

**CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
MAY 11, 2005**

(A) CALL TO ORDER/ROLL CALL.

The City Council of the City of Miami Gardens, Florida, met in regular session on Wednesday, May 11, 2005, beginning at 7:20 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, and Council members Barbara Watson, Audrey J. King, Melvin L. Bratton, Sharon Pritchett and Oscar Braynon, II. Vice Mayor Aaron Campbell, Jr., was out of town.

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

(B) INVOCATION.

Mayor Gibson delivered the Invocation.

(C) PLEDGE OF ALLEGIANCE.

The Pledge of Allegiance was recited in unison.

(D) APPROVAL OF MINUTES

Regular City Council Minutes – April 27, 2005.

Moved by Councilman Braynon, seconded by Councilwoman King to approve the minutes with the necessary additions/deletions as provided by the City Clerk. This motion **passed and carried by a 6-0 vote.**

(E) ORDER OF BUSINESS (ADDITIONS/DELETIONS/AMENDMENTS):

Moved by Councilman Braynon, seconded by Councilman Bratton to approve the official agenda with the replacement for Item No. G-1.

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

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) Special Recognition – Proclamation

National Public Works Week

Mayor Gibson along with City Council members proclaimed the week of May 16-20, 2005, as National Public Works Week, in the City of Miami Gardens.

F-2) North Dade Middle School – FBLA Club

Councilwoman Pritchett, along with Mayor Gibson and City Council members presented

Certificates of Achievement to the winners of the Future Business Leaders of America Club Competition. In addition, Monica Thurston was presented with a plaque for achievement as 2006 Teacher of the Year for North Dade Middle School.

F-3) Major Donald Rifkin, Miami Gardens District Police Department

Major Rifkin reported overall targeted crimes were up by one percent, as compared to last month. Targeted crimes are up year-to-date by eight percent. There were decreases this month in auto thefts, commercial burglaries and robberies. Aggravated battery is up year-to-date by nearly fifty percent. Aggravated battery includes shootings, which the City has had a significant number of recently. The shootings are difficult to detect and prevent because there is a lack of a specific pattern. The shootings have involved domestic, narcotics and disputes. No shootings have been related to gang activity. An initiative being explored to combat the shootings is a Gun Buy Back Program, which requires training on the part of the officers. It is anticipated that the Gun Buy Back Program would commence during the summer months.

Mayor Rifkin shared that a Master Case Program has been established, which identifies and links a suspect to other crimes, that occurred in other jurisdictions, which the suspect confessed to. The Police Department is working in conjunction with the State Attorney's office to ensure suspects are charged and prosecuted for all crimes he/she has confessed and been linked to.

Major Rifkin reported on the police department's truancy enforcement. This reporting period 115 students were returned to school. Last month 288 students were returned to school.

Major Rifkin further provided a reported on the police department's response time. He said the Interlocal Agreement guaranteed the police department's response time for the average emergency would be five minutes or less. This first quarter of the year, the response time for the average emergency was less than five minutes. The response time for all routine calls is thirty minutes or less. This first quarter of the year, the average response time for non emergency calls is twenty eight minutes. The first quarter of the year, less than ten percent of all calls were holding for more than thirty minutes. For this first quarter, over thirty thousand calls were dispatched.

Major Rifkin invited everyone to attend an open house at the Miami Gardens District Police Station is scheduled for Saturday, June 4, 2005, between the hours of 10:00 a.m. and 2:00 p.m.

Councilman Bratton inquired about the percentage of the truancy incidents.

Major Rifkin related that he did not have that information. A miscellaneous incident report is prepared, but no particular data base is compiled. He further shared currently there are three diversionary operations through the Neighborhood Accountability Program, operating within the city. Truancy would be included as part of this program, within this upcoming year.

Councilwoman Watson referenced the increase in crime and questioned whether information could be provided to show the crime rate trend for the next five years, as well as the trend before this area incorporated. She questioned whether the City was on a down wave of this crime rate or was it

leveling off.

Major Rifkin said he would provide a five year comparison at the next reporting period. He said static's usually show an up and down trend in crime rates.

Councilwoman Watson said this information would be most beneficial in providing the City with an idea of where it is really standing during its second year of incorporation.

Mayor Gibson referenced the calls holding in particular the percentage of calls holding over thirty minutes, and questioned what time of the work day was this happening.

Major Rifkin said the greatest number of calls on hold is during the afternoon shift and transfer time. This is one of the reasons the shift change has been shifted from 2:00 p.m. to 4:00 p.m. Staff is hopeful this shift change will clear the calls for service and lower the figures. He indicated that he would provide the Council with a report on how successful this shift change was.

Mayor Gibson shared one of the most frustrating issues for residents, is when they call for the police, and the police are not responding. Even if it is not an emergency, maybe there is something going on that is very annoying and they want the police to get there, and the police take so long to get there. Residents do not understand what's going on. She indicated that she would like to have a follow up since the shift structure has been changed, to see if that is going to help eliminate that time of call holding, because the City does not want to get into a pattern of having calls on hold for a really long time.

Major Rifkin concurred with the concerns raised by Mayor Gibson. He conveyed his commitment to work toward reducing the calls holding time period.

Mayor Gibson referenced the truancy issue and asked whether those children would actually be in the system with an arrest record.

Major Rifkin shared that all paperwork is forwarded to a program therefore, once the youth successfully completes the Neighborhood Accountability Program, an arrest is never received. In this particular program, the children are never arrested, they are only truant.

Mayor Gibson questioned whether the children would participate in this program during the day time hours.

