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**September 15, 2004**

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**CITY OF MIAMI GARDENS  
SPECIAL CITY COUNCIL MEETING  
SEPTEMBER 15, 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, September 15, 2004, beginning at 6:40 p.m., in the City Council Chambers, 1515 NW 167<sup>th</sup> Street, Building 5, Suite 200.

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 and Oscar Braynon, II. Councilwoman Sharon Pritchett arrived at approximately 6:46 p.m. Staff announced that Councilman Melvin L. Bratton was at another meeting, and would be arriving late for this meeting.

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

**2. INVOCATION:**

Mayor Gibson delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**4. RESOLUTION/PUBLIC HEARING:**

**RESOLUTION NO. 2004-102-153**

- 4A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004, THROUGH SEPTEMBER 30, 2005; SETTING A DATE AND TIME FOR A FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR INSTRUCTIONS TO CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

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

Manager Crew recounted that the City Council adopted a tentative millage rate in July, 2004. That tentative millage also set the maximum rate this Council could adopt. As required by law, that information was subsequently forwarded to Miami-Dade County. The final millage rate will be adopted at the September 29, 2004, Budget Hearing. The tentative millage rate set by this proposed budget is 3.6484. According to the State of Florida, the City did not have a rollback rate this year. This is the City's initial municipal rate under the State Statutes.

Manager Crew shared that the moneys generated from this millage rate will be used for the general purposes of this City, to fund the various departments, specifically those departments in the

General Fund and the Development Services Fund. The funds will also be used to establish Reserve and Capital Improvement Funds.

Mayor Gibson opened the floor for the public hearing.

Mr. Leonard Cole, residing at 2010 NW 191<sup>st</sup> Terrace, Miami Gardens, Florida, appeared before the City Council to express his views and concerns about the proposed millage increase. He based his concerns on the promises made in *“A booklet of Questions and Answers About the proposed City of Miami Gardens”*, which was distributed during the incorporation process. He opined that the promise “no increase in taxes”, was the selling factor for incorporation. He further expressed concern that the residents were not given an opportunity for their input about this proposed millage increase, other than at the District Town Hall meetings. He also expressed concern with the increase in the Occupational License Fees, as well as the City Council members not listening to the wishing of the citizenry, but that of the City Manager.

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

It was moved by Councilwoman Watson, seconded by Vice Mayor Campbell to defer this item, until after discussion has taken place with Item 5A. This motion **passed and carried by a 6-0 vote**. Councilman Bratton was not present.

After this item was brought back for discussion, Councilman Braynon asked if this resolution adopted the tentative millage rate.

Manager Crew said yes, and explained that another resolution would be presented at the September 29, 2004, City Council meeting adopting a final millage rate.

There being no further discussion, the motion to approve this **item passed and carried by a 5-1 vote**.

Councilman Bratton:	Not present
Councilman Braynon:	Yes
Vice Mayor Campbell:	Yes
Councilwoman King:	Yes
Councilwoman Pritchett:	No
Councilwoman Watson:	Yes
Mayor Gibson:	Yes

After this vote was taken, the City Council considered a vote for Item 5A.

## **5. ORDINANCE FIRST READING/PUBLIC HEARING:**

### **5A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AND ADOPTING THE CITY’S BUDGET FOR THE 2004-2005 FISCAL YEAR; PROVIDING FOR THE**

**EXPENDITURE OF FUNDS; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING A SURCHARGE FOR PERMITS; PROVIDING FOR THE ESTABLISHMENT OF CITY DEPARTMENTS; PROVIDING FOR AUTOMATIC AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER).**

It was moved by Vice Mayor Campbell, seconded by Mayor Gibson to approve this item on first reading, with second reading and public hearing scheduled for Wednesday, September 29, 2004.

Manager Crew placed emphasis on the historical significance of this budget that if adopted, would determine the future of this City, and what direction it will take over the next decade and more. This budget provides for the minimum funds necessary for what this City has to accomplish. This budget provides a base for fiscal responsibility for this City. This budget provides for the establishment of a Reserve Fund; a Capital Improvement Program; significant increases in the service levels to the public (e.g. Code Enforcement, police activity, school crossing guard program); parks and recreation; planning, zoning and development; and public works. This budget also includes the repayment of moneys owed to Miami-Dade County.

