

*INDEX*  
*CITY COUNCIL MINUTES*  
*July 21, 2004*

1	Called to Order/Roll Call of Members.....	Page 1
2.	Invocation.....	Page 1
3.	Pledge of Allegiance.....	Page 1
4.	Resolutions:	
	4A) Res. # 2004-68-119 Authorizing the Mayor and City Clerk to execute and attest, respectively, that certain second interlocal agreement with Miami-Dade County.....	Page 1-6
	4B) Res. # 2004-69-120 Authorizing the Mayor and City Clerk to execute and attest, respectively, that certain interlocal agreement with Miami-Dade County for Local Police Services.....	Page 6-7
	4C) Res. # 2004-70-121 Authorizing the Mayor and City Clerk to execute and attest, respectively, that certain interlocal agreement with Miami-Dade County for Specialized Police Services.....	Page 7-9
	4D) Res. # 2004-71-122 Authorizing the Mayor and City Clerk to execute and attest, respectively, that certain interlocal agreement with Miami-Dade County for transfer of certain parks from the County to the City.....	Page 9-11
	4E) Res. # 2004-72-123 Authorizing the Mayor and City Clerk to execute and attest, respectively, that certain interlocal agreement with Miami-Dade County for transfer of certain roads from the County to the City.....	Page 12-14
5.	City Manager's Report	
	5A) CDBG Application.....	Page 14-17
6.	Adjournment.....	Page 17

**CITY OF MIAMI GARDENS  
SPECIAL CITY COUNCIL MEETING  
JULY 21, 2004**

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

The City Council of the City of Miami Gardens, Florida, met in Special Session on Wednesday, July 21, 2004, beginning at 7:10 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, Oscar Braynon, II, and Sharon Pritchett.

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

**2. INVOCATION:**

A moment of silent meditation was observed.

**3. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**RESOLUTIONS:**

**RESOLUTION NO. 2004-68-119**

- 4A) 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 SECOND INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew indicated that this agreement involved fiscal years 02/03 and 03/04, as is related to the City's debt to Miami Dade County. Miami Dade County had calculated that the City's debt for FY 02/03 was over 7 Million Dollars and over 3 Million Dollars for FY 03/04. Part of that was because the budget the City had adopted in September 2003 did not include a lot of expenses that Miami Dade County was charging. After negotiations concluded, all parties agreed that the City owed Miami Dade County 3.5 Million Dollars. A ten year repayment schedule, without interest was also

agreed upon, which will start September 2005, and equates to \$351,830.20 per year. This takes the situation from a short-term debt to a long-term debt. The City will pay to Miami Dade County on December 1, 2004, the sum of \$7,447,265, to pay for those services provided by Miami Dade County. The City will also pay to Miami Dade County, on December 1, 2004, the sum of \$1,045,450 to pay for public works services, provided by Miami Dade County.

Manager Crew indicated that services such as Planning and Zoning, Building Department and Public Works will be taken over from Miami Dade County by October 1, 2004. Due to a lack of staffing, Storm Water Management will probably remain with Miami Dade County until January 2005.

Mayor Gibson asked, if the City was incurring a substantial amount in overhead cost, with leaving the Storm Water Management System with Miami Dade County.

Manager Crew said that Storm Water Management is reasonable and would come from Storm Water Management funds.

It was moved by Councilman Braynon, seconded by Councilwoman Watson to accept this item for discussion.

Councilwoman Pritchett referenced page 20 of 31 of the Master Interlocal Agreement, as it related to the \$7,447,265 payment to Miami Dade County from the City's General Fund Account and \$1,045,450 from the City's Transportation Fund Account, and inquired as to whether the City ever received a line by line itemization of what those costs were.