Major Rifkin said the children would participate in the program during evening hours.

Mayor Gibson indicated she would like to get a feel for what the schools are doing when the children were returned to them.

Major Rifkin said he had no idea however the Miami Dade County Public School Board is participating in the Neighborhood Accountability Program.

Councilwoman Pritchett shared at the last Council meeting during the Report of the Mayor and Council Members she had brought forth the concerns of some of the citizen's crime watch groups as it relates to All Terrain Vehicles (ATV), traveling in the Bunche Park and Rainbow Park areas. She said Major Rifkin said he would look into this matter, but did not hear an update on that situation during his report. She asked whether any significant improvement in terms of curbing the ATV activity along NW 21st and 22nd Avenues, and 151st and 152nd Streets in the Bunche/Rainbow Park areas, had occurred.

Major Rifkin said there were some other concerns in this area as well, therefore patrol has been increased. This area also abuts the Opa-locka Triangle area, which currently has a lot of law enforcement enhancement activity occurring.

Councilwoman Pritchett asked for something a little more measurable, which can be shared with the residents when she attends the crime watch meetings in a couple of weeks.

Major Rifkin said he would provide this information.

Councilwoman King shared she too witnessed the abundance of activity with those ATV's on the vacant property adjacent to the Miami Gardens District Police Station on NW 27th Avenue between 191st and 199th Streets. She questioned whether the No Trespassing law could be enforced, because there is a No Trespassing sign posted on the property. She conveyed concern with the liability associated with this dangerous situation, which is an accident waiting to happen.

Major Rifkin said because this is private property, the property owner would have to file a complaint in order to have the No Trespassing law enforced. ATV enforcement has been done in the Brentwood area, resulting in a number of vehicles being confiscated.

Manager Crew said the City would send a letter to the property owner about this situation.

Mayor Gibson related that it would be beneficial if the police department would be able to get some kind of presentation at the crime watch meetings. It is important for parents to understand the ramifications of buying these types of ATV for their children, and the inherited responsibility and applicable laws that must be abided by when operating one of these vehicles. She further suggested getting the schools involved as well because most of the youth riding these vehicles seem to be between middle to high school age.

Major Rifkin said staff would start this process. He shared he had already anticipated writing an article in the Miami Herald Neighbor's Section to include this particular subject. Additionally, a representative from the Miami Gardens District Police Department is sent to every crime watch meeting, the department has been invited to. A presentation on ATV's can always be worked into the meeting.

Mayor Gibson opined it is important for parents to know the rules and regulations involved with

the operation of an ATV. She said the situation has gotten to the proportion of illegal ATV drag racing. She concurred with Councilwoman King's statement about someone getting seriously injured, and opined, it is just a matter of time.

Barbara Bregande, residing at 20940 NW Miami Court, Miami Gardens, Florida, appeared before the City Council and mentioned that Miami-Dade County's Code had a provision that addressed loud muffler noise.

Major Rifkin agreed this matter needed to be addressed. He share there are several state statutes that also addresses this subject matter. He conveyed his commitment to addressing this matter.

Jay Marder, Development Services Director for the City of Miami Gardens, appeared before the City Council to announce the City has started the process for its Comprehensive Development Master Plan. He invited the audience to get involved by filling out the questionnaire provided on the back table. A second Charrette to gather input will be held on Wednesday, May 18, 2005, from 6:00 p.m. – 9:00 p.m., at the North Dade Regional Library. A third Charrette will be held on Saturday, June 18th, from 9:00 a.m. – 1:00 p.m., at City Hall. In addition, the public is invited to attend a tour of Miami Modern Architecture – Sunshine State International Park will take place on Monday, May 23, 2005, from 5:30 – 7:00 p.m. The author of Miami Modern Architecture will also participate in this event.

(G) ZONING MATTERS/RESOLUTION PUBLIC HEARING

RESOLUTION NO. 2005-72-249-Z-26

G-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF 202 TERRACE, INC., TO MODIFY A CONDITION OF APPROVAL RELATING TO CERTAIN PROPERTY, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE REVOCATION OF A PREVIOUSLY RECORDED DECLARATION OF RESTRICTION; PROVIDING FOR A NEW DECLARATION OF RESTRICTIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Robert Coleman, Zoning Administration read into the record the public hearing procedure to be followed for zoning matters.

City Clerk Taylor swore in all parties participating in this proceeding.

Attorney Brian Adler, with a business address at 200 South Biscayne Boulevard, Suite 2500, Miami Florida, appeared before the City Council representing the applicant, 202 Terrace, Inc. Francisco Rojas, and Alex Barroso, representatives of the corporation were also in attendance. This item was deferred from the April 6, 2005, Zoning Meeting. Since that time, city staff has worked diligently with the applicant to ensure all documents including the Declaration Restriction were correct and proper for this hearing.

Attorney Adler explained, this property is located east of NW 2nd Avenue, and 202nd Terrace (north and south). The property was approved in two different segments. In 1968, one segment of the property was approved for 150 units. In 1974 and 1975, there were some modifications to the approved Site Plan, which lowered the units from 150 to 114. The other portion of the property, which is approximately 3.6 acres was approved for a total of 90 units. With the approval of the northern portion, the applicant has approval for a total of 204 units. This property is approximately 8.6 acres. The applicant is seeking a modification of the approved Site Plan to reduce the 204 units in a four story apartment structure, to 121 units in a town-home structure. Where there were originally 90 units approved, the applicant is seeking to decrease that to 59 units. Where there were originally 114 units approved, the applicant is seeking to decrease that to 62 units. The approved Site Plan would be going from a four story to a maximum of 22.5 feet. As part of the application, additional right-of-way is being dedicated for landscaping. From that right-of-way, an additional 25 foot setback is being proposed for additional landscaping. Total number of trees to be planted on this site is 144, which is doubled the required amount.

