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September 7, 2004

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**CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
SEPTEMBER 7, 2004**

1. CALL TO ORDER/ROLL CALL OF MEMBERS:

The City Council of the City of Miami Gardens, Florida, met in regular session on Tuesday, September 7, 2004, beginning at 7:12 p.m., in the City Council Chambers, 1515 NW 167th Street, Building 5, Suite 200, Miami Gardens, Florida.

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

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

2. INVOCATION:

Councilman Braynon 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:
Special City Council Meeting - July 29, 2004**

Moved by Vice Mayor Campbell, seconded by Councilwoman King to approve the minutes with the following correction, page 6, line 11, change the tense of citizen from singular to plural. There being no further discussion the motion **passed and carried by a 7-0 vote.**

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

Moved by Vice Mayor Campbell, seconded by Councilman Bratton to approve the official agenda as presented. This motion **passed and carried by a 7-0 vote.**

6. SPECIAL PRESENTATION(S):

a. Mr. Ronald Jones, Florida Department of Corrections

Mr. Ronald Jones, with a business address at 14000 NW 41st Street, Doral, Florida, appeared before the City Council to expound on the In-mate Work Program. He related that there are between four and five hundred in-mate work squads that work throughout the State of Florida on various projects with school districts, county agencies, government agencies, Florida Highway Patrol, and

Florida Department of Law Enforcement. This program has proven to be an outstanding benefit because of the million of dollars that are saved. This program also provides a great benefit to the inmate's self-esteem.

Major Cecelia Denmark, with a business address at 5600 NW 9th Avenue, Pompano Beach, Florida, appeared before the City Council to further expound on the program. She said the participants in this program really appreciate being able to give something back to the community. These inmates don't want to be considered a negative impact on the community. She opined that a program like this would be beneficial to the City of Miami Gardens, because it is a cost saving measure. The participants will be individuals who want to be in this community.

Mr. Jones indicated that the participants are inmates that have less than 12 months remaining on their sentence, all are non-violent and there is a very strict criterion to qualify for this program. There have been no reported incidents of violent behavior from any of the inmates participating in this program.

Councilman Bratton related that there has been negative publicity regarding this contract and asked what type of crimes have been committed by these participants.

Major Denmark indicated that there are a range of crimes such as burglaries, thefts, there are some individuals that have committed murder, but they have met the criteria to be in such a program like this. Sex offenders are not permitted to participate in this program.

Mr. Jones told Councilman Bratton that he would provide him with the criteria information, which each participant must meet prior to participating in this program.

Vice Mayor Campbell asked whether the inmates who participated in this program were provided with documentation acknowledging their work experience.

Major Denmark said that the participants were provided with documentation; and shared that her program partners with Work Force One. Through Work Force One, the participants actually learn a skill prior to being placed in the community work program. In addition, the participants receive a Certificate of Skills. Furthermore, prior to the transition program, the inmates go through vocational programs, which are documented. The inmates must complete a 100 hour Transition Program in order to be released.

Mr. Jones stated that not many of the positive aspects of this program are known and related an incident where an inmate was instrumental in saving the life of a drowning victim, while participating in this program. He further related that the inmates are taught how to present themselves for interviews in order to obtain gainful employment once released.

Major Denmark shared that many of the institutions and organizations currently utilizing this service request additional participants because they are so pleased with the excellent service being provided.

Councilman Braynon asked if these inmates would receive employment recommendation

letters from the Florida Department of Corrections.

Major Denmark shared that several inmates have asked for employment recommendation letters prior to being released, based on what they have done at the facility and with employers. She shared that there are inmates still at the facility making eighteen to twenty five dollars an hour, based on the training they have received.

Councilwoman Watson inquired about the frequency of the rotation schedule for the inmates.

Major Denmark related that the inmates' rotation scheduled would be approximately six to eight months during this transition phase. This would allow the inmates to obtain the necessary on the job work skills.

Councilwoman Pritchett asked who was responsible for paying the inmates and at what hourly rate.

Major Denmark stated that there is no hourly rate. She related that the inmates actually work for the prison. She shared that there are inmates who actually work inside of the facility as well. This program is used as a tool and a mechanism for training.