Manager Crew responded by giving the example of the cost for police services, which is estimated to be approximately 21 Million Dollars. He related that Miami-Dade County only collected \$16 Million Dollars for the City, which the County would be applying (credit to the City) on behalf of the City to the cost of services being provided. This amount however, is not enough to pay for those services being provided; therefore the City would have to make up the difference. Included in \$7,447,265 is the cost for Police Services as well as some Parks and Recreation Services and Code Enforcement Services. Next year, police services will be the only expense the City will owe to Miami Dade County.

Councilwoman Pritchett asked whether, in the future if the figures could be negotiated down even more.

Manager Crew indicated that the formula used could not be negotiated down. He said the City would have an option, after three years, to look at police services and make a determination as to whether to start its own police department.

Manager Crew conveyed his dissatisfaction with the formula being used for Specialized Police Services. He indicated that none of the older cities such as Homestead, Florida City, North Miami Beach or Surfside pays for these services; those cities get the services free. However, the newer cities like, Palmetto Bay, Miami Lakes, Doral and Miami Gardens are being charged. However, given the

fact that the City has to pay for the services, the formula presented is not unreasonable.

Councilwoman Pritchett suggested entering into partnership with some of the newer incorporated Cities to come up with a solution.

Manager Crew explained that each city had different issues as it related to Miami Dade County. For example, the City of Doral is being charged one million dollars for specialized police services. Nevertheless, Miami Dade County collects over one million dollars for that city; therefore Doral is not concerned about the cost. However, the City of Doral has to pay a mitigation fee of approximately 8 Million dollars, each year to Miami Dade County; whereas the City of Miami Gardens pays no mitigation fee.

Councilwoman King inquired as to whether a different formula was used for newer municipalities, wherein the City of Miami Gardens was paying a higher rate.

Manager Crew indicated that apparently the City was paying a lot more in overhead than what other cities were paying. Staff has not found anything to indicate that the City is being treated differently. Miami Dade County has been very adamant about making sure that all formulas match, from City to City.

Councilwoman Watson asked for a combined total of the money Miami Dade County had originally thought the City should pay for FY 02/03 and FY 03/04, and what the bottom line amount the City negotiated.

Manager Crew related that the original figure of eleven plus million, is what Miami Dade County said the City owed for the two years. This is on top of what Miami Dade County had collected and what the City agreed that it owed. That amount has been negotiated down to 3.5 million.

Councilwoman Watson commented that it is safe to say that staff and the City Council have brought this debt down by approximately 8 Million dollars.

Councilman Braynon asked whether there were certain things in this Interlocal Agreement that could be changed once it is under consideration by the Miami Dade County Commission; for example a County Commission member changing the bottom line figure from 3.5 Million back to 11 Million.

Manager Crew opined that anything could happen and conveyed his belief that nothing like that would happen. If there was a substantial change in the Interlocal Agreement at the County Commission level, the document would have to come back to the City Commission for its consideration.

Vice Mayor Campbell opined that there should be information provided on the negative impact if the City did not approve this Interlocal Agreement.

Manager Crew related that if the City did not have an agreement, the City would still have the eleven plus million dollars debt for the services provided by Miami Dade County. In addition, the

eleven plus million dollars would be a short-term debt instead of a long-term debt. Furthermore, all those charges Miami Dade County has agreed to stop, even though the City did not have an agreement with them, would start retroactive back to October 2003. He put emphasis on the fact that this is a good agreement for the City. He opined that the City needed to get on with the City's business and the only way to do that is by passing these agreements.

Vice Mayor Campbell articulated that as per the City Manager, the City's and the City Council's best course of action is to approve these agreements despite that there are certain items, and or articles that the City disagree with. The City Council should approve this agreement because basically the situation will get worse.

Councilman Braynon conveyed concern with the Miami Dade County Commission changing some of the negotiated items in the agreement. He asked if the County Commission has seen the Interlocal Agreements.

Manager Crew indicated that the Interlocal Agreements will be presented to the Budget and Finance Committee on tomorrow morning. He opined that there is no substantial difference between the City of Miami Gardens' Interlocal Agreements and those of other cities that have been approved by Miami Dade County.