Attorney Adler said as part of the 2003 approval, a Declaration of Restriction was included. The applicant is also seeking a revocation of that Declaration, because it ties the applicant that the Site Plan that has the 90 units. Under the Declaration, the applicant is proposing today, there are only 59 units on this portion of the property. Under the City's Comprehensive Plan and Future Land Use Map, this property is designated between 13 and 25 units to the acre, for approximately 215 units, the applicant is proposing to reduce that 201 units. The applicant has worked very closely with staff and is coming forward with a plan, the City can be proud of.

Attorney Adler indicated there were some house-keeping matters with regards to the resolution and the Declaration, if the Board is incline to approve this request. For the resolution, the word plans, should be changed to plan. In paragraph one of the Declaration, the CZAB3-103, should read CZAB-3-103, in addition the word applicant should be changed to developer. Paragraph 4 should read "That the developer re-surface and clean the Storm Water System at NW 202nd Terrace, adjacent to his property." In addition, paragraph 3 of the Declaration of Restriction should read "That the Developer construct Northwest 202nd Terrace to the City's specifications, including, but not limited to, dedicating a total of seventy (70) feet of right-of-way....

Attorney Dickens indicated the changes would be made as scrivener's changes.

Mayor Gibson opened the floor for those interested parties speaking against this request.

Rondalier Sims, residing at 17200 NW 9th Place, Miami Gardens, Florida, appeared before the City Council to express concern with the additional burden and overcrowding of schools this new development would cause an already overburdened school system. She emphasized the importance of thinking about the children.

Attorney Adler related that the applicant has committed to working with the School District to address those areas of concern.

Barbara Bregande, residing at 20940 NW Miami Court, Miami Gardens, Florida, appeared before the City Council to question the square footage of the proposed townhouses.

Attorney Adler said the average size is approximately 1,360 square feet, with some going down to 1,250 square feet. The corner units were approximately 1,400 square feet.

Ms. Bregande asked if street lighting would be provided, if so, how many feet from each unit. She further inquired about hurricane preparedness measures.

Francisco Rojas, with business address at 1666 79th Street Causeway, Suite 505, North Bay Village, Florida, appeared before the City Council to address the question about street lighting. He further shared that each unit will have storm shutters.

Ms. Bregande asked the City Council to vote against this request.

Attorney Adler addressed the concerns raised about the overburdened school system. He related that Miami-Dade County has released its five year plan, which shows a release school for Norland Middle School.

Hugh Dodd, residing at 17125 NW 19th Avenue, Miami Gardens, Florida, appeared before the City Council to question whether the City can change zoning, previously approved by Miami-Dade County prior to this area becoming incorporated.

Mayor Gibson explained if this Council, tonight, denies this change, and the developer still goes forward with this project, it would go to the high density. The City would not have any jurisdiction over the zoning because the project has already been approved for a 204 unit, four story development.

Mr. Dodd clarified his question and asked whether the City can change those approval decisions made by Miami-Dade County prior to this area becoming incorporated.

Attorney Dickens said the City has a right to enact its own codes and ordinances. As it relates to zoning, the City is not only governed by the zoning laws, but the Comprehensive Development Master Plan for the area. The City is currently working on its own Master Plan. Until that Master Plan is approved, the City has to abide by what is in effect at present, which is the Miami-Dade County Master Plan. This item however, is not a re-zoning matter, but simply an amendment to an already approved Site Plan.

Attorney Dickens further explained the applicant is before this City Council asking for an amendment to the prior approval. The City Council can make a decision as to whether it will grant that approval. Mayor Gibson was absolutely right when she stated if the City did not grant the applicant's request, the applicant has a vested right to construct the project in accordance with the previously approved Site Plan.

Attorney Adler explained the applicant has approval for 204 units. The applicant is decreasing that amount down to 121 units. If this request is denied by this City Council, the applicant has the right to go ahead and build a 204 unit, four story apartment complex. The applicant is coming forward with a plan for 121 townhouses.

Josee Gregoire, residing at 20925 NW Miami Court, Miami Gardens, Florida, appeared before the City Council in opposition to this request. She expressed concern with the property value of the surrounding residential properties.

Sharon Frazier-Stephens, residing at 145 NE 193rd Street, Miami, Florida, appeared before the City Council in opposition to this request. She related she did not believe in mixing single family residential with multi-family dwellings.

Benjamin Amadi, residing at 410 NW 202 Terrace, Miami Gardens, Florida, appeared before the City Council to question why the project is being reduced.

Mr. Rojas re-appeared before the City Council and shared the scope of the project is being reduced to go with a project that is a much more upscale development than what is currently approved.

Mr. Amadi shared his opposition to this request. He said this reduction in the scope of the project was not in the City's best interest.

Ms. Bregande re-appeared before the City Council and indicated the subject property was waterfront property. She opined that something gorgeous should be built on this site.

After there were no other interested parties to speak, Mayor Gibson closed the floor for public comments.

Moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item.

Councilman Braynon referenced the Lake Lucerne Complex and the new type of garbage disposal system used there, which had numerous problems. He asked what type of garbage disposal system would be used for this development.

Mr. Rojas said the plan for this property is to have individual trash enclosures.

