

**CITY OF MIAMI GARDENS  
REGULAR CITY COUNCIL MINUTES  
JANUARY 11, 2006**

**(A) CALL TO ORDER/ROLL CALL**

The City Council of the City of Miami Gardens, Florida, met in regular session on Wednesday, January 11, 2006, beginning at 7:10 p.m., in the City Council Chambers, 1515 NW 167<sup>th</sup> Street, Building 5, Suite 200, Miami Gardens, Florida.

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

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

**(B) INVOCATION.** Delivered by Dr. Lester Brown.

**(C) PLEDGE OF ALLEGIANCE.** Recited in unison.

**(D) APPROVAL OF MINUTES - Regular City Council Meeting – December 14, 2005**  
Moved by Councilwoman Watson, seconded by Councilman Campbell to approve the minutes with adjustments as provided by the City Clerk. This motion passed and carried by a 7-0 vote.

**(E) ORDER OF BUSINESS (ADDITIONS/DELETIONS/AMENDMENTS):**  
Moved by Vice Mayor Braynon, seconded by Councilwoman Watson to accept the official agenda as presented. This motion passed and carried by a 7-0 vote.

**(F) SPECIAL PRESENTATIONS (5 minutes each)**

**F-1 Miami-Dade County Commissioner Barbara Jordan - Proposed Miami Dade County Workforce Housing.**

Commissioner Jordan recounted, this legislation came about as a result of then Commissioners Betty Ferguson and Jimmy Morales in 2001, when they looked at the housing issues and the community at-large. They asked staff to take a look at inclusionary zoning in an effort to respond to the housing crisis throughout the community. As a result of that initiative, Miami-Dade County staff, along with representations from the development community took a trip to Fairfax, Virginia, Montgomery County Maryland, and Trenton, New Jersey. These areas have had inclusionary zoning for more than 27 years. At the time staff visited Montgomery County Maryland, the medium income was \$85,000.00. In Fairfax, Virginia the medium income was \$90,000.00. When one looks at those communities and the fact that they started early planning on how they could have a workforce included and integrated into their community, they considered the fact that they needed to provide housing for the working class. That housing needed to be integrated into the mainstream community. As a result of that visit, Miami-Dade County established a task force, which consisted of staff representation as well as that of the development community. The price of housing in this community has escalated

tremendously. What was affordable ten years ago at \$100,000.00 now will cost in excess of \$320,000.00 for a family of four. The medium income for families in Miami-Dade County is approximately \$46,300.00. Those families can not afford to purchase a home. Miami-Dade County wanted to make sure this legislation was something it could put in place to mandate that developers set aside a number of units so that it is affordable for the working class.

Commissioner Jordan recounted, two years ago it would not have been possible to get this legislation adopted, but the crisis has escalated to the point where it is absolutely essential that something is done. Research has shown that foreign investors are buying up the market and flipping it, which is driving up the cost of housing. This legislation ensures that any development exceeding 25 units or more, that a portion of those units would be set aside as affordable.

Diane O'Quinn-Williams Director of Miami-Dade County Planning and Zoning Department appeared before the City Council to further expound on this legislation. She provided the City Council with information on workforce housing and how the income levels were defined. The ordinance as it is currently drafted would apply to all new development approvals. This is a mandatory ordinance requiring all developments with 25 units or more to comply. This equates to between 25 and 30 percent of a development being workforce housing. There are density bonuses built in to the ordinance to allow that there be additional market rate units to offset the cost of the workforce housing units. The site planning phase of the development is going to be critical to ensure the workforce housing is integrated into the development, and not done separately.

Ms. O'Quinn-Williams said those developers that can not provide for the physical development of workforce housing would be able to contribute to a Housing Trust Fund. Those moneys could be used to further this particular ordinance and provide some cash to offset the purchases. Appeals of this ordinance would go to the Miami-Dade County Commission. The Miami-Dade Community Councils will also be educated in terms of the need for this type of housing. Commissioner Jordan is also sponsoring a resolution which provides for annual reporting in terms of how staff is doing as it relates to achieving the goals of this ordinance.

Ms. O'Quinn-Williams said a process has been worked out to accommodate expediting the building permit process.

Alphonso Brewster, Miami-Dade County Housing Agency appeared before the City Council and related that workforce housing is not Section 8, public housing nor tax credit financing for affordable housing. Workforce housing is geared toward police officers, public service employees, as well as City of Miami Gardens employees. The other element of this program clearly defines the work of the private section, which is to construct multi-housing. With the density bonuses involved a developer would receive a thirty percent bonus on market rate housing. The additional bonus units would be set up for workforce housing, focusing on the income criteria families would qualify based on their income. This would provide a mixed income environment.

Mr. Brewster said there is an education component to this program for Community Councils as well as for municipal governments. This provides for an understanding on how the program works. He emphasized this is a mandatory program, the developer has to deliver. This type of program has been

phenomenally successful in other areas of the country.