Councilman Bratton inquired as to whom will proofread the documents to ensure that everything is correct.

Manager Crew related that these documents were generated by Miami Dade County. All the City can do is to tell them what needs correcting.

Mayor Gibson opened the floor for public comments.

Ms. Paulette Sims Wimberly, residing at 17351 NW 29<sup>th</sup> Avenue, Miami Gardens, Florida, appeared before the City Council to express her views about this item. She suggested getting applicable documentation of the breakdown costs, of what this area has been paying over the past three to five years, from Miami Dade County, in order to know whether the City has been charged too much for the services. She conveyed her support of this agreement.

Manager Crew explained that Miami Dade County doesn't know how much was spent in this area for services. Miami Gardens before it incorporated was apart of an unincorporated area with a population of over a million residents.

Mr. Lemuel Wims, residing at 19685 NW 32<sup>nd</sup> Court, Miami Gardens, Florida, appeared before the City Council and conveyed his concurrence with Vice Mayor Campbell's recommendation of approval. He questioned the debt owned to Miami Dade County, which increased from 6.5 to 11 Million dollars.

Manager Crew indicated that he's heard four different figures within the last six months. The

most recent figure received from Miami Dade County was 7.9 Million dollars. Miami Dade County has been charging the City based upon proportions and ratios. The City addressed this matter through the balanced budget theory, wherein Miami Dade County was in control of the budget for this area prior to incorporation. As a result, Miami Dade County had an obligation to ensure that the budget in this area was balanced. Therefore, it was incumbent upon Miami Dade County to work from a balanced budget. Whatever it took to balance the budget, at that time, was Miami Dade County's responsibility. Miami Dade County acknowledged this fact, therefore the amount, the City owed was reduced appropriately. The reason the City owes money to Miami Dade County for this fiscal year was partly because there were charges in the City's budget that should not have been there. One of the good things about being a City is that Miami Gardens will get more money than it ever would have as part of the unincorporated area.

After there were no other interested parties to speak on behalf of this item, Mayor Gibson closed public comments.

Mayor Gibson expounded on the subject of revenues for the City and conveyed her belief that most residents are under the misconception that their tax dollars fund the entire budget (29 Million Dollars); but in reality approximately 6 Million dollars are generated from property taxes. The remaining revenue to fund the budget comes from other sources. She encouraged the residents to contact the City Manager or staff to have this process further explained to them. She placed emphasis on the fact that the City of Miami Gardens receives a lot of money because of its size.

Manager Crew indicated that residents in the City of Miami Gardens pay less for all their City services (e.g. police, code enforcement, public works and parks) than they do to the Miami Dade County Sanitation Department just for garbage and trash collection (e.g. average resident pays \$399.00 to Miami Dade County for garbage and trash collection).

Councilwoman Watson addressed her comments to Vice Mayor Campbell, and stated that Miami Dade County has not been able to provide exact figures as to the cost of police services being provided to the City of Miami Gardens. Miami Dade County provides a percentage of the entire unincorporated area as their way of identifying the City's budget expenditures. She questioned whether the use of a grid utilized by Miami Dade County when they are tracking crime, would have provided more accurate information.

Vice Mayor Campbell commented that Miami Dade County acknowledged its use of the grid, when identifying calls for service. However, a grid could not be utilized when addressing the cost for personnel.

Manager Crew commented further on this matter and related that in certain cases where possible, Miami Dade County did use a grid formula, however when it came to personnel the grid was not sufficient because a police officer can move from one area to another.

Councilman Bratton addressed his question to Vice Mayor Campbell and asked that during his tenure as District Commander, whether the process used to determine personnel allocation was based

on calls for service.

Vice Mayor Campbell related that during his tenure there, was suppose to be a computerized system in place however, it was not being followed at that time. He stated that Miami Dade County said that it was staffing the Districts by a formula, and opined that there was a flaw in the formula.