Mr. Jones shared that the Work Release Program, which is not the same program being discussed tonight, is actually paid employment. Under that program, the inmate returns forty-five percent of his salary to the Florida Department of Corrections to pay for his upkeep and restitution, as well as funds for his family.

Councilman Bratton inquired as to whether there was a similar program for women.

Major Denmark shared that there is a similar program for women inmates at the Hollywood Work Release Facility.

b. Ms. Patricia Warren – Ms. Miami Gardens Pageant. Not present.

c. Major Donald Rifkin, Miami Gardens/Carol City District Police Department.
Major Rifkin provided a verbal report on the police activities, which occurred during Hurricane Frances. A total of eight arrests were made out of nine commercial burglaries that were committed during the storm.

7. ORDINANCE(S) FOR FIRST READING:
There were none.

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

ORDINANCE NO. 2004-16-32

8A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI

GARDENS, FLORIDA, ESTABLISHING A FEE FOR THE REVIEW AND APPROVAL OF COMMUNITY DEVELOPMENT DISTRICTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY CITY MANAGER) (1st Reading – 8/25/04)

Manager Crew explained the relevant issues involved with this legislation as it related to future development within the City of Miami Gardens. He shared that there is only one developer that will be able to take advantage of the thirty day time frame. This developer has already paid Miami-Dade County a Community Development District 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 was closed.

It was moved by Councilman Braynon, seconded by Councilman Bratton to adopt this ordinance.

Councilwoman Pritchett referenced page 1, line 10 of the ordinance and asked if the description would be over 1,000 acres.

Attorney Knighton confirmed and stated that the word “acres” would be added to this language.

Councilwoman Pritchett asked Attorney Knighton if the City had a recourse (a moratorium), where the one developer mentioned by Manager Crew, might not be able to come in within that thirty day time frame, as opposed to having to vote on this item tonight. She related that there is some information that she'd like to request as it related to this before she would feel more comfortable in rendering a decision.

Attorney Knighton explained that this ordinance is not relating to any particular developer. This is an ordinance establishing a fee for Community Development Districts that are within the City of Miami Gardens. Moratoriums are implemented when zoning issues are involved.

Councilwoman Pritchett conveyed her understanding of the Florida Statutes which provides for the establishment of Community Development Districts. She related that the ordinance however does not provide for the enforcement of the Florida Statutes, from the point of view of protecting the City's interest.

Attorney Knighton explained that there is an entire section in the Florida Statutes that deals with Community Development Districts, which are independent. The City does not have a lot of control as it relates to Community Development Districts. However, when an application is brought forward for the Council's approval, if there are concerns they can be addressed during this application process. That process is not before this Council as yet, because there are no applications pending. Although the Community Development District is independent, the Statutes provides that the City can take over certain functions, if it is determined that the District is not functioning

properly, however, this particular ordinance is not related to any of that. This ordinance is simply establishing a fee for the City Manager's staff to review the application because it is going to take administrative time and cost. She reiterated that this ordinance does not establish a Community Development District, nor does it provide a procedure for the City to review applications for Community Development Districts. The ordinance simply establishes a fee for the application process.

Councilwoman Pritchett related that the Florida Statutes does not provide for the establishment of a Community Development District of less than 1,000 acres and questioned whether the City had those kinds of potential development districts that would come before the Council, and if the City did, how would they be regulated, and the Council make a determination whether or not they could receive an application, if they did not meet a certain statutory criteria.

Manager Crew explained that all Community Development Districts are regulated by the State of Florida. There is a different criterion for those that are 1,000 acres, than for those less than 1,000 acres. He related that the City, obviously is not going to have Community Development Districts over 1,000 acres. If the Community Development Districts are less than 1,000 acres, they have to be approved by the Miami-Dade County Commission, or in the case of an independent municipality, by that City's elected body. In this particular case, Miami-Dade County will not approve the Community Development District, unless the City also approves it. After October 1, 2004, the City will be the controlling agency. There is a \$15,000.00 application fee.

Councilwoman Pritchett conveyed that this ordinance establishes the Community Development District fee regardless of the amount of the acreage, however that language is not incorporated into the ordinance.

