that he’d called the police department. An officer came but was non responsive, and had to ask 15 times to be provided with a police report.

Mr. Green the City's Transition Coordinator indicated that this Soccer League has an agreement with Miami-Dade County. The City is currently in discussions with those individuals and organizations that have been utilizing city parks. He further related that staff has met with Major Marshall regarding the activities taking place in Scott Part. The City will be addressing the clean up issue as part of the contract.

Vice Mayor Campbell suggested not allowing the Soccer Leagues to use the park until they have a contract with the City of Miami Gardens.

Attorney Knighton opined that if the Soccer Leagues has a specific contract with Miami-Dade County, that contract is not honored by the City of Miami Gardens. The City can prevent the Soccer Leagues from having full and private use of the Park on those days set aside for their use by Miami-Dade County. However, the City can not prevent the public from having access to the park.

Major Marshall related that Miami-Dade County has existing contracts with the Adult Soccer Leagues. The teams do not reside in the City of Miami Gardens. He opined that the City can mandate who can and cannot use the parks. He shared that recently the Miami-Dade County police department made a lot of arrest in the Scott Park area.

Councilwoman King echoed Mr. Hepburn's concerns. She shared that there is also a lot of alcohol being consumed in the park.

Major Marshall said that if the City adopted an ordinance prohibiting alcohol assumption in the parks, the police will enforce it.

Councilman Bratton expressed concern with the lack of corporation from the police department when responding to Mr. Hepburn's complaint.

Major Marshall said that staff will get to the bottom of that issue. He further shared that the police department has a Complaint Hotline Number for individuals to call in and report illegal activities, without having to give their name.

Vice Mayor Campbell related that the City has to find some immediate solutions to what he sees as a real serious problem. He suggested closing the park on Sundays on a temporary basis.

Attorney Knighton indicated that staff is in contract negotiations with the various leagues. The contract can address organized activities on Sundays. She indicated that contracts might be brought to the City Council at its March 10, 2004 meeting.

Mayor Gibson related that to take care of the immediate problem, she was amenable to sponsoring a resolution for the Council's approval at tonight's meeting; prohibiting any organized activity on that park until such time as the contract has been met.

Manager Crew said the only problem with adopting a resolution is that the City has no staff, nor the ability to enforce it. In addition, the adoption of a resolution would not suffice, only

ordinances are laws and an ordinance couldn't be adopted tonight.

Attorney Knighton disagreed with Manager Crew. She opined that the Council did not need to do a resolution closing the park. She suggested that staff look at Miami-Dade County's contract and send a letter indicating that the Leagues will not be able to use the park until contract negotiations were finalized.

Mayor Gibson asked Mr. Hepburn if there were other leagues that utilized the park during the week days causing problems as well.

Mr. Hepburn indicated that there were no other leagues causing this type of problem.

Mayor Gibson offered a modification to the resolution to indicate that the Soccer Leagues must have off-duty police officers during the time they are utilizing Scott Park. She asked Major Marshall how many off-duty officers would be needed.

Major Marshall indicated that four off-duty officers would be sufficient. He shared that he's visited the park on Sunday and can attest to the fact that there are a lot of people utilizing this park on Sundays.

Mr. Green indicated that Major Marshall would have police officers on the park for this upcoming Sunday. Staff will ensure that the contract is presented to Council at the March 10, 2004.

Attorney Knighton asked that information regarding the number of off-duty police officers required to police the activity be provided. She related that this information would be incorporated into the contract.

Councilwoman Pritchett asked that the trash issue be addressed in the contract; perhaps charging a clean-up fee.

Mr. Green said this is addressed as part of the contract.

Major Marshall indicated that day and evening shift officers will be present at the park.

Councilwoman Watson said that similar activities are occurring at other City parks. She opined that this process needs to be made across the board, with police presence based on population.

Attorney Knighton related that this issue is being addressed in each agreement.

Mr. Green indicated that anyone operating organized activities in any of the City's parks must enter into a contract with the City, and comply with all applicable provisions.

At the conclusion of this discuss, staff advised the Council that a report would be provided at the March 10th City Council Meeting.