Councilwoman Pritchett indicated there are four people on this Council, who served on the North Dade Community Council 3 and Community Council 4. When Community Council members received their zoning packets information as it related to fire, police, and the school board was apart of that packet. She questioned, if the applicant is in contact with the School Board and committed to working with them, why was there no inclusion of the impact of this development, and what it would be at it relates to the already overcrowded schools; since that seems to be the concerns or part of the concerns expressed by resident.

Manager Crew said the reasons that information is not provided is because this is not a re-zoning. The information Councilwoman Pritchett referred to was presented when this item was originally approved. This particular item is only changing the Site Plan and reducing the density.

Councilwoman Pritchett stated, it would seem to her understanding everything that has been said, and if the applicant wanted to empower the community with understanding and the part they were willing to play; understanding the circumstances and situations as it relates to this beautiful new development coming in, proactively the applicant would have included something to help the residents understand what it is they are trying to accomplish, and how this would impact the already overcrowding schools. Even though the applicant is absolutely right, it is the burden of the School Board to make determinations as it relates to where the children would attend school. A pro-active developer would want to help surrounding residents and the community to understand why this should be approved.

Attorney Adler conveyed his belief that the information was forwarded directly from the School District to the municipality. He shared he had contacted the School Board in order to ascertain the situation of the schools. The School District just enacted a new program within the last few weeks, which evaluates certain residential developments to determine the impact fees to be paid. The applicant has opened a dialogue and committed to speak with them on a continuous basis. It would appear this project would generate approximately \$228,000.00 in Impact Fees.

Councilwoman Pritchett commented, understanding the applicant has taken a pro-active position, which is admirable, she conveyed her belief it would be better to have something in writing in which to hold the applicant accountable. She opined it is better when the Council has more information to share so the residents have a better understanding, and the Council has a better understanding. The Council understands the importance of having mix-use development, and the vital role that development is to a community. She emphasized the importance of providing the necessary information. This information is critical and important to helping residents to understand the vision, the Council has for this wonderful City, and the direction the Council is taking it.

Mayor Gibson asked Attorney Dickens to explain the request that is before this Council tonight, and what legal actions can be taken on this matter this evening.

Attorney Dickens explained, this request is an amendment o a previously approved Site Plan. This is not a re-zoning request. She referenced the school board issue and said that concern is typically addressed during the rezoning process. It is the School Board's responsibility to impose the applicable impact fees. She conveyed her belief that this application should not be held up because of the School Board issue. The City Council has a duty to approve or disapprove the applicant's request. She opined that school concurrency issue is a reason to deny an application that is actually decreasing the density on a particular piece of property.

Attorney Dickens said as the City's counsel, it is her belief that it would detrimental to the Council if their reason for denying the application is because of the schools, you are then agreeing to the higher density, which would generate more students.

Councilwoman Pritchett conveyed appreciation of Attorney Dickens' in-depth explanation, which provided the residents with an understanding of what is before the Council for consideration. Based upon the Council's vote, the residents could leave here with the impression the Council did not exercise due-diligence. She said she wanted the explanation so that the residents can understand the Council has a responsibility to go strictly by the facts. Other matters needing to be addressed out of this setting could be done at another time. She emphasized, the Council has the responsibility to deal with what is before them and vote accordingly.

Councilman Bratton asked about the recreational amenities planned for this complex.

Mr. Rojas indicated that the amenities would include a pool.

Councilwoman Bratton questioned whether there would be basketball and tennis court facilities.

Mr. Rojas replied there would be no other amenities for recreational activities. He said a lot of green space is being provided so the individual townhouse resident can have private space at the rear of their unit.

Councilman Bratton asked that the children be kept in mind when considering the recreation area. He further referenced the Traffic Study and PM Peak Traffic Assignments, and asked about the traffic calming measures to be utilized.

Mr. Coleman said there is a traffic light at NW 2nd Avenue (441) and 202 Street.

Councilman Bratton referenced staff's memorandum as it related to Additional Analysis, more specifically the language under Item No. 2, "would not tend to create a fire or other equally or greater dangerous hazards", and asked for clarification.

Jay Marder, Development Services Director, appeared before the City Council and explained these are the exact quotations from the criteria in the Code to be reviewed.

Councilman Bratton questioned if there would be a fire wall between each unit.

Mr. Coleman said each unit has a fire wall to prevent fire from spreading from one unit to the next, including the roof area.

Councilwoman Watson said the feeder schools for this particular development are going to need some updating in their educational process. From the samples received from the different projects and the formula use to tabulate how many students would be generated from this particular development, equates to approximately 90 students of varying grade levels (40 for elementary, 20 for middle and 30 for junior high). She suggested, as a good faith effort making a monetary contribution, and partnering with one of the schools. She shared that another developer has been very generous and partnered with Norland Elementary. She said she had calculated the impact fees to be considerable more than what

was mentioned and questioned whether 202 Terrace, Inc., had been in negotiations with the School Board.

Attorney Adler said the impact fees were a result of a formula that is applied. The impact fees are based on a per unit amount and then a square footage amount.

Councilwoman Watson asked the applicant to take into consideration the conditions of the local schools, and how this community would like to see those students become productive citizens in this community, going on to get a higher education. She said the applicant can use this as a matching strategy to bring forth consideration for some additional fees in this area, in particular Norland Middle School.

Mr. Rojas said with regard to Councilwoman Watson's comments, the developer would be amenable to having discussions with the School Board about providing assistance to help with addressing the situation.

Councilwoman King said in looking at this Site Plan and what the developer is proposing is something she could support.