Commissioner Jordan expounded on the buy-out provision and explained there will be instances where the developer would not be able to build the additional housing. The Housing Trust Fund is being created so that those developers who are unable to build the additional housing can contribute. That Trust Fund is used toward workforce housing. The buy-out provision will be so stringent and not be a simple thing for developers contribute to.

Commissioner Jordan shared what she saw when she visited Montgomery County Maryland and Fairfax, Virginia was nothing short of amazing. When one thinks of a community where there are mini mansions and the cost of the mansion is \$800,000.00 and right next door there is a development that looks like a mini mansion but is in fact a quadra-plex with four individual families living there, paying \$125,000.00. She conveyed her optimism that that type of program can work here in Miami-Dade County. She further emphasized the importance and benefits of having multi-family developments next door to single family residents. She said it is important to change the way communities are viewed. This would also open the door for the future on how communities will look.

Commissioner Jordan said the ordinance is mandated for unincorporated areas of Miami-Dade County. However it is her hope that municipalities, such as the City of Miami Gardens will take a look at this legislation and adopt similar legislation. She said she would be proud and honored if the City of Miami Gardens was among one of the first cities to do so.

Commissioner Jordan stated this ordinance was approved on first reading and is slated to come before the County Commission in March 2006. The development community has been involved in this process and any concerns are being addressed.

Councilman Bratton asked whether the other 12 County Commission members were on board with this legislation.

Commissioner Jordan said staff feels very comfortable this ordinance is going to pass. There have been a number of County Commissioners inquiring about workforce housing. Also a number of commissioners have indicated an interest in signing on as co-sponsors. The ordinance passed by a 13-0 vote on first reading.

Councilman Campbell asked whether any thought has been given to legislation addressing existing developments and providing workforce housing in those developments that have vacancies.

Commissioner Jordan said this ordinance would apply if there is redevelopment on existing development or any new development that would come up.

Vice Mayor Braynon asked how far along in the process would a development have to be in the process in order to be affected by this ordinance. He shared the City of Miami Gardens has a few developments that have received all the necessary approvals, but have not started construction.

Ms. O'Quinn-Williams said if the development has already been through the process where the

plans have been submitted and accepted, those projects would not be required to abide by this ordinance. If there are projects that have had the zoning changed, but have not been platted or plans attached those projects will be required to abide by this ordinance. There is a grandfathering clause, which has a five year time period.

Councilwoman Pritchett thanked Commissioner Jordan and her staff for this very informative presentation. She asked assuming the Miami-Dade County Board of County Commission adopts this item on second reading what is the time line for municipalities to agree to adopt a similar ordinance.

Commissioner Jordan said if the City Council wanted to support this legislation it might want to adopt a resolution conceptually supporting this legislation. She shared that staff is planning to make a presentation to the Miami-Dade County League of Cities as well as to as many municipalities as possible. Staff feels it is absolutely critical to get as much affordable workforce housing. This legislation does not deal with low income housing because there are programs in place to deal with that population. At present there is nothing in place for those people who fall between the cracks, the working class people.

Vice Mayor Braynon asked exactly what would the Housing Trust Fund moneys be used for and whether municipalities would utilize the funds or give it back to Miami-Dade County.

Commissioner Jordan said the Housing Trust Fund moneys would belong to the City, if it adopted a similar ordinance it would be administering its own workforce housing program. The funds could be used for infrastructure or initiatives that would help improve the community and build housing that's affordable.

Councilwoman Watson extended her appreciation to Commissioner Jordan and her staff for this presentation. She referenced the Severable Use Rights and questioned how that would affect this ordinance.

Ms. O'Quinn-Williams said the City would not be able to use the Severable Use Rights. That provision was established in the 1980's to protect the Everglades. Density bonuses have been built into this ordinance to accommodate a development as it relates to the affordable units.

Councilman Harvard asked for clarification on the annual reporting procedures.

Commissioner Jordan explained whoever is administering the program would provide an annual report to show the status as it related to workforce housing. This report would also include the success rate in implementing the program. If the City decided to adopt Workforce Housing legislation it would also be up to the City to adopt a provision to provide for an annual report. If the City selects to create a Housing Trust Fund, that trust fund would be used solely by the City of Miami Gardens.

Commissioner Jordan said linkage legislation will also be forthcoming to address commercial development within Miami-Dade County. This legislation provides that a housing element would need to be a part of any commercial development within Miami-Dade County. Representatives from the commercial industry will be participating and providing input for that legislation. That legislation

would then be brought to municipalities.

Mayor Gibson thanked Commissioner Jordan and staff for this very enlightening presentation. She opined the City of Miami Gardens has been pioneers and has approved a multi-family development to be located across from single family housing. The Council took a beating from the residents for approving this multi-family development. However, the Council felt it was the right thing to do and one of those steps that needed to be taken. The major obstacle found was getting the residents educated and becoming knowledgeable about the terminology of “workforce housing or affordable housing”. The preconstruction price for this multi-family project was approximately 275,000. The residents said they did not want those low-income people living across the street from them. Staff and Council had a hard time getting the residents to understand that is not low-income housing.