Dr. Lester B. Brown, residing at 18801 NW 29th Court, Miami Gardens, Florida appeared before the City Council to commend the members in the manner in which they have gone about in trying to solve the problems that have come to this city.

10) RESOLUTIONS:

RESOLUTION NO. 2004-37-88

10A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A BOUNDARY ADJUSTMENT PURSUANT TO SEC. 33-36(D) OF THE MIAMI-DADE CODE; PROVIDING FOR THE ADOPTION OF REPRESENTATION; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew indicated that Miami-Dade County provides for this process to take place as per the County's Code. Ordinarily the Zoning Director would handle this issue. He related that this particular property has two zoning classifications on it (business and residential). The property owner is asking that the boundary lines be moved off the property so that the property will remain all in one zone. The property owner wants the property to be zoned residential. The property is located between 167th and 168th Terraces and NW 37th Avenue (on west side).

At the conclusion of this discussion, it was moved by Councilman Bratton, seconded by Councilwoman King to approve this resolution. This motion **carried and passed 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. 2004-38-89

10B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA; AUTHORIZING THE CITY MANAGER TO IMPLEMENT A "KEEP MIAMI GARDENS BEAUTIFUL PROGRAM"; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE PROGRAM; AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained his rationale for sponsoring this item. He indicated that Ms. Tsahai Codner, a temporary staff member with the City of Miami Gardens career has been in the environmental area. Therefore, he conveyed his confidence in Ms. Codner's ability to spearhead this

program. He said the program would mainly be concentrating this first year on the City's transportation areas. This will allow the City to pay for the program out of its Transportation Fund. By the end of this fiscal year the Transportation Fund should have several million dollars available, which must be used towards transportation. Medians, right-of-ways, and sidewalk landscaping qualifies for this program. He further indicated that Ms. Codner has experience managing volunteers. He informed the City Council members that Ms. Codner is assigned to the position as Director of the "Keep Miami Gardens Beautiful Program" for the City of Miami Gardens. A Cleanup day is being scheduled, which will involve the local schools and businesses. It is anticipated that approximately 500 volunteers will be on hand. FDOT has also agreed to put another \$50,000 into the 183rd Street project. He related that FDOT has advised that there are funds for landscape median enhancement projects. FDOT has also indicated that there are federal funds available that they can help the City in acquiring. He further conveyed his confidence in Ms. Codner's ability to get this project moving.

Councilwoman King conveyed her concern with the lack of landscape maintenance of the expressway areas and asked that this project be included as one of Keep Miami Gardens Beautiful Projects.

Councilman Braynon opined that this is a very positive initiative for the City of Miami Gardens. He conveyed his opinion that this is a revenue enhancement project because when a City is beautiful businesses wanted to move there and invest there.

Councilwoman Pritchett asked how much money was in the Transportation Fund.

Manager Crew indicated that the fund currently has over one million dollars.

Councilwoman Pritchett opined that it is important to share this kind of information with the public so that they will know that the funds are available to fund this type of program. She said the budget is on everyone's minds and the Council wanted to make sure there is enough money to pay the bills. If the City empowers the community with information so that they will know this is durable, it goes well for all to have the information, and why they are good prudent decisions to make.

Manager Crew indicated that the amount should be changed to reflect \$25,000 instead of \$15,000 in order to adequately purchase the supplies needed for the clean-up.

Mayor Gibson opined that this is a very positive step for the City of Miami Gardens. She shared that there are a lot of people who take pride in their gardens and neighborhoods.

At the conclusion of this discussion, it was moved by Vice Mayor Campbell, seconded by Councilman Braynon to approve this item, with the necessary changes. Motion **passed by a 5-0 vote.**

Councilman Braynon:	Yes
Vice Mayor Campbell:	Yes

Councilwoman King:	Yes
Councilwoman Pritchett:	Out of the room
Councilwoman Watson:	Out of the room
Councilman Bratton:	Yes
Mayor Gibson:	Yes

RESOLUTION NO. 2004-39-90

10C) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A LEASE BETWEEN GOLDEN GLADES ASSOC., LLP AND THE CITY OF MIAMI GARDENS; AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mr. Green the City's Transition Coordinator pointed out some of the highlights to this lease as follows: 1) The term of this lease is for a five year period; 2) The move in date for this office space is tentatively scheduled for June 1st; 3) the City will receive free space until January 1, 2005; 4) The build-out allowance amount is \$99,000. Golden Glades estimates that the build-out will cost \$240,000 - \$ 250,000. This would leave the City of Miami Gardens with a balance of approximately \$150,000 of the build-out cost. This amount will be included in the lease so that it is a part of the monthly payments.