Manager Crew related that this fee would apply no matter the acreage.

Councilwoman Pritchett asked how would the Community Development Districts fit in with the City's Master Development Plan, when its not in place as of yet.

Manager Crew explained that a Community Development District is basically a funding mechanism for the developer. It allows a developer to install roads, drainage, and water and sewer systems, at his /her expense. The developer would then sell those improvements to the Community Development Districts, which means that the developer would get his/her moneys back right a-way. The Community Development District would then issue bonds to pay that developer the money. The bond would be paid back by the owners of those houses in that district. In the Andover area, approximately five hundred homes are being built. The developer will put in all the infrastructures, and then sell it to the Community Development District, which in turn will put an assessment on each of the houses to pay those bonds off, over a twenty or thirty year period. From the point of the homeowner, they will pay for the infrastructure either through a higher price for the house or spread out over a twenty or thirty year period at a lower price for the house.

Councilwoman Pritchett expressed concern with having to vote on this item tonight, without fully understanding how the process works to ensure the Council is making the best decision.

Manager Crew explained that the City of Miami Gardens will get this application whether or not the Council adopts this ordinance. He opined that the City should be compensated for the work that is to be done in evaluating the application.

Mayor Gibson asked for clarification purposed whether the Florida Statutes provides for a legal right for the developer to bring the application before the City.

Attorney Knighton affirmed that the Florida Statutes provides for this right to the developer.

Mayor Gibson opined that this ordinance only establishes a fee so that when those developers come to the City, a mechanism would be in place so that staff can charge for the review and evaluation of the development application. Once the application is before the City, the Council will make a decision as to whether or not to approve the application. She reiterated that this ordinance merely establishes the administrative fee.

Attorney Knighton explained that Community Development Districts are designed to get the development started, whether it be commercial or residential. Typically, after a number of years those services provided by the Community Development District are slowly transferred back to the City. Ultimately, the City will have control at some point. The Community Development District will still have to comply with all zoning requirements and City regulations.

Councilwoman Pritchett opined that these kinds of questions are so critical and important because she wasn't sure whether the audience has any idea of what a Community Development District is. The City Council is here, thanks to the graciousness of the audience, and this dialogue is important so that all can understand it, and the kind of impact it can have in the City, She questioned the length of time it would take staff to complete an application process.

Manager Crew explained that each application is individual and different.

There being no further discussion, the motion to adopt this ordinance **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

9. PUBLIC COMMENT – 10 MINUTES

Ms. Paulette Sims Wimberly, residing at 17351 NW 29th Avenue, Miami Gardens, Florida, appeared before the City Council to express her opposition to Item 10A, and opined that someone is benefiting from this chain gang labor. She further voiced frustration with the fact that she was not able to talk to a live person from the City, during the onset of Hurricane Frances. She related that only Councilman Bratton visited residents in his district during this emergency. She further shared

that her lights have been out for more than four days.

Ms. Da'Lois Wimberly-Stewart, residing at 4511 NW 208th Street, Miami Gardens, Florida, appeared before the City Council in support of the Florida Department of Corrections' Program. She shared that her son is a participant in a similar program, and emphasized the importance of having such a program available to the inmates and how valuable this program is to their self-esteem as well as providing a vocational skill for their transition into society.

Ms. Euthera Neal, residing at 18921 NW 7th Court, Miami Gardens, Florida, appeared before the City Council in support of the Florida Department of Corrections' Program.

Ms. Dorothy Smith, residing at 18900 NW 30th Court, Miami Gardens, Florida, appeared before the City Council to inquire about the City of Miami Gardens' Emergency Management Procedure. She further questioned whether the City had a process to address Section Eight Housing Tenants.

Manager Crew related that Miami Gardens is a brand new City with limited staff until after October 1, 2004. Miami-Dade County Emergency Management is county-wide. The City of Miami Gardens is a part of that Emergency Management. The City had personnel at the North Miami Beach Emergency Management Office, the day of the storm. Miami-Dade County has a county-wide policy to deal with people with special needs. First thing after the aftermath of Hurricane Frances, Mr. Green the Assistant to the City Manager for Public Services, the City's Emergency Debris Removal contractor and Weed-A-Way were out removing trees that had fallen onto two homes. In addition, there were streets that were block that had to be cleared.