Councilwoman Pritchett questioned whether a condition could be added to address dedicating one of the green spaces from the young people.

Attorney Dickens affirmed that reasonable conditions could be imposed. She suggested getting the applicant to agree to dedicating land for a recreation area.

Attorney Adler said in reviewing the plans, the applicant is not sure as to what can and can not be move to accommodate a recreation area. However, the applicant is exploring all possibilities.

Attorney Dickens advised that the Council could pose a condition that the applicant work with staff to come up with a certain amount of square footage for a Tot Lot, which might require a variance at some time in the future.

Attorney Adler said the applicant would commit to work with staff to create a Tot Lot that is variance free.

Attorney Dickens recommended a condition that if the site configuration would permit a variance free Tot Lot, the developer agree to construct it.

Mr. Coleman interjected and reminded the City Council that due to safety issues, Tot Lots should not be constructed where there is water abutting the property. He recommended a recreation area, with benches, as opposed to a Tot Lot.

Mayor Gibson referenced page 4, line 79 of the resolution, more specifically the language "that, if necessary and requested by the City, the Applicant shall provide an access easement for a future

bicycle and/or pedestrian facility adjacent to Snake Creek/Canal 9. She said the Snake Creek Canal is one of the canals under review by the South Florida Water Management District and Miami Dade County. She placed emphasis on the importance of making sure this canal is accessible to the bike path.

Attorney Adler said this could be easily addressed in the Declaration of Restriction, under paragraph 5, by taking out the words “That, if necessary and requested by the City, the Applicant shall...” and replace with the words, the “Developer shall provide an access easement for a future bicycle and/or pedestrian facility adjacent to Snake Creek/Canal 9.”

Attorney Dickens further recommended amending paragraph 4 of the resolution and paragraph 5 of the Declaration to include “that the developer shall also need to provide a green space for recreational purposes.

Attorney Adler suggested alternative language for the recreational area as follows, “The developer shall work with staff to the extent feasible, without a variance, to provide an open area of green space.

Attorney Adler referenced the school issue raised by Councilwoman Watson and asked, if possible, this could be something that is a condition, as opposed to placing this requirement into the Declaration of Restrictions. The reason being once this matter has been placed as a title item, it is something that is very hard to prove, and would become a title exception. For example the Tot Lot is a physical plan and tied to the Site Plan. However, when you put in a provision to work with staff to create a program with the School Board there is no way to essentially prove that in a title document. He recommended placing this matter as a condition of the resolution.

Attorney Dickens explained the purpose of a Declaration of Restrictions is to put a bind on the property so that if the property is transferred to a subsequent owner, they will know there are certain conditions on the property that must be complied with. This would be found when Title Insurance is applied for. She informed the City Council she did not have a problem advising them to make the School Board issue a condition of the resolution and not necessarily a Declaration of Restrictions.

Attorney Adler said he envisions the developer working directly with the schools to ascertain what the schools’ needs are and what the developer can contribute to those needs.

Moved by Councilwoman Pritchett, seconded by Councilman Bratton, to amend the resolution and declaration to include the language offered by the attorney as it relates to the bike path. There being no further discussion on this amendment, the motion **passed and carried by a 6-0 vote.**

Councilman Bratton:	Yes
Councilman Braynon:	Yes
Vice Mayor Campbell:	Out of town
Councilwoman King:	Yes
Councilwoman Pritchett:	Yes

Councilwoman Watson: Yes
Mayor Gibson: Yes

Moved by Councilwoman Pritchett, seconded by Councilman Braynon to amend the resolution and declaration to include the language offered by the attorney as it related to the open green space. There being no further discussion on this amendment, the motion **passed and carried by a 6-0 vote.**

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

Attorney Adler indicated from his conversations with staff, to address the school issue, a monetary contribution could be used by the school, as well as Andover Park. The applicant is willing to donate a \$10,000.00 contribution to Norland Middle School, and a \$10,000.00 donation to Andover Park.

Mayor Gibson told Mr. Adler and his client she thought it was admirable what they were doing. She recounted a previous situation with a housing project being developed in Councilwoman Watson's area, when an attempt was made to get the developer to give some specific moneys to Norland Elementary. The School Board at that time said money can not be donated to a specific school.

Councilwoman Watson explained that the development mentioned is the Portofino Development on 215th Street. That particular development has a Covenant, which says once 400 units have been built by the developer; the developer is to give \$80,000.00 in Impact Fees to the nearest Feeder Pattern School. The process was stopped because there was a representative from the school board who was desiring to put the money into the District. Therefore, because the school board representative wanted to put the money into the District and not the nearest Feeder Pattern School, the funds were not given. She affirmed that money contributions can be given to a specific school. She shared this practice it is being done by developers in other school districts.

Mayor Gibson said she had no problem with what the developers were agreeing to do as long as it serves the intended purpose, and not waylaid by someone just like before, who decided it needed to be distributed amongst several schools.

Moved by Councilwoman Watson, seconded by Councilman Bratton to amend the Declaration of Restrictions to provide for the City of Miami Gardens to accept voluntary monetary donation from the developer in the amount of \$20,000.00. Ten Thousand Dollars is to be donated to Norland Middle School, and \$10,000. for improvements to Andover Park. There being no further discussion on this motion, the item **passed and carried by a 6-0 vote.**

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

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

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

Councilwoman King announced the City of Miami Gardens has lost a great community activist, Mr. Leslie Williams, who passed away on May 9, 2005.