Mayor Gibson opined this Council has taken a leadership role in introducing the concept of mix-use development in the community.

**F-2. Major Matthew Boyd, Commander Miami Gardens District Police Report.**

Major Boyd appeared before the City Council to provide the monthly police report for December 2005. There were 42 Aggravated Assaults for the month of December 2005, as opposed to 48 for the month of November 2005; there were 51 Aggravated Batteries for the month of December 2005 as opposed to 46 for the month of November 2005; there were 72 auto thefts for the month of December 2005 as opposed to 69 for the month of November 2005; there were eight commercial burglaries for the month of December 2005 as opposed to 16 for the month of November 2005; there were 62 residential burglaries for the month of December 2005 as opposed to 84 for the month of November 2005; there were zero homicides for the month of December 2005 as opposed to two for the month of November 2005; there were 69 grand thefts for the month of December 2005 as opposed to 85 for the month of November 2005; two sexual batteries for the month of December 2005 as opposed to zero for the month of November 2005.

Major Boyd said overall there has been a significant decrease in crime from 2004 to 2005: There were a total of 520 Aggravated Assaults for 2005 as opposed to 572 for 2004; there was a total of 423 Aggravated Batteries for 2005 as opposed to 442 for 2005; there was a total of 932 Auto Thefts for 2005 as opposed to 1023 for 2004.

Major Boyd said there was an increase in Commercial Burglaries for 2005 there was a total of 298 as opposed to 200 for 2004; there were a total of 1094 residential burglaries for 2005 as opposed to 754 for 2004; there were 12 homicides for 2005 as opposed to 13 for 2004; there were 726 grand thefts for 2005 as opposed to 692; there were 622 robberies for 2005 as opposed 576 for 2004; there was a total of 557 sexual batteries for 2005 as opposed to 89 for 2004.

Major Boyd said in just one month of his assignment as Commander of the Miami Gardens District Station, he along with Captain Alonzi have been able to bring the commercial burglaries down from 37% to 31%. Robberies have been decreased from 11% to 8%. There has been a decrease in total crime from 7% to 4%.

Major Boyd conveyed his optimism of a continued slow decrease in crime.

Councilwoman Pritchett asked that the City Council be provided with a copy of the crime stats.

Major Boyd said he would provide copies of the crime stats during next month's report. He further shared from his review of the crime stats from January 2005 to January 2006 there is a dramatic decrease. He further shared the morale of the police officers is a very important factor in providing quality policing.

Councilman Bratton commended Major Boyd for a job well done.

Mayor Gibson said perhaps Major Boyd could invite an officer to attend the next City Council meeting to provide information on what it is residents can do to help combat crime in their neighborhoods.

Major Boyd said in addition, the citizens must realize this is the City of Miami Gardens and the officers patrolling their neighborhoods are their police officers. The police officers are being encouraged to take ownership of the areas they patrol and to treat the communities as their own. He said the citizens need to understand these are their officers and they must treat the officers with open arms as well. Once the citizens start doing this they will notice the officers taking that extra step and going that extra mile. He further encouraged citizens to ride with the officers to see what it is like to go from one call to another. He placed the emphasis on forming a relationship with the officers.

Councilman Harvard asked whether the decrease in crime occurred with more or less officers than what the City had the previous year.

Major Boyd said the number of sworn personnel as outlined in the City's Interlocal Agreement hasn't changed. What is happening is there might be a number of officers on suspension for administrative responsibilities and officers who might be out due to injuries. Every 120 days a review is done and if the number is down it is then increased. The most number of officers the City has ever had taken away at one particular time was five.

Mayor Boyd said he was reviewing the time frame involved when the City has been without the assigned number of sworn officer, which Miami-Dade County has been charging for. He said he would be making a proposal to give that time back to the City because what is happening is the City is paying for officers it is not utilizing. He shared he along with staff is putting together a program to hold Miami-Dade County accountable for this.

Major Boyd said his objective is not to see this City fail; failure is not an option. He said therefore, for as long as he is here he will give the City of Miami Gardens his best effort.

## **(G) ZONING MATTERS**

There were none.

## **(H) ORDINANCE(S) FOR FIRST READING**

### **H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 3 OF ORDINANCE NO. 2003-07; TO CHANGE THE STARTING TIME FOR CITY COUNCIL MEETINGS AND ZONING MEETINGS FROM 7:00 P.M. TO ~~5:00~~ 5:30P.M.; 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 passed the gavel to Vice Mayor Braynon before explaining her rationale for sponsoring this item. She said there are a lot of items being placed on the agenda for the Council's consideration. For that reason meetings are ending between 11:00 – 11:30 p.m. In addition, this is a very long day for staff, with most starting their day at 8:00 a.m.

Mayor Gibson conveyed her understanding that there are a lot of residents in this community who work. She shared that she has been in discussions with COMCAST Cable and opined it is time for the City to have a cable channel. The implementation of a Cable Channel would afford those residents who can not attend the earlier scheduled meetings with an opportunity to view the meetings at various times throughout the week.