Ms. Smith related that residents wanted to know why Mayor Gibson was not making appearances on television like mayors from other municipalities. She told the City Council members that the citizens wanted the same response from them that they received when they were campaigning for election. People want to know that they are being thought of during a time of crisis.

Mr. James Clausell, a volunteer that represents the City of Miami Gardens for Miami-Dade County's Project Impact, Citizen Corp and CERT Program, appeared before the City Council to explain that the Mayor of Miami-Dade County declares a State of Emergency, not municipal mayors. Citizens with "special needs" must be registered prior to a hurricane.

Ms. Smith questioned whether there were emergency shelters for the City of Miami Gardens residents.

Mr. Clausell stated that at the present time, there are no emergency shelters within the City of Miami Gardens.

Councilwoman Watson referenced comments made that members of the City Council were not sensitive to the residents' needs during Hurricane Frances. She stated with great certainty that almost every council member was interacting with citizens of Miami Gardens. She assured the audience that each Council member reached out over this past weekend and touched many of the

residents in their respective districts.

Councilman Braynon shared that he was out with Mr. Green and other staff members from the City of Miami Gardens, as they went through the community cutting down trees. He conveyed his sentiments for not being able to reach everyone. He opined that each Council person did what they could and apologized for not being able to personally contact everyone. He further thanked staff for all of their hard work during this emergency.

Councilwoman Watson shared her personal knowledge of Mayor Gibson touring the City during the aftermath of Hurricane Frances, to assist the damage.

Mayor Gibson related that her comments are not intended to defend herself, however the job of Mayor comes with accolades and criticisms. Since her election to office on last June, there have been some good and bad days; she conveyed assurance that there were going to be more. Everyone on this City Council is here to serve the residents in the best way that they can. The Council members will certainly not please everyone, and probably most days, the Council members may find that they don't please most everyone, but they will still try to do that. This audience is very intelligent; in addition, the residents in this community have been through hurricanes before and are aware of the necessary preparations and arrangements to be made prior to the onset of the storm. The public can make statements that are not true. It is also very disrespectful to say things when people don't really know what they are talking about.

Mayor Gibson commended staff for all their hard work during the aftermath of Hurricane Frances. She shared that prior to leaving the office on Friday she made sure that City Staff was assigned to where they needed to be, this included the Police Department. The City Manager was on the street at 7:00 a.m. She opined that this doesn't seem to matter because the City Council is here to take the accolades and punishment, and everyone up on the dais is up to doing that. In spite of that the Council members are still going to serve their constituents. There are some things that are out of this Council's control.

Mayor Gibson shared that she did not have electricity either, and she did not make any phone calls to try to get her electrical service restored before anyone else. She shared that there are thousands of people still without electricity, here in Miami-Dade County and all over the State of Florida. She emphasized that Miami-Dade County is the agency to take care of Emergency Management for all areas, and as such the Mayor of Miami-Dade County was the individual on television providing pertinent information. The Mayor of Broward County was also on television providing similar information to the residents in Broward County. She placed emphasis on the fact that there were no mayors representing their respective municipality, on television. She conveyed appreciation of the residents' comments and stated that the City Council will always take them to heart.

Ms. Gale Cunningham, residing at 19001 NW 13th Avenue Way, Miami Gardens, Florida, appeared before the City Council to ask whether communities have been identified for the Florida Department of Corrections inmates to work, if this item is approved. She further expressed concern with the street light outage in her neighborhood and questioned whether the City's Code Enforcement Department was the correct department to receive complaints about the light outage.

Manager Crew indicated that Florida Power and Light is the correct entity to call. However, he encouraged residents to continue calling the City about the street light outages, which in term will contact Florida Power and Light.

10. RESOLUTIONS:

RESOLUTION NO. 2004-98-149

- 10A) **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN AGREEMENT FOR PUBLIC WORK SERVICES WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR A TOTAL AMOUNT OF \$40,000.00 PER YEAR, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) (Deferred from 8/11/04)**

Manager Crew further expounded on the program, which is strictly voluntary on the part of the inmate. This program is not a substitute for hiring individuals for the Public Works Department. This is a unique program that allows the city to leverage some of its funds to supplement the City's projects.