Mayor Gibson opened the floor for the public hearing.

Mr. Robert Parrish, residing at 1421 NW 179<sup>th</sup> Street, Miami Gardens, Florida, appeared before the City Council to express his views about the proposed tax increase and the contracts being awarded to individuals and companies outside the community. He asked that the City Council not raise the taxes as high as being recommended by the City Manager. He further encouraged the City to take a proactive approach to the development of the youth of this community by providing preventative programs.

Mr. Thomas Spaulding, residing at 18805 NW 32<sup>nd</sup> Place, Miami Gardens, Florida, appeared before the City Council to convey his support of the City Council and their endeavors for the betterment of Miami Gardens, as it related to the proposed tax increase. He stated that not all things remain the same there are sometimes unforeseen circumstances, which cause certain events to take place. He further encouraged Council members to be mindful, and remember those they represent at all times, and make their decisions based on what is best for everybody, and not just a few. He shared that he'd like to live free of taxes, but felt that each had to pay their own way.

Mr. Oliver Gilbert, residing at 17621 NW 23<sup>rd</sup> Avenue, Miami Gardens, Florida, appeared before the City Council to comment, "You pay for what you get". He conveyed his support of the City Council and stated that if they have to raise taxes, to spend the money well.

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

Vice Mayor Campbell questioned whether this ordinance was in conflict with another ordinance adopted by this City Council, which established the various City Departments. He further

asked if it was a requirement that the establishment of departments be a part of this ordinance, and whether the establishment of departments can be addressed in another ordinance.

Manager Crew explained that the budget really determines the organization. This ordinance is more comprehensive as it relates to the establishment of departments. Each year the City's organization may change depending on whether a department is eliminated or consolidated. He said that the organization should not be looked at as separate from the budget, because they are interconnected and one and the same.

Attorney Knighton addressed the conflict question raised by Vice Mayor Campbell and explained that a conflict provision is incorporated in this ordinance. This ordinance supercedes the ordinance adopted previously.

Vice Mayor Campbell opined that the Council members have not provided the City Manager with enough input as to how they want the City's organization to be structured. He suggested having a workshop on the Table of Organization, the functions of the departments and proper protocol. After the workshop, if appropriate, the ordinance can be amended to reflect the outcome of the Council's input.

Manager Crew said the organizational chart would not change the overall budget. He recommended having this kind of discussion during a City of Miami Gardens Retreat.

Vice Mayor Campbell referenced comments made regarding the Council members not getting the citizens' input and basing their decisions solely on the City Managers recommendation. He said this is inaccurate and shared that there have been a total of five Town Hall Meetings conducted in different parts of this community. The first Town Hall meeting was conducted in District One. There was between 40-50 people present at this meeting, and the greatest majority of those present expressed a desire to see the City proceed, and progress. These residents were steadfast in saying that if there is a need to increase the taxes that is what the Council should do, and not let Miami Gardens be like some of these other cities because of inadequate finances. He reiterated that he did canvass the residents in his District and the majority was in support of a slight tax increase.

Mayor Gibson asked whether the budget would have to be amended if the City Manager decided to add another department during this fiscal year.

Manager Crew explained that there is no requirement that the budget be discussed in order to establish an additional department during this fiscal year because funds can be moved from one fund to another.

Attorney Knighton further clarified that all that is required is the adoption of an ordinance establishing the department.

Mayor Gibson conveyed her belief that members of the City Council and staff has did a really good job in getting the message out and talking to residents in an effort to get their input. Many residents have visited City Hall and staff has handled hundreds of calls relating to the proposed millage increase and budget, and what this equates to on their tax bill. The residents have come away with a really good understanding about what has been proposed in the millage rate and budget.

She related that it is a very difficult situation to manage this City, as well as one's home or business.