Mayor Gibson further asked that the second reading of this ordinance be scheduled for the February 8, 2006, as opposed to January 25, 2006 due to a conflict in her schedule.

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

Councilman Bratton asked who would benefit from this time change, the constituents, staff or the Council.

Mayor Gibson opined we all would benefit. She said by 11:00 p.m., the City Council Chamber is almost completely empty, because most of the residents attending the meetings have gone home. She placed emphasis on the fact that there is a lot of business that has to be taken care of by the Council, which accounts for the voluminous agenda packets.

Councilman Bratton shared that he gathered information from other municipalities within Miami-Dade County as to the start time of their Council/Commission meeting. The majority starting time for those municipalities is 7:00 p.m.

Councilman Bratton said his concern is for his constituents who have called him expressing their concern about this time change.

Mayor Gibson explained that is why this item has two readings and when this item comes back for second reading and it is Councilman Bratton's pleasure he could vote "no".

Councilman Bratton asked if this item is voted in the affirmative at the second reading can it be amended at a later date.

Mayor Gibson said the item can be amended at a later date; all one has to do is sponsor the applicable legislation before the Council for consideration and if it is voted upon the change will take place.

Attorney Dickens pointed out there are two opportunities on the agenda for residents to appear before the City Council to voice their concerns. Therefore if the meeting started at 5:00 p.m., there is still an opportunity for a resident to come to the meeting to voice their concerns before the meeting ends.

Councilman Harvard asked if the meetings were changed to start at 5:00 p.m., is it anticipated the meetings would end earlier than 11:00 p.m.

Mayor Gibson opined if the meetings are starting two hours earlier it is anticipated and conceivable the meetings could end two hours earlier. She further pointed out there is a provision in the ordinance which provides that items should not be debated for more than a half hour. She said the Council does not adhere to that provision.

Councilwoman Pritchett questioned why 5:00 p.m. was chosen as opposed to 6:00 p.m.

Mayor Gibson explained to do a time change in order to make a big difference would need to be a couple of hours.

Councilwoman Pritchett opined that changing the time from 5:00 to 5:30 would be valuable in assisting Mayor Gibson with what she was trying to achieve, as well as accommodating those residents wanting to attend the meeting with a work day ending at 4:30 p.m. or 5:00 p.m.

Moved by Councilwoman Pritchett, seconded by Mayor Gibson to amend the ordinance to change the start time of the meetings from 5:00 p.m. to 5:30 p.m. The rationale being to give everyone the extra half hour to do what needs to be done in order to be in time for the meeting.

Councilman Bratton questioned if this item is passed with the change to 5:30 p.m., and it is found that that time is not suitable can the ordinance be amended to change the time back to 7:00 p.m.

Vice Mayor Braynon suggested that if it found the 5:30 p.m., time is not working Councilman Bratton could sponsor legislation changing the time.

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

Councilman Bratton:	Yes
Councilman Campbell:	Yes

Councilman Harvard:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	Yes
Mayor Gibson:	Yes
Vice Mayor Braynon:	Yes

There being no further discussion on the ordinance as a whole, the motion to approve on first reading, with second reading and public hearing scheduled for Wednesday, February 8, 2006 passed and carried by a 7-0 vote.

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

After this vote was taken, Vice Mayor Braynon relinquished the gavel to Mayor Gibson.

**H-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 5 OF ORDINANCE NO. 2005-10-48, THE CITY'S PURCHASING ORDINANCE, RELATING TO THE CITY MANAGER'S AUTHORITY TO NEGOTIATE OPTIONS ON REAL PROPERTY; 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 recounted last month he'd come to the City Council requesting authority to negotiate options on properties. Staff was under the impression this option was provided for in the City's Purchasing Ordinance, however it is not, which defeats the purpose of being able of negotiating an option and not be in the public about potential purchases of property. This particular ordinance allows the City Manager to negotiation an option for a piece of property under the following conditions: 1) the option can not exceed the authority the City Manager currently has under the Purchasing Code in terms of the dollar amount; and 2) this does not give the City Manager the authority to exercise the option. Only the City Council can exercise the option to buy a piece of property.

Moved by Vice Mayor Braynon, seconded by Councilwoman Watson to approve this item on first reading.

Councilwoman Pritchett referenced page 2, line 17 of the ordinance more specifically the language "The City Manager is the purchasing agent for the City. The City Manager may delegate

some or all of the purchasing authority, except the authority to make the final decision, to any city employee...

Attorney Dickens explained the City Manager has the authority to delegate his responsibility to his staff as far as preparing bids, bids specifications and any and everything except making the final decision as to who to contract with.

Councilwoman Pritchett expressed concern with the language "any city employee" and opined this is not clear cut and definitive enough.

Attorney Dickens said as a point clarification the ultimately decision as to the delegation of this responsibility is the City Manager's.