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

Councilwoman Pritchett referenced page 3, Item No. 4, of the Inmate Labor Agreement, which relates to the annual salary of the Prison Guard of \$40,000.00, and that the City would have to provide all tools, equipment, etc., and asked if the City had an idea of what that total cost would be.

Manager Crew related that these are items the City would normally purchase for a Public Works Department. The City would also be hiring approximately six crews to staff the Public Works Department. The initial cost to purchase the equipment would be approximately \$5,000.00. The Florida Department of Corrections participants will not be used for heavy or major public works projects.

Councilwoman Pritchett referenced page 3, Item No. 12 of the Inmate Labor Agreement, which relates to the Indemnification Clause.

Attorney Knighton explained that the City is only holding the Florida Department of Corrections harmless from actions that are taken by the City. The City will have the ultimate authority over the inmates, therefore if there is anything that the City might do to cause injury to the inmate, the City would be held liable. She related that she would add another indemnification clause indicating that the Florida Department of Corrections would take responsibility for their actions and hold the City harmless.

Councilman Braynon shared that a lot of the questions he'd raised during the last Council meeting were answered during the presentation. He had a question as to whether this was a volunteer program and the answer was "yes". He related that he was really concern with inmates being forced to come out and work in the City of Miami Gardens; the second concern would there be recommendation letters or will these individuals be able to utilize this work experience, and giving back to the community to assist when they get out and back into the community because he did not want it to appear that the City was taking advantage of them; another positive is that the inmates would be given an opportunity to possible transfer over and get an opportunity to work for the City in a similar capacity to what they have been trained to do, and the answer to this question was "yes. He conveyed his hopes that the City of Miami Gardens would eventually be able to participate in the transition program as well; his fourth concern was what the inmates get in return and asked that Major Denmark elaborate on this issue.

Major Denmark said that there was no monetary value to this particular program. Those individuals who do participate in this program will be looked at for the Transition Program, which is a first step toward the work release program. Monthly Gain Time is also earned and calculated into the sentence given.

Mr. Jones reappeared before the City Council to relate that this program also improves the participants' self-esteem and afford them an opportunity to give something back to their community.

Councilwoman King asked if the inmates participating in these programs were receiving certificates or building a work history for their efforts.

Major Denmark shared that as an inmate moved through certain phases of the programs offered at the facility, they are provided with a Certificate of Completion.

Councilwoman King asked if there was statistical information as to how many inmates were actually able to find gainful employment, once released, utilizing the Certificates they'd received while incarcerated?

Major Denmark related that statistical information was a part of the process and is used as a mechanism to measure the effectiveness of the programs, and the Florida Department of Corrections partnership with Work Force One.

Councilwoman Pritchett asked how many inmates from the work squads actually end up going into the Transition Program and getting paying jobs.

Major Denmark stated that eighty-five percent of the participants get into the Transition Program.

Mayor Gibson asked Major Denmark to expound on the fact that it is unlawful to refuse to hire someone because they have been incarcerated.

Major Denmark replied that this is correct. She further shared that inmates can not take jobs

from citizens in the community as well. There is also a tax break for those companies that employ former inmates.

Mayor Gibson shared that the City of Miami Gardens can take the initiative and be one of those innovative cities that will hire people who have been in the system.

Councilman Braynon questioned the type of work attire the inmates would be wearing while working in the community and whether the uniforms would be provided by the Florida Department of Corrections or the City of Miami Gardens.

Major Denmark said the white uniforms (designed to look like painters) would be provided by the Florida Department of Corrections.

Councilman Braynon asked if the GED or other educational programs were offered by the Florida Department of Corrections.

Major Denmark related that those programs are no longer offered because of Senate Bill 19. However, individuals are brought in from the community to provide the GED class. The inmates are also allowed to get independent study materials sent in to them.

Councilman Braynon inquired about the outcome of the discussions with the other two options presented at the last City Council meeting.

Ms. Codner, the City's Keep Miami Gardens Beautiful Director appeared before the City Council and stated that to do the same work as being proposed by the Florida Department of Corrections, Greater Miami Service Corp's cost would be approximately \$200,000. Brothers Of The Same Mind's cost would be approximately \$100,000.