Councilwoman Watson asked how much additional would the lease amount be with the build-out amount included.

Mr. Green indicated that the amount would be approximately \$1,500 more a month added to the lease payment.

Councilwoman Pritchett referenced Page 23, Section 53 of the Lease of Agreement, specifically the language "Waiver of Trial by Jury" and asked Attorney Knighton for an explanation of this clause.

Attorney Knighton explained that when dealing with contracts, which in general are very complex. A judge would be well versed in the law whereas a jury would become confused with the issues. This provision works best for both parties involved in a dispute.

Manager Crew indicated that at the rate the City is growing, it would not be more than a year before the City has outgrown this space.

Councilman Braynon asked where in the lease is the build-out cost address in regards to being spread out over the term of the lease.

Mayor Gibson said that if that specific language is not in the lease it needed to be added.

Mr. Jeremy Larkin appeared before the City Council representing Golden Glades Associates,

LLC. He related that the lease agreement would be amended to include this language, spreading the build-out cost over the term of the lease.

Councilman Bratton questioned whether there was an escape clause in the contract, which would release the City of this obligation in the event a new city hall facility is built within the next five years.

Manager Crew said there was no escape clause. He further shared that it takes about two and an a half to three years to actually build a city hall from start to finish.

At the conclusion of this discussion, it was moved by Councilwoman Watson, seconded by Vice Mayor Campbell to approve this item, with the change to the lease agreement. Motion **passed 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. 2004-40-91

10D) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN AGREEMENT FOR PROFESSIONAL SERVICES WITH CSA SOUTHEAST, INC., A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A" AND A TRUE COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PIGGYBACKING ON AN AGREEMENT BETWEEN CSA SOUTHEAST, INC AND THE CITY OF MIAMI LAKES; PROVIDING FOR INSTRUCTIONS TO CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mr. Green indicated that this item addresses a number of the issues mentioned earlier by the City Manager as well as Code Enforcement issues. The City is able to avail itself as to the use of other contracts that have gone through the competitive bid process, providing services to other municipalities, Miami-Dade County or the State of Florida. This is an opportunity for the City to take advantage of a contract that was bided with the Town of Miami Lakes for Code Enforcement Officers. The CSA Group provides not only Code Enforcement for the Town of Miami Lakes, they also provides building, permitting and occupational licenses. Staff is proposing to bring this company into the City to provide Code Enforcement services. Currently, Miami-Dade County provides Code Enforcement services for a cost of approximately \$48,000 per month. Under this proposal CSA will provide Code Enforcement for approximately \$28,000 per month for the same

number of Code Enforcement Officers and Customer Service Representatives. CSA will also be handling the inspection for Occupational Licenses, and collecting alarm registration fees. The City is in the process of purchasing the software to be utilized for this process.

Attorney Knighton indicated that the agreement would have to be amended because the occupational license and the collection of alarm registration services were not included. She said that the Council can approve this contract with the appropriate language being added later.

Councilwoman Watson inquired as to how many Code Enforcement Officers would be provided.

Mr. Green replied four Code Enforcement Officers and two Customer Service Representative.

Councilman Bratton asked if CSA would be based in Miami Gardens.

Mr. Green indicated that CSA staff would be sharing office space here at Miami Gardens Administrative Offices.

Manager Crew shared that there was a larger firm that provided this type of service, however the cost would have been approximately \$10,000 more. In addition, the City would have to provide office space and pay for gas.

Mayor Gibson asked for clarification of the process to be used to amend the contract changing the discrepancy in the number of Code Enforcement Officers and Customer Service Representatives.

Attorney Knighton indicated that the resolution could be amended to authorize the City Manager to negotiate this number.

Councilman Braynon asked if the CSA had personnel already on staff or would these individuals be hired. He related that Team Metro has a Code Enforcement Officer that had a relationship with the community.