Manager Crew suggested changing the language to "City Manager's designee".

Moved by Councilwoman Pritchett to amend page 2, line 17 of the ordinance by striking the language "any City employee" and insert the language "the City Manager's designee". This motion was seconded by Councilman Bratton.

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

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

There being no further discussion on this ordinance as a whole, the motion to approve on first reading with second reading and public hearing scheduled for Wednesday, January 25, 2006, passed and carried by a 6-0 vote.

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

### **H-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA CREATING AN ELDERLY**

**AFFAIRS COMMITTEE; 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 COUNCILWOMAN PRITCHETT)**

Councilwoman Pritchett explained this is an item she thought the Council would want to promote. During the FY 05-06 Fiscal Year Budget Process one of the issues raised by residents was that the budget did not have a line item as it relates to senior citizens or the elderly residents within the community. She opined this ordinance would provide a wonderful opportunity for the City to have an advisory committee to make recommendations. Each person serving on this committee would be appointed by a member of the City Council.

Moved by Councilwoman Pritchett, seconded by Vice Mayor Braynon to adopt this item on first reading, with second reading and public hearing scheduled for Wednesday, January 25, 2006.

Councilman Bratton asked for a definition of elderly as it relates to this ordinance.

Councilwoman Pritchett opined that it up to each Council member making the appointment to make that determination.

Mayor Gibson said once she read the item and after hearing Councilwoman Pritchett's explanation she is of the opinion that an age requirement was not mandatory for board members. She opined because this is an Elderly Affairs Advisory it does not mean a forty year old could be excluded from serving on the committee. She said that forty year old individual might have some expertise and knowledge that would be beneficial to someone who is elderly.

Mayor Gibson opined when a committee is put together it should have individuals appointed that will make that committee work to its fullest.

Councilman Bratton clarified that his concern was not for the appointment to the committee but to the community in which the committee will serve.

Councilwoman Pritchett said that is the beauty of having this committee. Mayor Gibson might decide that appointing a forty year old person would have the expertise to bring the kind of attribute to this committee that helps to do the job the Council is interested in getting done. The committee might bring recommendations in terms of identifying the age requirements to the Council.

Manager Crew indicated an amendment was needed to address the assignment of a staff liaison to this committee.

After brief discussion, it was determined that an amendment to address the assignment of a staff liaison could be accomplished under the Ordinance regulating non-statutory boards and committees, which was adopted by the City Council.

Mayor Gibson stated that the City's advisory boards and committees are to function autonomous to the City Council.

Attorney Dickens expounded on this subject and stated that the advisory committees and boards act as an arm to the Council. The City Council really should have no involvement with the advisory board or committee at all. Each advisory board or committee has a duty of reporting to the elected body, at which point a vote is taken by the elected body/City Council.

There being no further discussion, the motion to approve this item on first reading, with second reading and public hearing scheduled for Wednesday, January 25, 2006, passed and carried by a 7-0 vote.

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

Attorney Dickens said staff needs to get the resolution in place appointing members to this committee.

**H-4) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, OPTING OUT OF SECTION 101.657(2), FLORIDA STATUTES, WHICH REQUIRES THAT THE SUPERVISOR OF ELECTIONS PREPARE AN ELECTRONIC DATA FILE FOR EARLY VOTING; PROVIDING FOR DIRECTIONS TO CLERK; 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 passed the gavel to Vice Mayor Braynon before explaining her rationale for sponsoring this item. She explained the Miami-Dade County Supervisor of Election sent relevant information as it relates to this particular item as to the complexity involved with complying with this section of the Florida Statutes. It is not the City of Miami Gardens that has control of this information. That information has to be furnished to the City of Miami Gardens via Miami-Dade County Supervisor of Elections. This ordinance would allow the City to opt out of that section of the Florida Statutes.

Moved by Mayor Gibson, seconded by Councilwoman Watson to adopt this item on first

reading, with second reading and public hearing scheduled for Wednesday, January 25, 2006.

Councilwoman Pritchett thanked Manager Crew for providing her with information on those municipalities that have opted out of this section of the Florida Statutes. She asked whether Miami-Dade County had provided what that complexity and cost would be in order to comply with this provision of the Florida Statutes.

Mayor Gibson said no cost was mentioned however, the Supervisor of Election did allude to the fact that it would be a very high cost to have to comply with this provision.

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

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

After the vote was taken, Vice Mayor Braynon relinquished the gavel to Mayor Gibson.

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

**ORDINANCE NO. 2006-02-83**

**I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING APPENDIX A OF ORDINANCE NO. 2004-08-24, (LICENSE TAX SCHEDULE) IN ACCORDANCE WITH EXHIBIT "A", ATTACHED HERETO; 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 said this is a house cleaning item, which cleans up some of the items listed in the code and are no longer applicable to the City of Miami Gardens, as well as establishing new items such as Auto Dealers. The ordinance further provides for the clarification of certain items.