Councilwoman Pritchett commented that civilian personnel must be considered in the budget, as well. She then referenced the repayment schedule to Miami Dade County and questioned whether the funds to cover the repayment obligation would come from the General Fund.

Manager Crew indicated that a portion of the debt would be from the Transportation Fund, and a portion from the General Fund.

Mayor Gibson encouraged all members of the City Council to attend the Miami Dade County Commission meeting on July 27, 2004, when these Interlocal Agreements will go before that Board for consideration.

At the conclusion of this discussion, this item **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. 2004-69-120**

- 4B) 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 INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR LOCAL POLICE SERVICES, IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER).**

Manager Crew explained that this is the Interlocal Agreement for local police services. He conveyed his pleasure with the way things have worked out between the City and the Miami Dade County Police Department. This past year, the Miami Dade County Police Department has done a tremendous job in reducing a lot of the priority crimes in the City. He recommended the Council's approval of this item.

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

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

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

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

**RESOLUTION NO. 2004-70-121**

**4C) 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 INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR SPECIALIZED POLICE SERVICES, IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Manager Crew indicated that the City's Charter provides for payment of Specialized Police Services in perpetuity. He opined that it is not fair that the City of Miami Gardens has to pay for these services directly and other cities don't. However, there is a mechanism in place to keep the cost reasonable. He recommended the Council's approval of this item.

It was moved by Councilwoman King, seconded by Councilman Bratton to approve this item for discussion.

Councilman Bratton referenced Section 9.3 of the Charter, which mandates the use of Miami Dade County Police services and questioned what would be the City's options if that provision was not in the Charter.

Manager Crew related that the City would probably utilize a similar Interlocal Agreement for services for a period of time. At some point, the City might want to consider providing this specialize service just like other larger municipalities (Cities of Miami and Hialeah) or even

contracting this service out to those larger cities. This would provide for a competitive process, which would hold the cost down.

Manager Crew said that his problem is not with the services or the quality of the services, nor with the cost. It is with the way the City is being made to pay for those services verses what other cities are doing.

Councilman Braynon referenced the cost for Specialized Police Services and asked, if the City has a large enough incident, for example like a post office hold up, within the next three years, would this mean that the City's bill for Specialize Police Services would include that type of activity, which required multi jurisdictional police agencies to get involved.

Manager Crew explained that Miami Dade County will figure up the cost of the current year, and they will average that cost with last year's and the year before, which will equate to the cost for next year.

Councilwoman Watson commented that if Miami Dade County is averaging the cost on a three year basis, except they are not able to provide accurate numbers, what figures are being used to average the cost.

Manager Crew indicated that this is a much easier process. He referenced the Domestic Violence Task Force, which is included in Specialized Police Services, as an example and indicated that the number of personnel and cost associated with this task force is already know (all officers stay together as a group, instead of being assigned to different locations). It is already known how many times the City required this service.

Mayor Gibson opened the floor for public comments on this item.

Ms. Paulette Sims Wimberly, residing at 17351 NW 29<sup>th</sup> Avenue, Miami Gardens, Florida, appeared before the City Council to share that she'd gone to a Miami Dade County Candidate's Forum where all the candidates agreed that this matter was unfair and whoever is elected has agreed to revisit this issue.

Mayor Gibson closed the public comments after there were no other parties interested in speaking on this item.

Vice Mayor Campbell referenced the overhead cost for both the Local and Specialized Police services and inquired if the City was being charged twice for this expenditure.

Manager Crew indicated that the City was being charged overhead cost for both Local and Specialized services.

Vice Mayor Campbell related that this is what troubles him about this particular agreement.

Mr. William Green, the Assistant to the City Manager for Public Services appeared before the City Council and stated that the City was being charge overhead twice, however they are separate overhead. However, if one took the total of police cost it would equal the same dollar amount, as if they were separate.