Mr. Jones voiced his commitment to making this program work for the City of Miami Gardens. He offered to meet with the various Civic and Homeowner Association Groups in an effort to provide information about the Florida Department of Correction's program.

Major Denmark further related that the individuals that will be working with the inmates must complete 32 hours of training prior to becoming supervisors. In addition, the supervisors must continue their training by attending an eight hour course each year.

At the conclusion of this discussion, the motion to approve this item **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. 2004-99-150

10B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AFFIRMING THE CITY'S SUPPORT OF THE CITIZENS' CRIME WATCH OF MIAMI-DADE COUNTY, INC.; PROVIDING FOR AN APPOINTMENT OF AN INFORMAL CITIZEN LIAISON TO THE CRIME WATCH OF MIAMI-DADE COUNTY, INC. TO TRANSMIT INFORMATION TO THE CITY OF MIAMI GARDENS RELATING TO THE CRIME WATCH PROGRAM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Please Note: Mayor Gibson passed the gavel to Vice Mayor Campbell

Manager Crew explained that since the incorporation of Miami Gardens, the crime watch programs have become inactive. This resolution provides for a Citizen Liaison, who will attend the Miami-Dade County Crime Watch meetings. This was brought to the City's attention by the Miami-Dade County Police Department and Mr. Clausell. Mr. Clausell has volunteered to serve as the City's liaison.

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

Councilwoman King conveyed her understanding that Mr. Clausell was also serving as the City's liaison for CERT and questioned whether he'd have the time for both organizations.

Mr. Clausell appeared before the City Council and explained that Crime Watch is a part of Citizens Corp, of which he is an active member.

Councilwoman Pritchett questioned whether it would be possible to include another individual in addition to Mr. Clausell. The Chairperson of the Year for the Miami-Dade County Citizens Crime Watch resides within the City of Miami Gardens. She recommended the appointment of Ms. Marjorie Speicher as an alternate.

Mr. Clausell related that he was familiar with Ms. Speicher and her outstanding contributions to the Citizens Crime Watch Program. He conveyed his understanding that Ms. Speicher had some scheduling conflicts, however he welcomes all the assistance he can get.

Councilwoman Pritchett asked if the resolution could be amended to include the appointment of Ms. Marjorie Speicher.

Mayor Gibson related that she was not in opposition to adding Ms. Speicher, but would certainly like to have her agree to be appointed. She recommended bringing this particular appointment back at a later date.

Councilwoman Pritchett concurred with Mayor Gibson's statement because no contact has been made with Ms. Speicher to solicit whether she'd be willing to serve. She placed emphasis on the importance of adding Ms. Speicher as an alternate because of what she brings to the table County-wide; and once again putting the County on notice that the City of Miami Gardens, not only does very good things, but has residents who do very good things.

Councilman Bratton asked Mr. Clausell if he had a rooster of the Crime Watch Organizations and what method will he used to contact the members.

Mr. Clausell related that he has access to the Crime Watch rooster and would utilize the police department to get the word out.

Vice Mayor Campbell accentuated the importance of getting the Citizens Crime Watch Program reactivated in Miami Gardens' neighborhoods. He further questioned whether the Citizens Crime Watch organization within the City of Miami Gardens would be able to get funding directly from the Citizens Corp, or would they have to get funding from Miami-Dade County

Mr. Clausell explained that Miami-Dade County has jurisdiction over the funding.

Vice Mayor Campbell questioned whether the City of Miami Gardens could have its own chapter of the Citizens Corp from the National office.

Mr. Clausell said that the City could have its own chapter, but that entity would fall under the jurisdiction of Miami-Dade County.

At the conclusion of this discussion, the motion passed and carried by a 6-0 vote.

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

Please Note: Vice Mayor Campbell relinquished the gavel to Mayor Gibson.