Mayor Gibson said there have been comments made that the citizens were lied to. She shared that as the Chairperson of the MAC, she is very familiar with the "*A booklet of Questions and Answers About the proposed City of Miami Gardens*" that was mentioned by Mr. Cole. She said there several revenue streams mentioned in the booklet that the City did not receive. She mentioned the Community Development Block Grant Funds and said that the process for the City to get those funds will take approximately three years. She conveyed that she now knows a lot more about the area of Miami Gardens than what she knew as the Chairperson of both of those committees. She stated that she's learned a lot more about the conditions of this area called Miami Gardens since becoming a City. Many have lived with the deplorable conditions of the roads, streets, drainage, parks and sidewalks for many years. She shared that she worked diligently to get some improvements done on 183<sup>rd</sup> Street between 27<sup>th</sup> and 47<sup>th</sup> Avenue, with the assistance of County Commissioner Ferguson's office. After it was determined that those improvements would cost approximately \$90,000, Miami-Dade County said that it could not fund the improvements because this area didn't generate enough in revenue. When the City had gotten some of the revenue numbers from Miami-Dade County, it was found that they were collecting over 2.1 Million dollars from gas and road taxes. That money can only to be used for enhancement of transportation projects such as roadways, landscape, sidewalks. This money is now coming to the City of Miami Gardens, where before it was going to Miami-Dade County, which before could not even afford \$90,000.00 for enhancements. The only way this area was going to get that money was to become a City. She commented that she'd found this out before this area became a City.

Mayor Gibson related that the motivating factor for her was that if this area did not incorporate it would never have control of those dollars and therefore would never be able to do anything for this community. She said that there are comments being made that we are not Aventura or Sunny Isles. She shared that she's spoken with representatives from the Florida Department of Transportation and learned that those newly incorporated cities had the same problems as the City of Miami Gardens, and when they became a City, they received their Transportation funds to enhance their cities.

Mayor Gibson conveyed her belief that there is nothing any other community does that this community can not do, if it has the will and the heart, we can do it. She reiterated that she knows now, a lot more than what she did not know before. She further shared that as an elected official, elected by the many who voted for her, there are a couple of things that came along with that vote. As an elected official, she has a responsibility to make sure that this City is fiscally sound, as prescribed by the State of Florida.

Mayor Gibson said there is a lot that goes into managing this City and shared that she did not take that responsibility lightly, nor did she believe that any of her colleagues took that responsibility lightly. She conveyed her belief that the Council members wanted to please their constituents, and stated that the bottom line is, this is the same way as one manages their house sometimes hard decisions have to be made to ensure that their house can stand. She opined that this is the position this Council finds itself in. Overall, the money collected for this community must be used and spent wisely and be accountable for every penny of it.

Mayor Gibson said that at the end of the day, the City Council is responsible for managing

this City, and is responsible for making sure that it is fiscally sound. She opined that this is a hard job to do and is sure that there are some Council members that may shake in their shoes to know that they are going to have to do that. She said that no matter how much individuals might not want to do this as a Council, the judgment day of that is coming on September 29, 2004, at which time the Council will have to make a decision about what is going to happen in this City. She conveyed that whether some of us are here next election or not, she hoped that they know that they did the right thing when they had an opportunity to do it.

It was moved by Vice Mayor Campbell, seconded by Mayor Gibson to go back to Item No. 4A. to vote on that matter.

Once the vote was taken on Item 4A, and the Council moved back to Item 5A, with there being no further discussion on this item, the motion to approve this ordinance on first reading, with second reading and public hearing scheduled for September 24, 2004, **passed and carried by a 5-1 vote.**

Vice Mayor Campbell:	Yes
Councilwoman King:	Yes
Councilwoman Pritchett:	No
Councilwoman Watson:	Yes
Councilman Bratton:	Not present
Councilman Braynon:	Yes
Mayor Gibson:	Yes

After this vote was taken, Mayor Gibson announced that a Public Hearing will be held on September 29, 2004, at 6:00 p.m., at City Hall, 1515 NW 167<sup>th</sup> Street, Building 5, Suite 200, to consider FY 04/05 Budget and proposed Millage Rate of 3.6484.