Attorney Knighton further expounded on this issue and indicated that she did not like this provision either. She related that Miami Dade County's formula (by population, etc.) for calculating overhead is not what one would traditionally think overhead would be.

Councilwoman Pritchett commented that she wanted the public to know and understand that the Specialized Police Services were for perpetuity, but the Local Police Services was for three years, and that the City did not have any options.

At the conclusion of this discussion, this item **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

**RESOLUTION NO. 2004-71-122**

**4D) 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 INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR TRANSFER OF CERTAIN PARKS FROM THE COUNTY TO THE CITY, IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.**

Manager Crew explained that this agreement will take over ownership of the Parks. The City has already taken over park programming and park maintenance. This conveyance will provide the City with assets and a clean title to the 16 parks and four pools.

It was moved by Councilwoman King, seconded by Mayor Gibson to approve this item for discussion.

Vice Mayor Campbell asked if the City had any type of assessment or reports that describes the conditions of the parks, and whether the City has to expend funds to bring the parks into standard.

Manager Crew replied that the City has pictures of the parks. Miami Dade County did make some repairs but the City will have to spend a lot of money to bring the parks up to standard. The good news is that Miami Dade County had approximately 7 Million Dollars, which has now been turned over to the City to be utilized in these parks.

Councilwoman Pritchett recounted a prior situation with the parks as it related to lead contamination found in the water facets. She questioned whether there was ever a walk through to determine if those facets were lead free, and or, if not, what is the City's course of action for insuring that the facets will be lead free for the children and adults who frequents the parks on a regular basis.

Manager Crew indicated that plumbing services would have to be installed at the parks, which includes new caps, new lines and new plumbing. A portion of the 7 Million dollars will be utilized for this purpose.

Councilwoman Pritchett referenced the Miami Dade County General Obligation Bond, of which Miami Gardens was requesting 9.9 Million dollars for the City's parks. She related that it would be good to share with the residents how this could be something very positive for the City, if passed by the voters. If the General Obligation Bond is not passed, did the City have a contingency plan so that the City can continue to provide excellent service to the parks.

Manager Crew related that the City has been allocated approximately 9.8 Million dollars from that General Obligation Bond, if passed. Added to the 7 Million dollars the City already has would produce some first rate parks for the City. He shared that Miami Dade County has allocated an additional 3 Million dollars to help with the Carol City Community Center, located at 199<sup>th</sup> Street. He said that if the General Obligation Bond issue did not pass, the City did not have a contingency plan. However, the City still has the original 7 Million Dollars.

Mayor Gibson opened the floor for public comments.

Ms. Janice Coakley, residing at 19601 NW 33<sup>rd</sup> Avenue, Miami Gardens, Florida, appeared before the City Council to request that special attention be given, when planning the renovations the parks' facilities, with regard to the usage and accommodations for those utilizing the parks. She encouraged the City Council to build state of the art park facilities.

Ms. Paulette Sims Wimberly was afforded another opportunity for comments. She related that there are all kinds of other contingency plans the City can utilize if the General Obligation Bond is not passed (e.g. grant funds, and celebrity fund raising events).

Mr. Wendell James, residing at 18820 NW 29<sup>th</sup> Place, Miami Gardens, Florida, appeared before the City Council and opined that the parks were under utilized. He suggested having an educational component added to the park curriculum.

Mr. William Green, Assistant to the City Manager appeared before the City Council to share

that a lot of the activities Mr. James was speaking about are already implemented at the Parks (e.g. FCAT preparations, Chess Club, Tutoring).

Ms. Coakley reappeared before the City Council to ask that this information be provided to the residents. She related that if the information is provided at City Hall, she would share it with the residents.

Councilwoman Pritchett asked Mr. Green to share with Ms. Coakley and others where the FCAT preparations and Chess classes were being held.