Mr. Green indicated that CSA would be hiring staff for this area.

Councilwoman Pritchett said that while this does appear to be a step in the right direction she was still concerned that the City is continuing to take on these contractual contracts without knowing how much money is in the budget. She opined that it would be wise for the Council to have some assurance that the funds are available to take on these contractual agreements.

Manager Crew said unfortunately Miami-Dade County is currently providing the service at a higher rate. At the very least the City is cutting its losses.

Mayor Gibson conveyed understanding of Councilwoman Pritchett concern regarding the budget. She shared that Miami-Dade County still hasn't provided accurate dollar amounts. She said

unfortunately it is not in the City Manager's hand.

At the conclusion of this discussion, it was moved by Councilman Bratton, seconded by Councilwoman Watson to approve this item, with the necessary changes. The motion **passed and carried by a 6-1 vote.**

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

RESOLUTION NO. 2004-41-92

- 10E) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING THE CITY MANAGER AS THE CITY'S ZONING DIRECTOR UNTIL SUCH TIME AS THE CITY MANAGER HIRES A PERMANENT PERSON TO FILL THAT POSITION; (SPONSORED BY THE CITY MANAGER**

Manager Crew explained his rationale for sponsoring this item.

At the conclusion of this discussion, it was moved by Councilwoman Watson, seconded by Councilman Bratton to approve this resolution. The motion **passed and carried by a 7-0 vote.**

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

RESOLUTION NO. 2004-42-93

- 10F) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO FINALIZE AN AGREEMENT WITH WORLD WASTE SERVICES, INC., FOR THE PROVISION OF SOLID WASTE REMOVAL SERVICES IN ALL CITY OF MIAMI GARDENS PARKS; PROVIDING FOR A WAIVER OF THE COMPETITIVE BID REQUIREMENTS OF ORDINANCE NO. 2004-17; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY SAID AGREEMENT; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE) (SPONSORED**

BY THE CITY MANAGER

Mr. Green explained the relevant issues involved with this item as it relates to the City of Miami Gardens Parks. Miami-Dade County wants the City to take over all of the contracts as soon as possible. The City was able to find better services for far less money than Miami-Dade County was charging.

Councilwoman Pritchett expressed concern with not utilizing the bid process for this item.

Mayor Gibson indicated that Miami-Dade County wanted to take over these services immediately, which did not provide ample time for a bid process.

At the conclusion of this discussion, it was moved by Councilwoman Watson, seconded by Vice Mayor Campbell to approve this item. This motion passed and **carried by a 6-1 vote.**

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

11. REPORTS OF CITY MANAGER

Manager Crew announced that he'd hired two Assistant to the City Manager; 1) William Green and Christopher Steers.

12. REPORTS OF MAYOR AND COUNCIL MEMBERS

12A) GENERAL REPORTS FROM MAYOR AND COUNCIL MEMBERS

Councilwoman King announced plans to hold a Town Hall Meeting for Seat 3. She indicated that she was waiting to hear confirmation of the site.

Councilwoman Pritchett brought up for discussion purposes the Proclamation Process, whether the Council members names should be included on the document. At the conclusion of this discussion, the City Clerk and the Administrative Coordinator to the Mayor's Office were directed to bring back samples.

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

13A) PUBLIC COMMENTS – 20 MINUTES

None

14. SPECIAL PRESENTATION(S)

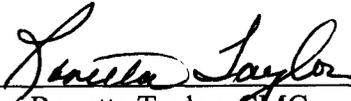
None

15. ADJOURNMENT:

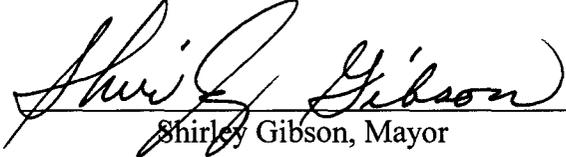
There, being no further business to come before this Body, and upon being duly motioned by Councilman Bratton and seconded by Councilwoman Watson, the meeting adjourned at 10:48 p.m.

Approved

Attest



Ronetta Taylor, CMC
City Clerk



Shirley Gibson, Mayor