RESOLUTION NO. 2004-100-151

10C) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, A CONTRACT WITH SALMAN MAINTENANCE SERVICE, INC. D/B/A U.S. LAWNS OF SOUTH DADE FOR MISCELLANEOUS PUBLIC WORKS SERVICES BY PIGGYBACKING ON THAT CERTAIN AGREEMENT BETWEEN SALMAN MAINTENANCE SERVICE, INC. D/B/A U.S. LAWNS OF SOUTH DADE AND

THE TOWN OF MIAMI LAKES DATED OCTOBER 14, 2003, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained that Miami-Dade County will turn over control of the Public Works function of roadways, etc., to the City of Miami Gardens on October 1, 2004. The approval of this contract will provide a bridge for a couple of months until the City is capable of assuming these responsibilities and purchase the necessary equipment. The City is piggybacking off of a contract currently in place with the Town of Miami Lakes. The City can determine and control the level of service to be received from this company.

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

Councilwoman King voiced concern with the substandard paving and street drainage work being performed on the County's roads.

Manager Crew related that the City has had numerous concerns with the projects being done by Miami-Dade County. The City has met with representatives from Miami-Dade County, who in turn have agreed to address the City's concerns and fix the problems.

Councilwoman King emphasized that the City needs to make sure that it did not use the same contractors hired by Miami-Dade County to do this work, because they are doing an awful job.

Mr. Christopher Steers, Assistant to the City Manager for Business Services appeared before the City Council and shared that he's met with DERM and surveyed about 75% of these issues. DERM has committed to going back and working with the contractors to correct some of the problems. The City will continue to follow-up to ensure the problems are corrected.

Councilman Braynon questioned the term of this particular contract.

Manager Crew indicated that the contract's term could go as long as one year. He opined that the City will not need the contractor after the City has hired sufficient staff and applicable equipment.

Councilman Braynon opined that this is a prime example of when piggybacking actually works because it is only for a short stop-gap-time. All the information relevant to the bid has been provided as part of this package.

Vice Mayor Campbell related his comments for the benefit of the audience and stated that issues such as sink holes and unsafe right-of-ways should be reported to the City Manager's office posthaste, rather than waiting to come before the City Council.

Councilwoman Pritchett asked if the City had anyway of knowing the level of satisfaction the

Town of Miami Lakes has with this contract.

Manager Crew shared that he'd spoken with the Assistant City Manager for the Town of Miami Lakes, who expressed great satisfaction with this company. The Mayor of Pinecrest also had very good things to say about this company.

Councilwoman Pritchett related that it would be good to have some of that information included in the report. She further questioned whether any employees of this company resided within the City of Miami Gardens.

Manager Crew stated that he did not know that answer.

Councilman Bratton asked what type of procedure would be used to locate the pot holes within the City.

Manager Crew stated that this will be accomplished by a street evaluation.

At the conclusion of this discussion, the motion **passed and carried by a 4-1 vote.**

Councilwoman King: Yes

Councilwoman Pritchett stated that she would have liked to have seen a little more due diligence and someone from the City benefiting from this therefore she was voting "no."

Councilwoman Watson: Out of room

Councilman Bratton: Yes

Councilman Braynon: Out of room

Vice Mayor Campbell: Yes

Mayor Gibson: Yes

RESOLUTION NO. 2004-101-152

10D) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE FLORIDA DEPARTMENT OF TRANSPORTATION'S PAVER PLAN; AUTHORIZING THE JOINT FUNDING OF THE PAVER PLAN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION IMPLEMENTING THE PAVER PLAN; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained the relevant issues associated with this project. He said that FDOT has committed to providing an additional \$60,000 toward landscape enhancements. The total cost for the Paver is estimated to cost approximately \$175,000.00. The City will have to commit to \$125,000.00, with FDOT picking up the remainder. Included in next years Transportation budget is a half million dollars for the enhancement of the 183rd Street Project. He suggested an amendment to line 6 and 7 of the resolution as follows:" Whereas, the City of Miami Gardens would like to provide funding in an amount not to exceed \$125,000.00."

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

Vice Mayor Campbell stated that he was asking this question for the benefit of the audience and asked whether these funds were coming from the City's Ad Valorum.

Manager Crew explained that the Transportation moneys comes from the State of Florida, and has to be used for transportation purposes.