## **6. ADJOURNMENT:**

Upon being duly motioned by Councilman Braynon and seconded by Vice Mayor Campbell, the meeting adjourned at 7:35 p.m.

Attest:

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

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

**CITY OF MIAMI GARDENS  
SPECIAL CITY COUNCIL MEETING  
SEPTEMBER 15, 2004**

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

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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 and Oscar Braynon, II. Councilwoman Sharon Pritchett arrived at approximately 6:46 p.m. Staff announced that Councilman Melvin L. Bratton was at another meeting, and would be arriving late for this meeting.

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

**2. INVOCATION:**

Mayor Gibson delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**4. RESOLUTION/PUBLIC HEARING:**

**RESOLUTION NO. 2004-102-153**

- 4A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004, THROUGH SEPTEMBER 30, 2005; SETTING A DATE AND TIME FOR A FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR INSTRUCTIONS TO CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

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

Manager Crew recounted that the City Council adopted a tentative millage rate in July, 2004. That tentative millage also set the maximum rate this Council could adopt. As required by law, that information was subsequently forwarded to Miami-Dade County. The final millage rate will be adopted at the September 29, 2004, Budget Hearing. The tentative millage rate set by this proposed budget is 3.6484. According to the State of Florida, the City did not have a rollback rate this year. This is the City's initial municipal rate under the State Statutes.

Manager Crew shared that the moneys generated from this millage rate will be used for the general purposes of this City, to fund the various departments, specifically those departments in the

General Fund and the Development Services Fund. The funds will also be used to establish Reserve and Capital Improvement Funds.

Mayor Gibson opened the floor for the public hearing.

Mr. Leonard Cole, residing at 2010 NW 191<sup>st</sup> Terrace, Miami Gardens, Florida, appeared before the City Council to express his views and concerns about the proposed millage increase. He based his concerns on the promises made in *“A booklet of Questions and Answers About the proposed City of Miami Gardens”*, which was distributed during the incorporation process. He opined that the promise “no increase in taxes”, was the selling factor for incorporation. He further expressed concern that the residents were not given an opportunity for their input about this proposed millage increase, other than at the District Town Hall meetings. He also expressed concern with the increase in the Occupational License Fees, as well as the City Council members not listening to the wishing of the citizenry, but that of the City Manager.

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

It was moved by Councilwoman Watson, seconded by Vice Mayor Campbell to defer this item, until after discussion has taken place with Item 5A. This motion **passed and carried by a 6-0 vote**. Councilman Bratton was not present.

After this item was brought back for discussion, Councilman Braynon asked if this resolution adopted the tentative millage rate.

Manager Crew said yes, and explained that another resolution would be presented at the September 29, 2004, City Council meeting adopting a final millage rate.

There being no further discussion, the motion to approve this **item passed and carried by a 5-1 vote**.

Councilman Bratton:	Not present
Councilman Braynon:	Yes
Vice Mayor Campbell:	Yes
Councilwoman King:	Yes
Councilwoman Pritchett:	No
Councilwoman Watson:	Yes
Mayor Gibson:	Yes

After this vote was taken, the City Council considered a vote for Item 5A.

## **5. ORDINANCE FIRST READING/PUBLIC HEARING:**

### **5A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AND ADOPTING THE CITY’S BUDGET FOR THE 2004-2005 FISCAL YEAR; PROVIDING FOR THE**

**EXPENDITURE OF FUNDS; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING A SURCHARGE FOR PERMITS; PROVIDING FOR THE ESTABLISHMENT OF CITY DEPARTMENTS; PROVIDING FOR AUTOMATIC AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER).**

It was moved by Vice Mayor Campbell, seconded by Mayor Gibson to approve this item on first reading, with second reading and public hearing scheduled for Wednesday, September 29, 2004.