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

Moved by Vice Mayor Braynon, seconded by Councilman Harvard to adopt this ordinance.

Councilwoman Watson asked for clarification as to why the provisions for limousines and taxi services and newspaper stands were eliminated from this ordinance.

Manager Crew explained the City is not authorized to regulate Limousines and taxi services, which is regulated by Miami-Dade County. The City can regulate Limousines and tax cab offices.

Christopher Steers, Assistant City Manager for Business Services appeared before the City Council to respond to Councilwoman Watson's question about newspaper stands. The City has another ordinance that governs newspaper stands and the applicable licenses involved.

Councilwoman Pritchett shared that the City Manager had sent a letter to Miami-Dade County Manager regarding this item. She asked that a copy of the City Manager's letter be provided to the City Council.

There being no further discussion, the motion to approve this item on first reading passed and carried by a 7-0 vote.

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

**(J) PUBLIC COMMENTS (10 - MINUTES)**

Charles Johnson, 8390 NW 18<sup>th</sup> Avenue, Miami, Florida, appeared before the City Council to his views about workforce housing. He said he appreciated all the information provided. However, it sounded as if the ordinance would in the unincorporated areas of Miami-Dade County, as some point properties would be rezoned. He further questioned the impact of current property values for the City of Miami Gardens would be in regards to Miami-Dade County's Workforce Housing Ordinance. He said he was not sure what representatives from the development community were involved with this process and opined the property appraiser should be involved in this process.

Mr. Johnson said although this type of program might work in Montgomery County Maryland and Fairfax, Virginia, they have a density situation that is different from South Florida. \*Please note, Mr. Johnson's comments will be forwarded to County Commissioner Barbara Jordan for her comments.

Mr. Billy Isley, 1740 NE 193<sup>rd</sup> Street, Miami Gardens, Florida, appeared before the City Council to express his views about the alleged illegal activities of the former City Manager of Davie, Florida. He opined a similar situation could easily happen in the City of Miami Gardens because the City Council has not received a monthly financial report. He opined the contractor that is supposed to be doing the work should be fired for not fulfilling the contract. He opined in addition to the monthly financial report a quarterly report outlining all contracts awarded by the City Manager, which are not mandated to go before Council, should be provided. He further asked the City Council to request the City Manager to provide the rough drafts of those emergency plans, etc. he has been working on.

Mr. Isley further expressed concern with the City Council voting on the purchase of computer technology and to spend funds when an IT Plan had been asked for and not received prior to the vote. He opined a presentation should have been given before the Council by the provider.

Mr. Isley also expressed concern with changing the City Council and Zoning meetings from 7:00 p.m. to 5:00 p.m. He said many residents work in other areas of the County and are often stuck in rush hour traffic in the evenings.

Dr. Lester Brown, 18801 NW 29<sup>th</sup> Court, Miami Gardens, Florida, appeared before the City Council to extend an open invitation to Major Boyd and all 145 sworn officers, to stop by his home for refreshments. He referenced the affordable housing issue and stated the average cost for a home in Miami-Dade County is \$322,000.00; the average cost for a home in Broward County is \$352,000.00. He questioned how many people are there making enough money to pay \$1,500 - \$2,000 in monthly mortgage payments. He stressed the importance of getting involved with the school system and to make sure our children and grandchildren become educated to the point where they can command good jobs with high salaries. He encouraged the City Council to follow through with the suggestions about affordable housing.

Lemuel Wims, 19675 NW 37<sup>th</sup> Court, Miami Gardens, Florida, appeared before the City Council to express his concern with the change in starting time for the City Council and Zoning meetings. He suggested in order to save time limit the debate on items to the thirty minutes as outline in the City's ordinance.

Loretta Ham, 17720 NW 16<sup>th</sup> Court, Miami Gardens, Florida, to talk about Scott Park and the fact that police presence is needed. She placed emphasis on the importance of taking the back the parks for family oriented activities instead of drug and other illegal activities. She further commended Major Boyd for doing an excellent job.

Rosetta Rolle Hylton, 20211 NW 42<sup>nd</sup> Avenue, Miami Gardens, Florida, appeared before the City Council to reiterate comments made by Major Boyd. She emphasized this is our City and we need to take ownership of this City.

Councilman Campbell referenced comments made by Ms. Ham and stated that the same illegal activity occurring in Scott Park is also occurring in his neighborhood therefore he is fully aware of what is occurring. He asked how many people sitting in the audience tonight would be willing to have their property taxes raised in order to hire a number of police officers specifically for parks. He said the Council recognizes the problem but there are limited resources.

Mayor Gibson encourage the audience to contract Councilman Campbell and other members of the City Council with their comments regarding this issue.

#### **(K) CONSENT AGENDA/RESOLUTION(S)**

Please note, Items K-2 and K-3 were removed from the Consent Agenda by Councilwoman Pritchett. Those items are reflected under L- RESOLUTIONS and renumbered accordingly.