(H) ORDINANCE(S) FOR FIRST READING

H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO "SEX OFFENDERS"; PROHIBITING SEX OFFENDERS CONVICTED OF CRIMES UNDER CERTAIN FLORIDA STATUTES FROM LIVING WITHIN 2,500 FEET OF SPECIFIED LOCATIONS WITHIN THE CITY OF MIAMI GARDENS; 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 MAYOR GIBSON).

Mayor Gibson shared her rationale for sponsoring this item. She conveyed the importance of addressing safety concerns for the children. Every other City is saying there is no place in their jurisdiction for these people to live. Certainly Miami Gardens can not be a depository for everyone. Therefore something is going to have to be done at some point. She opined it is important now, for the City of Miami Gardens to go on record by saying it is very concerned about its children, just as other communities are. She asked for the Council's support in passing this item on first reading.

Mayor Gibson passed the gavel to Councilman Bratton and moved to approve this item on first reading. This motion was seconded by Councilwoman Pritchett. There being no further discussion, this motion **passed and carried by a 4-0 vote.**

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

H-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 21-27.1. (“SELLING, SERVING, VENDING IN PUBLIC RIGHTS-OF-WAY NEAR PUBLIC SCHOOLS”) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, AS MADE APPLICABLE TO THE CITY OF MIAMI GARDENS, BY VIRTUE OF SECTION 8.3 OF THE CITY'S CHARTER; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE..(SPONSORED BY THE CITY MANAGER)

Manager Crew explained this ordinance addresses one of the complaints raised by residents and teachers about vending around public schools, and the dangerous situation that is created. Currently vendors can sell within 500 feet from a school. Staff is recommending this be increased to 1,500 feet.

Moved by Councilwoman Watson, seconded by Councilwoman King to approve this item on first reading.

Councilwoman Pritchett commented the Council should be addressing all the concerns as it relates to the safety of our children. An example is the Sex Offenders ordinance passed tonight on first reading. She conveyed her hopes this will be one of many initiatives to come before this Council relative to the safety issue of our children in this City. She said she did not want the City to be isolationist and just deal with this one, when there might be a multiplicity of initiatives and issues the Council will need to deal with.

There being no further discussion, this motion passed and carried by a 5-0 vote.

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

H-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 21-27.2. (“SELLING, SERVING, VENDING IN PUBLIC RIGHTS-OF-WAY NEAR PUBLIC PARKS”) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, AS MADE APPLICABLE TO THE CITY OF MIAMI GARDENS, BY VIRTUE OF SECTION 8.3 OF THE CITY’S CHARTER; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained this is the second part of the initiative. The same problem is occurring in the parks. The vendors are currently allowed to sell within 500 feet from a City Park this ordinance will increase that footage to 1,500.

Moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item on first reading.

Councilwoman Pritchett asked how the passage of this ordinance would affect police services.

Manager Crew said actually the police officers were spending quite a bit of time discouraging vendors from selling near the parks. This would provide the officers with the tools they need to get the vendors to move away from the parks.

Councilwoman Pritchett said her reason for asking the question was because she was trying to envision in her mind the percentage of time the police would be on a call of this magnitude, when for example a call comes in regarding a burglary, and a minute later a call comes in regarding a vendor selling at a park. She asked what happens with those two calls as it relates to the police and the impact.

Manager Crew said the police basically screen all of their calls. If the officer is on a routine call and gets a more high priority call, for example a burglary in progress, that officer will drop the routine call. Although the police do help with the vendors, most of the time the City’s Code Enforcement Officers will handle the vendor selling at parks. Most of the calls concerning vendor selling at the parks will come from residents to the City of Miami Gardens’ Code Enforcement Department, and not to the Police Department.

Councilwoman Pritchett thanked Manager Crew for sharing this information so the residents understand the more serious crimes will be addressed regardless whether this is approved or not. This is just another mechanism to help with enforcement of things people should not be doing.

There being no further discussion, the motion to approve this item on first reading **passed and carried by a 5-0 vote.**

Councilwoman King: Yes

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

H-4) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 21-36 (“SIDEWALK SOLICITATION OF BUSINESS”) OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES, AS MADE APPLICABLE TO THE CITY OF MIAMI GARDENS, BY VIRTUE OF SECTION 8.3 OF THE CITY’S CHARTER; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained the City currently has on the books an ordinance that deals with solicitations of business. Unfortunately, the ordinance is somewhat vague and not as concise as it needs to be. This ordinance defines more clearly and specifically where people can and can not ply their business. He further cited safety as an issue when vendors ply their goods in the median.

Moved by Councilwoman Watson, seconded by Councilman Bratton to approve this item on first reading.

Councilwoman Pritchett asked does this mean school service clubs and optimist clubs will no longer be able to stand on sidewalks within the City of Miami Gardens and solicit support for their fund raising activities such as car washes and donut sales.

Manager Crew said that type of activity has always been illegal, and against the code to do that.

Councilwoman Pritchett related she had asked this question so that when the residents hear this ordinance has been adopted, they can be the ambassadors for the City and go back and explain why the Council did what it did; because it is for the safety of our children even though the City wants to help with their fund raising efforts.

Attorney Dickens shared another reason for this deals with the first amendment and the fact that one can not discriminate based upon the contents or what somebody is selling, therefore you treat everyone the same.

Mayor Gibson shared when she has seen children out soliciting in the streets the adults are always sitting in their cars, safely out of way, while the children are standing in the middle of traffic.

There being no further discussion on this item, the motion to approve on first reading **passed**

and carried by a 6-0 vote.