Councilman Bratton asked for the boundaries for this project because on one page in the documentation provided the area of 28th Place to 2nd Avenue is identified, and on another page the area of 28th Place to 14th Avenue is identified.

Manager Crew related that FDOT split this project between two contractors, one has the eastern section and one has the western section.

It was moved by Councilman Braynon, seconded by Vice Mayor Campbell to amend the resolution as prescribed by the City Manager.

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

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

The motion on the resolution as a whole **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

11. **REPORT OF THE CITY ATTORNEY**

No Report.

12. REPORTS OF CITY MANAGER

Manager Crew provided a brief report on the City's clean-up efforts during the aftermath of Hurricane Frances.

Manager Crew announced that the City's first Public Works Director is Tom Nuiz a former employee of the City of Hallandale Beach, Florida.

13. REPORTS OF MAYOR AND COUNCIL MEMBERS

Mayor Gibson thanked the City Manager and staff for their hard work and quick response in its clean up efforts. She further commended Councilman Braynon for his efforts in this endeavor.

Councilwoman Watson referenced a concern raised by Ms. Wimberly regarding not being able to speak with a live person during the hurricane emergency. She said that she would be addressing this issue with staff and thanked Ms. Wimberly for bringing this issue to the Council's attention.

Councilwoman Pritchett inquired about the status of the MLK Committee meeting.

Clerk Taylor advised Councilwoman Pritchett that a meeting has been scheduled for Thursday, September 9, 2004.

Councilwoman Pritchett invited everyone to come out to the Town Hall meetings.

Councilman Bratton asked Manager Crew to provide information on a program being provided by Front Porch, which dealt with shutters for senior citizens.

13A) GENERAL REPORTS FROM MAYOR AND COUNCIL MEMBERS

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

14A) PUBLIC COMMENTS – 20 MINUTES

Ms. Gale Cunningham, appeared before the City Council and indicated that she had additional questions regarding the Item 10A and 10D.

Mayor Gibson informed Ms. Cunningham that the City Manager would contact her and provide her with the necessary information.

Ms. Sharon Fraizer-Stephens, residing 145 NE 193rd Street appeared before the City Council to express her concern with the Occupational License fee as it related to the small businesses within the City.

Manager Crew related that the City is concerned about the small business within the Community. An ordinance will be forthcoming that upon renewal, a twenty-five dollar credit will be

given to every occupational license holder.

Mr. Wendell James, residing at 18820 NW 29th Place, Miami Gardens, Florida, appeared before the City Council to commend Mayor Gibson for her comments about the City taking the initiative to be different. He emphasized the importance of the City of Miami Gardens having its own identify.

Mr. Howard Siplin, residing at 17320 NW 18th Avenue, Miami Gardens, Florida, appeared before the City Council to express his support of the positive changes taking place within the City. He shared that he was not a supporter of the City during the incorporation process, but now that it is a City he is a 100% supporter of the Council. He further commended the City on its Code Enforcement efforts in getting the illegal vendors off the street.

Ms. Paulette Sims-Wimberly, residing at 17351 NW 29th Avenue, Miami Gardens, Florida, appeared before the City Council to express her views on the enhancements being done to 183rd Street.

Mayor Gibson recounted how the implementation of this project started on the west side, through Miami-Dade County and FDOT.

Ms. Sims-Wimberly asked if the fact that Metrorail is coming through was taken into consideration when this enhancement project was planned. She further opined that there are other people within the City of Miami Gardens who can serve on the Citizens Crime Watch program.

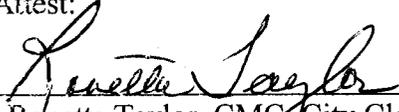
Ms. Barbara Jordan, residing at 2251 NW 188th Terrace, Miami Gardens, Florida, appeared before the City Council to advise that if they have concerns about the substandard work being done by contractors on County projects occurring in the City of Miami Gardens, those concerns should be put in writing and given to the County Commissioner for this area.

15. SPECIAL PRESENTATION(S)

16. ADJOURNMENT:

After being duly moved by Councilman Braynon and seconded by Councilman Bratton the meeting adjourned at 10:28 p.m.


Shirley Gibson, Mayor

Attest:

Ronetta Taylor, CMC, City Clerk