**RESOLUTION NO. 2006-03-349**

- K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING THE ANNUAL REGULATORY FEE FOR COMMUNITY DEVELOPMENT DISTRICTS LOCATED WITHIN THE CITY OF MIAMI GARDENS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) *Passed and adopted by a 7-0 vote.***

Moved by Vice Mayor Braynon, seconded by Councilwoman Watson and Councilman Bratton to approve the Consent Agenda. There being no discussion the motion passed and carried by a 7-0 vote.

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

**(L) RESOLUTION(S)**

**RESOLUTION NO. 2006-04-350**

- L-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXPRESSING THE INTENT OF THE CITY COUNCIL TO RENAME "CAROL PARK" TO AUDREY J. KING PARK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN BRATTON)**

Moved by Councilwoman Pritchett, seconded by Councilwoman Watson to approve this item.

Councilwoman Pritchett questioned why a park in Seat 4 was chosen to be renamed after the late Councilwoman King when the area she represented was in Seat 3.

Councilman Bratton explained when he first broached this subject with staff he had considered 17<sup>th</sup> Avenue, Rolling Oaks Park, Scott Park and Bunche Park respectively. He shared that he had also spoken with Reverend King, husband of the late Councilwoman King about this proposal. Mr. King did not have any objections and was agreeable with whatever decision the Council made.

Vice Mayor Braynon shared when discussions were first held regarding this item, the three parks mentioned (Rolling Oaks, Scott and Bunche Parks) were all representative and serves as identification of the areas in which they are located. Since the City of Miami Gardens has three parks with the name Carol a decision was made to bring that recommendation forward for the Council's consideration.

Councilwoman Watson opined this Council has not really looked at their individual seats as their area exclusively. The Council members have been out in the community addressing issues and going about the business of establishing a City. She said there were many places throughout the City where the late Councilwoman King had interests.

Councilman Campbell pointed out that Carol Park was in residential area 1. He said it did not matter that a park in his area would be named after a Council member from Seat 3, and conveyed his support of the item.

Councilwoman Pritchett said what is being done is admirable, especially when she heard comments like “everyone working together to establish a city”. She said she had raised the question because she wanted more clarification. She further related that the Carol City Complex is not the designated name for that park, it is a name that was given by Miami-Dade County and could be changed at any time.

There being no further discussion on this item, the motion to approve passed and carried by a 6-1 vote.

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

**RESOLUTION NO. 2006-05-351**

**K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN ADDENDUM TO THE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS, FLORIDA AND THE STATE OF FLORIDA OFFICE OF THE PUBLIC DEFENDER FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, 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 ATTORNEY)**

Councilwoman Pritchett indicated she was employed by the Public Defender’s office, therefore she would be abstaining from voting on this item and would be filing the appropriate documentation as provided by the City Clerk.

Moved by Councilwoman Watson, seconded by Vice Mayor Braynon to approve this item.

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

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

**RESOLUTION NO. 2006-06-352**

**L-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A PROPOSED LEGISLATIVE PROGRAM FOR THE 2006 STATE LEGISLATIVE SESSION, IN ACCORDANCE WITH EXHIBIT "A" ATTACHED HERETO, IN ADDITION TO ANY OTHER APPROPRIATIONS AND LEGISLATIVE DIRECTIVES DETERMINED BY THE CITY COUNCIL; PROVIDING PER DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.**

Renee Farmer, Assistant City Manager for Public Services appeared before the City Council to expound on this item. This document represents staff's proposed guidebook for the City and the upcoming 2006 Legislative Session. The proposed document has two parts: 1) Policy Statement, which is an expression of the Council's position on a specific issue, and 2) Appropriation Requests, are things the Council is asking the legislature to consider and include in their state budget.

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

Councilman Campbell asked how much input was sought from members of the Council. He said he had concerns as it related to law enforcement, public safety and community service type of activities.

Ms. Farmer in response to Councilman Campbell's first question said a memorandum had been forwarded to members of the Council asking for input. As it related to the appropriation request, staff took into consideration those things they were told that the legislature and the governor would consider as a viable community budget issue request. Staff was advised that staffing and operations was not something they would look favorable upon. These appropriation requests are not for grant funding, but are specific to the statewide legislator driven community budget issue requests.

Councilman Harvard for clarification purposes asked whether this Appropriation Request precluded the City from applying for grant funding to address those concerns raised by Councilman Campbell.

Ms. Farmer said this particular item did not preclude the City from applying for grant funding.

Attorney Dickens said perhaps an amendment was needed to clarify what was being requested of the lobbyist.

Ms. Farmer suggested adding the language to Section 2 of the resolution “in addition to any other appropriations and legislative directives determined by the City Council.”

Councilwoman Pritchett conveyed her appreciation for the additional language. She said the City would certainly want to be included in any Disaster Relief efforts, especially as it relates to those hurricane dollars being distributed.

Moved by Councilwoman Watson, seconded by Councilwoman Pritchett to amend the resolution to include the language “in addition to any other appropriations and legislative directives determined by the City Council.”