Manager Crew placed emphasis on the historical significance of this budget that if adopted, would determine the future of this City, and what direction it will take over the next decade and more. This budget provides for the minimum funds necessary for what this City has to accomplish. This budget provides a base for fiscal responsibility for this City. This budget provides for the establishment of a Reserve Fund; a Capital Improvement Program; significant increases in the service levels to the public (e.g. Code Enforcement, police activity, school crossing guard program); parks and recreation; planning, zoning and development; and public works. This budget also includes the repayment of moneys owed to Miami-Dade County.

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

Vice Mayor Campbell questioned whether this ordinance was in conflict with another ordinance adopted by this City Council, which established the various City Departments. He further

asked if it was a requirement that the establishment of departments be a part of this ordinance, and whether the establishment of departments can be addressed in another ordinance.

Manager Crew explained that the budget really determines the organization. This ordinance is more comprehensive as it relates to the establishment of departments. Each year the City's organization may change depending on whether a department is eliminated or consolidated. He said that the organization should not be looked at as separate from the budget, because they are interconnected and one and the same.

Attorney Knighton addressed the conflict question raised by Vice Mayor Campbell and explained that a conflict provision is incorporated in this ordinance. This ordinance supercedes the ordinance adopted previously.

Vice Mayor Campbell opined that the Council members have not provided the City Manager with enough input as to how they want the City's organization to be structured. He suggested having a workshop on the Table of Organization, the functions of the departments and proper protocol. After the workshop, if appropriate, the ordinance can be amended to reflect the outcome of the Council's input.

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Manager Crew explained that there is no requirement that the budget be discussed in order to establish an additional department during this fiscal year because funds can be moved from one fund to another.

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Mayor Gibson said there is a lot that goes into managing this City and shared that she did not take that responsibility lightly, nor did she believe that any of her colleagues took that responsibility lightly. She conveyed her belief that the Council members wanted to please their constituents, and stated that the bottom line is, this is the same way as one manages their house sometimes hard decisions have to be made to ensure that their house can stand. She opined that this is the position this Council finds itself in. Overall, the money collected for this community must be used and spent wisely and be accountable for every penny of it.

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this City, and is responsible for making sure that it is fiscally sound. She opined that this is a hard job to do and is sure that there are some Council members that may shake in their shoes to know that they are going to have to do that. She said that no matter how much individuals might not want to do this as a Council, the judgment day of that is coming on September 29, 2004, at which time the Council will have to make a decision about what is going to happen in this City. She conveyed that whether some of us are here next election or not, she hoped that they know that they did the right thing when they had an opportunity to do it.

It was moved by Vice Mayor Campbell, seconded by Mayor Gibson to go back to Item No. 4A. to vote on that matter.

Once the vote was taken on Item 4A, and the Council moved back to Item 5A, with there being no further discussion on this item, the motion to approve this ordinance on first reading, with second reading and public hearing scheduled for September 24, 2004, **passed and carried by a 5-1 vote.**

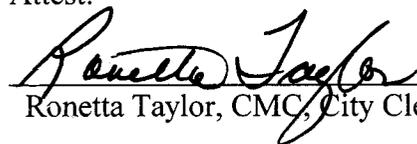
Vice Mayor Campbell:	Yes
Councilwoman King:	Yes
Councilwoman Pritchett:	No
Councilwoman Watson:	Yes
Councilman Bratton:	Not present
Councilman Braynon:	Yes
Mayor Gibson:	Yes

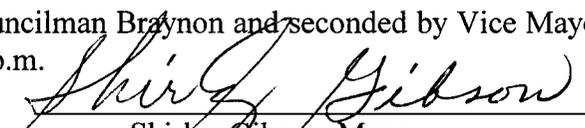
After this vote was taken, Mayor Gibson announced that a Public Hearing will be held on September 29, 2004, at 6:00 p.m., at City Hall, 1515 NW 167<sup>th</sup> Street, Building 5, Suite 200, to consider FY 04/05 Budget and proposed Millage Rate of 3.6484.

## 6. ADJOURNMENT:

Upon being duly motioned by Councilman Braynon and seconded by Vice Mayor Campbell, the meeting adjourned at 7:35 p.m.

Attest:

  
Ronetta Taylor, CMC, City Clerk

  
Shirley Gibson, Mayor