Mr. Green related that this service was provided for the last six weeks, during summer camp. Certified teachers were on hand to tutor students in reading and math at nine different locations. A professor was also on hand to teach Chess, this individual rotated weekly to each of the nine different locations.

Mayor Gibson further advised Ms. Coakley that the programming Mr. Green was referring to, took place during the summer program. Additional programming is being planned for the fall. As soon as this information is available, it will be disseminated. She related that there was a lot of information put out announcing the summer programs. This information was made available for those individuals attending the City Council meetings, as well as published in the local papers and placed on the City's web page. She further encouraged everyone to check the City's web page for the latest information.

Mayor Gibson voiced the Council's commitment to providing excellent service to the residents, but time was needed to put processes in place. She related that the City will be looking to acquire applicable land for a regional park, which could accommodate this City's population. She said that the Council will continue to listen to its residents for their input.

Mr. Wendell James reappeared before the City Council to ask that the video games be eliminated from the park programming.

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

There being no further discussion, this item **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. 2004-72-123**

- 4E) **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 INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, FOR THE TRANSFER OF CERTAIN ROADS FROM THE COUNTY TO THE CITY, IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR AUTHORIZATION TO THE CITY MANAGER AND CITY ATTORNEY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.**

Manager Crew related that this Interlocal Agreement is similar to the last one. It conveys streets to the City. He related that it is a big responsibility taking on streets, with a City this size. The City would not have a Public Works Department up and operational by October 1, 2004. Ultimately, all of the services will be brought in-house. However to get started, the City will need to piggyback off of some of the contracts in place with other municipalities to address pot holes and street sweeping, etc. There are no costs associated with these service contracts, if you don't use the service. In addition, the City is in the process of hiring a Public Works Director.

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

Councilwoman Watson expressed concern with the incorrectness of certain roads, which Miami Dade County has identified as roads it will maintain jurisdiction over. In specifically, she pointed out the area of NW 215 Street between 27<sup>th</sup> and 47<sup>th</sup> Avenue, which is currently not a road, but privately owned property.

Manager Crew opined that Miami Dade County can mandate that, that easement be dedicated to the county once the property is developed because this is on Miami Dade County's Comprehensive Plan.

Councilman Bratton inquired as to whom would maintain 215<sup>th</sup> Street, because the south side belongs to Miami Gardens and the north side belongs to Broward County.

Manager Crew said that at some point the City will hold meetings with Broward County to determine the maintenance of this roadway.

Vice Mayor Campbell referenced the maintenance of 215 Street and shared that at one point the division of maintenance was clearly defined between Dade and Broward Counties. From 441 to 27<sup>th</sup> Avenue, Miami Dade County had jurisdiction on the south side and the City of Miramar had jurisdiction of the north side. In addition, from 29<sup>th</sup> Avenue to 47<sup>th</sup> Avenue, Miami Dade County had jurisdiction on both sides of 215<sup>th</sup> Street. He further shared that during his research on School Crossing Guards; he found that the State Statutes provides that the entity that has jurisdiction over

certain roads should provide school crossing guard services for those roads. Miami Dade County had jurisdiction over a significant number of streets and roads in the City of Miami Gardens.

Manager Crew asked that Vice Mayor Campbell provide him with a copy of this information.

Councilwoman Pritchett shared that while serving on the Community Council, along with Mayor Gibson, Councilwoman King, and Councilman Bratton, she remembers receiving a schedule listing identifying those roads/streets to be paved. The funding allocated for this paving was approved by Miami Dade County, with the paving projects to be completed between 2005 and 2006. She asked why is it that the City has to pay for the paving of these streets when the funding was already allocated and the paving already scheduled by Miami Dade County

Manager Crew said this is something that he would check into.

Councilwoman Watson related that FEMA is currently during road/street construction in this area and is removing sidewalk concrete and replacing it with asphalt. She indicated that the City will now have the expense of replacing the asphalt.