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

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

There being no further discussion on the resolution as a whole, the motion passed and carried by a 7-0 vote.

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

#### **(M) REPORTS OF CITY MANAGER AND CITY ATTORNEY.**

Manager Crew announced the passing of Horace McHugh, the Assistant City Manager’s mother. Funeral services are scheduled for Saturday, January 14, 2006.

Manager Crew provided a draft of the Data Analysis and Inventory of the Housing Element of the Comprehensive Development Master Plan. A workshop on this particular element is scheduled for Tuesday, January 17, 2006.

The City Attorney had no report.

**(N) REPORTS OF MAYOR AND COUNCIL MEMBERS.**

Members of the Dr. Martin Luther King Jr. Steering Committee members provided a report of the scheduled activities planned for the Dr. Martin Luther King Jr. event scheduled for Monday, January 16, 2006 at the Carol City Complex from 11:00 a.m. through 5:00 p.m.

Councilwoman Pritchett shared the U.S. Department of Homeland Security identified the City of Miami Gardens as being eligible for some money under the 2006 Urban Area Security Initiative Program. She asked whether the City Manager was aware of this and is planning to apply for the funds.

Tom Ruiz, Public Works Director appeared before the City Council to acknowledge that the City was looking into the 2006 Urban Area Security Initiative Program for possible funding.

Councilwoman Pritchett further shared information about the Black Enterprise 2006 Summer Internship Program. Black Enterprise Magazine is taking applications for any one who is interested. The deadline to apply is January 31, 2006.

Taren Kinglee, Human Resource Director for the City of Miami Gardens appeared before the Council to provide information to assist with Manager Crew's annual performance evaluation.

Councilman Bratton commended Vice Mayor Braynon on the excellent article in February edition of Ebony Magazine, which featured 30 young black leaders under 30 for 2006.

Councilman Campbell shared that he had received phone calls from residents complaining about the building department. He said the department is completely overwhelmed because of the hurricanes and the number of developments occurring within the City. However, those concerns were expressed to the City Manager and he has taken affirmative action to address those concerns.

Vice Mayor Braynon announced that on Friday, January 13 and Saturday, January 14, 2006, he would be attending the First Annual Young Elected Network Summit in Washington, D.C.

Mayor Gibson shared that she along with other Mayors from Miami-Dade County serve on a Mayor's Task Force, which is in discussions with FP&L about the massive power outage during the aftermath of Hurricane Katrina and Hurricane Wilma. FP&L has acknowledged there were a lot of things that should have happened differently but did not. FP&L knows a lot of changes have to be made and is amenable to doing so. FP&L has committed to working more diligently with municipalities to try and eliminate some of the problems that happened before. More funds have been allocated for tree cuttings. A review of how trees are presently being cut is also underway. FP&L is also looking at enclosing their substations.

Mayor Gibson shared that she had received an email out of Las Vegas, called Driver's Ed. This organization will be sponsoring an event at Dolphins Stadium on March 6, 2006. The event targets teenagers between the ages of 15 and 20. The program teaches the young people how to drive defensively and how to drive safe.

Mayor Gibson shared that she is a member of the National Conference of Black Mayors and announced this organization provides scholars every year in conjunction with its national convention in April 2006. The City of Miami Gardens is eligible to have students from this City apply for those scholarships. Information is available on the back table.

Mayor Gibson further announced that on Thursday, January 12, 2006, the City of West Park will join with the City of Miami Gardens in hosting the State Road 7/441 Collaborative Community Network workshop. She invited everyone to come out to this event to see and hear what is going on.

Manager Crew shared that he has received complaints about the trees along 183<sup>rd</sup> Street and wanted everyone to know this road is under the jurisdiction of Florida Department of Transportation. The City is not allowed to touch any of the trees along this roadway.

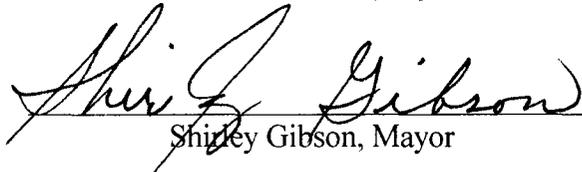
**(O) REQUESTS, PETITIONS & OTHER COMMUNICATIONS FROM THE PUBLIC.**

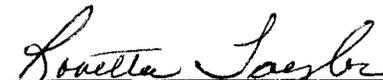
Billy Isley, 1740 NW 193<sup>rd</sup> Street, Miami Gardens, Florida, appeared before the City Council to thank the City Clerk and her Administrative Assistant for attending the January 7, 2006, UP-PAC meeting to talk about how to become a candidate for the City of Miami Gardens General Election scheduled for September 5, 2006.

**(P) ADJOURNMENT.**

There being no further business to come before this Body, and upon a motion being duly made by Councilman Bratton and seconded by Councilman Harvard the meeting adjourned at 10:22 p.m.

Attest:

  
Shirley Gibson, Mayor

  
Ronetta Taylor, CMC, City Clerk