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

(I) ORDINANCE(S) FOR SECOND READING "PUBLIC HEARINGS."

ORDINANCE NO. 2005-18-56

I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO QUASI-JUDICIAL PROCEEDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROCEDURES FOR QUASI-JUDICIAL MATTERS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY ATTORNEY)

Attorney Dickens shared this item clarifies the way Quasi-Judicial matters are handled, including sophisticated quasi-judicial land use matters. She recounted the Jennings' case, which was filed in Miami-Dade County in 1995. That case provides that on quasi-judicial land use matters, if any of the council members or boards had discussions with anybody concerning an item coming before them, the council members have a duty to divulge that discussion. Subsequent to 1995 and the Jennings' decision the Florida Legislature enacted a statute that says you do not in quasi-judicial land use matters, have to divulge the conversation. The basis for that rule is on quasi-judicial matters all decisions must be based upon competent substantial evidence in the record, at the hearing. The rationale is if a council member or board member had conversations with someone prior to the meeting, it is not in the record and whatever that member's decision was it could not be based upon that discussion. Either way, state law is unclear and Jennings dealt with this issue more on a constitution level; which basically states a person is entitled to due process. This ordinance will require those discussions to be put on the record. The ordinance also clarifies the procedures to be used on quasi-judicial matters.

Mayor Gibson opened the floor for the public hearing.

Paulette Sims-Wimberly, residing at 17351 NW 29th Avenue, Miami Gardens, Florida, appeared before the City Council and stated she did not understand why the City was reinventing the wheel, because this law is already on Miami-Dade County's books. She further advised the Council, if there was an ordinance which the Council agreed and deemed an emergency it would be adopted on first reading, without having to go through a second reading and public hearing.

Mayor Gibson explained the City of Miami Gardens is now a municipality, and as such has to adopt its own ordinances, rules and regulations.

Attorney Dickens further explained the City did not have to adopt Jennings provision. There are many cities in the state of Florida that have adopted the state statutes. She said in the abundance of caution, she was advising the Council to adopt Jennings provision because it is on a constitutional level.

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

Moved by Councilwoman Pritchett, seconded by Councilman Braynon to adopt this ordinance.

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

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

(J) PUBLIC COMMENTS (10 - MINUTES)

Sharon Frazier-Stephens, residing at 145 NW 193rd Street, Miami, Florida, appeared before the City Council to share that the Miami Norland Senior High School PTSA received an award for being the most active PTSA in the Miami-Dade County Public Schools.

Margaret Allen Cross, Miami Norland Senior High School PTSA, President, appeared before the City Council to further expound on the activities of the PTSA.

Mayor Gibson shared she had received a petition supporting Ms. Cunningham as the permanent principal of Miami Norland Senior High School. She asked Ms. Cunningham to share with the City Council why she would be the best candidate for this position.

Ms. Cunningham shared she would like to bring academic excellence back to the school. She said there are students at Miami Norland who have the criteria and ability to do what every other students in this county are doing. It is important to have teachers who are certified and the tools and abilities to make it work. Dade Partners is also willing to provide financial support toward this endeavor.

Paulette Sims-Wimberly, residing at 17351 NW 29th Avenue, Miami Gardens, Florida, appeared before the City Council to question how the City let the public know about the new laws being adopted by the City Council. She further referenced the Mason Rules of Order/Parliamentary Procedures, and indicated Miami-Dade County and the State of Florida follow these procedures for

their meetings. She opined the City should be under this parliamentary procedure process as well.

Attorney Dickens clarified the City of Miami Gardens operates under Robert's Rules of Order, which is the procedure the City adopted, and is acceptable for a city to operate. She further said the City of Miami Gardens has the right to adopt its own rules and not go by what Miami-Dade County or the State of Florida does.

Ms. Sims-Wimberly opined that Robert's Rules of Order were only for civic or social groups, good government doesn't use these procedures

(K) CONSENT AGENDA/RESOLUTION(S)

Councilwoman Pritchett pulled Items K2 and K5 were removed from the Consent Agenda. The items are now reflected as Items L-1 and L-2 respectively.

RESOLUTION NO. 2005-73-250

K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO POST, BUCKLEY, SCHUH & JERNIGAN, INC. (PBS&J) GROUP, IN THE AMOUNT OF TWO HUNDRED EIGHTY FIVE THOUSAND (\$285,000) DOLLARS FOR PREPARATION OF THE MIAMI GARDENS STORM WATER MASTER PLAN; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER).

RESOLUTION NO. 2005-74-251

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO ATLANTIC TRUCK CENTER FOR THE PURCHASE OF ONE (1) AERIAL TRUCK WITH CHIPPER BODY IN THE AMOUNT OF ONE HUNDRED THIRTY-FOUR THOUSAND EIGHT HUNDRED FORTY-ONE (\$134,841.00) DOLLARS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER).

RESOLUTION NO. 2005-75-252

K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO KIMLEY-HORN & ASSOCIATES, INC., IN THE AMOUNT OF NINETY THREE THOUSAND, SIXTY THREE (\$93,063) DOLLARS FOR PREPARATION OF A CAPITAL IMPROVEMENTS PLAN AND ROADWAY ASSESSMENT REPORT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER)

Moved by Councilwoman Pritchett, seconded by Councilwoman Watson to approve the

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

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

(L) RESOLUTION(S)

RESOLUTION NO. 2005-76-253

L-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DONATING APPROXIMATELY 40 USED BUS BENCHES TO THE NORTH DADE MIDDLE SCHOOL FOR USE AT THE SCHOOL; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Councilwoman Pritchett said she had pulled this item in order to correct the public record by correcting the memorandum to reflect the correct name of the school. She further asked that Mrs. Davis' first name be corrected on the resolution.