Manager Crew related that FEMA is providing the funds for the repairs, but it is Miami Dade County that is doing the work. He said that once the City takes over Storm Water Management, those funds allocated by FEMA will come to the City. The City in turn will be in charge of doing the projects.

Councilwoman Watson indicated that the City of Miami Gardens should not have to pay for mistakes that were made by Miami Dade County.

Councilman Bratton pointed out that under the Master Interlocal Agreement, page 11, line 34, under the Public Works section, a reference is made to asphalt sidewalk.

Manager Crew said that he would get with Miami Dade County Public Works Department and ask them to cease with this practice.

Councilwoman Watson put emphasis on the importance of having Miami Dade County correct the sidewalk repair situation out of their current budget and not have the City take on this responsibility.

Mayor Gibson opened the floor for public comments.

Mr. Wendell James, residing at 18820 NW 29<sup>th</sup> Place, Miami Gardens, Florida was afforded an opportunity for comments. He indicated that Miami Dade County was doing inferior work and as a result, when the City takes over these roads/streets, it will have to pay to have the work done correctly. He further related that the storm drains that were recently installed are not working properly.

Vice Mayor Campbell related his understanding that the City had to accept the Roads/Streets as is. There is no option. He further opined that this type of dialogue should be held at Miami Dade

County Commission's level, where the responsibility is.

Manager Crew related that if Miami Dade County came back and made the corrective repairs, they would still be using City funds. He conveyed that if someone was going to fix the problem, he'd rather it be the City because Miami Dade County placed the City in this situation to begin with.

Mayor Gibson provided further explanation and stated that the City can ask Miami Dade County to come back and make repairs. The funds to make those repairs would still be allocated from the City's budget. If the City had its own staff, it would be monitoring the work being done, the City would get a first class repair job, and the work would be done once.

Ms. Paulette Sims Wimberly, reappeared before the City Council to request that the City's Public Works Director also be an Engineer. She further shared that Broward County had given a portion of 215 Street to the Miami Dade County, and suggested conducting a title search to determine what portion of this street is in the jurisdiction of Miami Gardens and what portion belongs to Broward County. She further referenced the water problems caused by the City of Opa-locka, resulting in broken water mains that were left un-repaired. In addition, she suggested utilizing a local radio station to get the word out that the City of Miami Gardens is indeed a City.

Ms. Janice Coakley reappeared before the City Council and opined that the City should have its own Inspector, inspecting the construction work being done within the City of Miami Gardens.

Councilwoman Watson shared that she's received call relating to draining in her district. Several residents noticed where drainage markings were placed but when the work was completed, there were no drains installed.

Mayor Gibson asked Manager Crew to look into this matter.

There being no further discussion, this item **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

## **5. CITY MANAGER'S REPORT:**

### **5A) CDBG Application**

Mr. William Green, Assistant to the City Manager for Public Services appeared before the City Council to expound upon the CDBG Grant Application process. He related that because the City has a population of over 50,000 residents, it has Direct Entitlement Status. The City has an opportunity to

put in a maximum of five applications for funding. He asked for guidance from the Council as to the type of projects they would be interested in seeing done within the City,

Manager Crew suggested applying for funding to assist with the purchase of property on NW 27<sup>th</sup> Avenue and 184<sup>th</sup> Street, for the purpose of building a City Hall Complex. He further recommended applying for funding for landscaping and irrigation to spruce up the City's commercial area.

Mayor Gibson suggested applying for façade improvements for businesses.

Mr. Green indicated that façade funding is available through OCED and not through the CDBG Grant process.

Councilman Braynon further shared that Mr. Green was speaking of the Commercial Revitalization Program. He conveyed his belief that the City can apply to start its own Commercial Revitalization program

Mayor Gibson conveyed her support of starting a City Commercial Revitalization Program.

Attorney Knighton related that the application would need to be approved by the City Council. A resolution can be brought back at the next Council meeting for this purpose, which would still make the July 30<sup>th</sup> deadline. She further suggested having a backup plan in case one of the five projects were rejected.