Moved by Councilwoman Pritchett, seconded by Councilman Braynon to approve this item.

Mayor Gibson stated she wanted to make sure the benches were going to be for the benefit of all the students, because North Dade Middle School is two separate schools. The North Dade Elementary Magnet School get a lot more support than the regular school.

Councilwoman Pritchett conveyed her support of Mayor Gibson's request.

Mayor Gibson passed the gavel to Councilman Bratton and moved to amend the resolution to ensure the benches were equally distributed to North Dade Middle between North Dade Elementary Magnet Schools. This motion was seconded by Councilwoman Pritchett.

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

Councilman Braynon:	Yes
Vice Mayor Campbell:	Out of town
Councilwoman King:	Yes
Councilwoman Watson:	Yes
Councilwoman Pritchett:	Yes

Mayor Gibson: Yes
Councilman Bratton: Yes

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

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

RESOLUTION NO. 2005-77-254

L-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR FUNDING IN THE AMOUNT OF SEVENTY THOUSAND (\$70,000.00) DOLLARS UNDER THE LIVABLE COMMUNITIES PROGRAM, IN ACCORDANCE WITH THE SCOPE OF SERVICES ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Councilwoman Pritchett said she pulled this item to ask about the source of funding for the additional money that FDOT would not reimburse the City. FDOT will pay seventy-five percent, where will the twenty-five percent come from.

Manager Crew said the funds would come from the Transportation Fund.

Moved by Councilwoman Pritchett, seconded by Councilman Braynon to adopt this item.

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

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

(M) REPORTS OF CITY MANAGER AND CITY ATTORNEY.

Attorney Dickens announced she would be out of the country on next week. Attorney James Brady will be available to answer any questions or concerns the Council might have.

(N) REPORTS OF MAYOR AND COUNCIL MEMBERS.

Mayor Gibson shared that Mr. McHugh, the Assistant City Manager had provided information on a Strategic Planning Retreat for the City Council. She placed emphasis on the importance of having this retreat.

Mayor Gibson passed the gavel to Councilman Bratton and moved to direct the City Manager to move forward with a Strategic Planning Retreat for the City Council. This motion was seconded by Councilman Braynon.

Horace McHugh, Assistant City Manager appeared before the City Council to further expound on this matter. He shared he had contacted all of the council members with the exception of Councilwoman King with the purpose of providing an overview of the retreat, and allowing an opportunity for the Council members to check their calendar and commitment to one of the dates presented.

Councilwoman Pritchett questioned whether this retreat was about the 2005/06 budget cycle.

Mr. McHugh said this was not necessarily correct. He explained it is more critical to the 2005/06 budget cycle. It is critical to developing a vision and goals, which is not specific to this upcoming year, but could be three to five years in the future or even beyond.

Councilwoman Pritchett indicated Option 1 would provide the Council with extra time, with the second option being available in case more time was needed.

Mr. McHugh said it is anticipated the retreat would be concluded within the two days.

Councilwoman King shared her sister has been identified as a bone marrow donor for her and the actual procedure is schedule to take place prior to this event. She shared her anticipation of being able to participate in this retreat.

Councilman Bratton questioned whether the retreat would be done locally.

Mr. McHugh said it is recommended the retreat not be done locally due to distractions. This retreat is a public meeting and would be posted accordingly.

Councilwoman Pritchett asked that every effort be made to have the retreat within the City of Miami Gardens to keep the City dollars within the community.

At the conclusion of this discussion, the motion to move forward with Option 1 of the proposal. There being no further discussion, the motion **passed and carried by a 6-0 vote.**

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

Mayor Gibson further asked the Council to consider taking the month of August off.

Councilwoman Watson suggested for the future, designating the month of August as recess for the City Council.

Councilwoman Pritchett said she would like to see this item brought back in resolution form.

Councilman Braynon asked if this would affect the budget process.

Mayor Gibson said it would not. Staff will be preparing the budget and schedule the necessary workshops.

Attorney Dickens said she would prepare a resolution for the next City Council agenda addressing this issue.

Councilwoman Pritchett announced the topic of discussion for the May 21, 2005, UPAC meeting will be Predatory Lending, which is prevalent in the City of Miami Gardens. She invited everyone to this meeting.

Councilwoman King commended the Public Works, and Keep Miami Gardens Beautiful Departments for the excellent job with the planting done at Bunche Park.

Councilman Bratton shared he had observed Vanessa Robinson-Willis, Code Enforcement Officer for the City of Miami Gardens working diligently on Mother's Day to keep illegal vendors off the City's streets and sidewalks. He commended Officer Robinson-Willis for doing an excellent job. He further announced the City of Miami Gardens will be sponsoring a breakfast in honor of Veteran Day on Monday, May 30, 2005.

Ms. Paulette Sims-Wimberly re-appeared before the City Council to advise that the road in her area was sinking again. She said the work perform on this road needed to be rechecked.

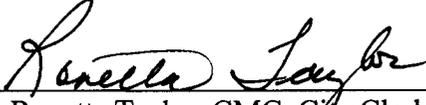
(P) ADJOURNMENT.

There being no further business to come before this Body, and upon a motion being duly made by Councilman Braynon and seconded by Councilman Bratton, the meeting adjourned at 11:00 p.m.



Shirley Gibson, Mayor

Attest:



Ronetta Taylor, CMC, City Clerk