Mr. Green related that a meeting is scheduled for this coming Monday to review the application before final submittal.

Councilwoman Pritchett asked if it was legal to purchase land with CDBG funds.

Attorney Knighton related that she did not think that it was legal to purchase land.

Councilman Braynon indicated that there were different options to accomplish what Manager Crew was talking about. One option is a joint venture. He related that one project he was aware of while employed with Miami Dade County, involved a developer that used CDBG funds to build a building. That developer in turn leased that building, which was built with CDBG funds, to Miami Dade County. He related that he was thinking about the 27<sup>th</sup> Avenue corridor as well, therefore he'd contacted Cornerstone Group, the people who have the rights to develop this area. He shared that he'd asked this Group if they would be willing to go into some type of joint venture. The President of that Group is present tonight to talk about a joint venture with the City. He asked if Mayor Gibson would allow Messers Wolfe and Duffie an opportunity to speak at tonight's meeting.

Mayor Gibson informed Mr. Green to include Code Enforcement and the Commercial Façade as part of the CDBG application.

Mr. Lenny Wolfe, with a business address at 2121 Ponce de Leon Boulevard, Coral Gables, Florida, and Mr. Al Duffie, with a business address at 19430 Ambassador Court, appeared before the City Council to expound on the preliminary work being done, south of the proposed Home Depot site and north of the Miami Gardens/Carol City District Police Station. The preliminary plan is to build townhouses with a price range of \$175,000-\$200,000. He emphasized that this would be homeownership townhouses. He related that Mr. Duffie had approached him about donating a portion of this land to the City of Miami Gardens for a City Hall Complex. He opined that this would be a good idea because it would enhance the area. He further offered his services, free of charge, to assist the City in working on a CDBG application for some sort of funding for a City Hall. He related that Mr. Duffie has a lot of experience in private public partnerships, and has some ideas that can be worked on, which he can share with the City Manager, in an effort to work on something within the short nine days left to the deadline for submittal of the CDBG applications.

Mr. Duffie identified two public private partnership projects that his company is currently involved in, with Miami Dade County.

Councilman Braynon related that this would be a mixed use development along the 27<sup>th</sup> Avenue Corridor, thus a win, win situation for all.

Mayor Gibson asked Attorney Knighton for her input as it related to Cornerstone's offer.

Attorney Knighton related that it has been determined that City Hall can not be purchased with CDBG funding. There is also a time limitation as to when to use the CDBG funds. She opined that the City should be clear in what it can do.

Councilwoman Watson asked if there were funds allocated through the CDBG to purchase vehicles to transport the children enrolled in the City's parks program, from the schools to the parks, or transport senior citizens to various activities.

Mayor Gibson related that there are funds available to address transportation issues. She cautioned that this would incur extra liabilities. She shared that the vendor currently providing the park programming do provide transportation for the children.

Mr. Green related that he would take the list of items discussed at this meeting back to Miami Dade County to verify if these projects can actually be funded. This list included: Code Enforcement, Façade Renovations, Possible funding for a City Hall, Comprehensive Plan development, landscaping and Transportation Uses.

Mayor Gibson asked if the City Council wanted to use the services of Cornerstone to help with the CDBG application process. She asked Attorney Knighton her opinion on this matter.

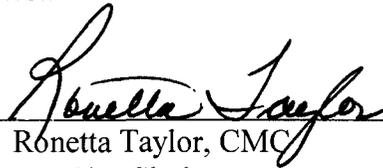
Attorney Knighton opined that the Council need not accept that offer tonight.

**6. ADJOURNMENT:**

After being duly moved by Councilman Braynon and seconded by Councilwoman Watson and unanimously voted upon, the meeting adjourned at 10:30 p.m.

  
Shirley Gibson, Mayor

Attest:

  
Ronetta Taylor, CMC  
City Clerk