

**CITY OF MIAMI GARDENS
SPECIAL CITY COUNCIL MINUTES
SEPTEMBER 12, 2006**

1. CALL TO ORDER/ROLL CALL OF MEMBERS:

The City Council for the City of Miami Gardens, Florida, met in Special Session on Tuesday, September 11, 2006, beginning at 6:14 p.m., in the City Council Chambers, 1515 NW 167th Street, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Oscar Braynon II and Council members Aaron Campbell Jr., Barbara Watson, Melvin L. Bratton and Ulysses Harvard. Councilwoman Sharon Pritchett arrived at 6:25 p.m.

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

2. INVOCATION:

Councilman Harvard delivered the Invocation.

3. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

4. RESOLUTION/PUBLIC HEARING:

Mayor Gibson announced, "This is the first of two public hearings for the adoption of the proposed millage rate and budget for the city of Miami gardens for fiscal year 2006/2007. The next hearing will be held on September 27, 2006 at 6:00 p.m. in city hall chambers.

RESOLUTION NO. 2006-96-442

- 4A) A RESOLUTION OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A PROPOSED MILLAGE RATE AT A PUBLIC HEARING, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006, THROUGH SEPTEMBER 30, 2007; SETTING A DATE AND TIME FOR A FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

Mayor Gibson stated the proposed Millage Rate for the City for Fiscal Year 2006/2007 is 5.1488, which is 64.70 percent higher than the rolled-back rate of 3.1262.

Motion offered by Councilman Campbell, seconded by Councilman Bratton to approve this resolution, adopting a 5.1488 millage rate.

Manager Crew said the millage rate of 5.1488 is being proposed in part due to the

establishment of a municipal police department. Even though Miami Gardens is the third largest municipality in Miami-Dade County, it still has one of the lowest tax rates in the county. He conveyed his hope of reducing this rate within the next two years. One of the goals of establishing a municipal police department is to increase the number of police officers the City currently has. He said currently 145 officers and it is his belief the City needs between 180 and 190 police officers.

Mayor Gibson opened the floor for the public hearing.

Billy Isley, 1740 NW 193rd Street, Miami Gardens, Florida, appeared before the City Council and opined the proposed millage rate is too high and suggested bringing the millage rate down. He further recommended floating a bond to establish a municipal police department.

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

Motion offered by Councilwoman Watson, seconded by Councilman Bratton to defer this item until after discussion on Item 5A (FY 06-07) Budget). There being no further discussion, the motion to defer passed and carried by a 7-0 vote.

At the conclusion of the discussion on the budget for FY 06/07, a motion was offered by Councilwoman Watson, seconded by Vice Mayor Braynon to recall this item for consideration. This motion passed and carried by a unanimous voice vote.

There being no further discussion, the motion to approve a tentative millage rate passed and carried by a 5-2 vote.

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

Mayor Gibson read into the record the following statement, "The City Council of the City of Miami Gardens has TENTATIVELY ADOPTED a millage rate of 5.1488. This is 64.70% greater than rolled back rate of 3.1262 mills. Property taxes will increase by 64.70%. A FINAL DECISION on the tentatively adopted millage rate will be made at the second budget hearing on Wednesday, September 27, 2006, at 6:00 p.m."

After this vote was taken, a motion was offered by Vice Mayor Braynon, seconded by Councilman Bratton to recall the Proposed Budget Item. This motion passed and carried by a unanimous voice vote.

5. ORDINANCE FIRST READING/PUBLIC HEARING:

5A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AND ADOPTING THE CITY'S BUDGET FOR THE 2006-2007 FISCAL YEAR; PROVIDING FOR THE EXPENDITURE OF FUNDS; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING A SURCHARGE FOR PERMITS; PROVIDING FOR THE ESTABLISHMENT OF CITY DEPARTMENTS; PROVIDING FOR AUTOMATIC AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY CITY MANAGER)

Manager Crew stated FY 06-07 proposed budget is 116 Million Dollars. In a matter of two three years there have been dramatic increases in the City. A lot of that money is Capital Improvement money, which will be used to renovate the City's parks. The City established a process to build its reserve fund, and had built up enough to take care of the expenses incurred from Hurricane Wilma. The cost of that emergency was approximately 8 Million Dollars. After reimbursements from the federal government the City lost approximately 1 Million Dollars. If the City did not have that reserve fund, it would not have been able to meet that emergency. It is anticipated that \$500,000.00 would be placed in the reserve from the FY 05-06 budget, which will build the total reserve to approximately 2.7 Million Dollars.

Manager Crew explained about the City's revenues and shared 35% of the funds received by the City come from property taxes. The second largest money received by the City is from Intergovernmental Revenues. Another source of revenue is franchise fees and utility tax fees, as well as parks and recreation and occupational licenses and building permits.

Manager Crew explained about the City's expenditures and shared 62% of the City's budget goes to public safety, with the exception of the School Crossing Guards all of that money is going to Miami-Dade County. The Parks and Recreation Department is the second largest expenditure area. Code Enforcement is the third largest area. The rest of the categories are fairly small when one looks at the entire picture.

Manager Crew stated the Transportation Fund took a sizable hit due to the Hurricane Season because most of the cost was associated with cleaning up the streets. The City has undertaken a street paving and sidewalk repair and installation projects, which will continue in FY 06-07. A One point seven million m (1.7) dollar median project is scheduled to start October 1, 2006, along NW 27th Avenue corridor (landscape, irrigation, paving). The beautification of 441 and I-95 has started.

Manager Crew said the City has had a tremendous year for development. In the first six months in 2006 more than 4,000 roofing permits were issued. The City has not taken over Storm Water Utility as yet therefore Miami-Dade County is still in charge of the storm drains. However, negotiations are still on-going, and it is anticipated this service will be transferred to the City within the next few months.

Manager Crew addressed the General Services Fund and stated this fund encompasses the City's internal business (Information Technology, Purchasing, Fleet Services, etc.). These services are actually charged out to the various municipal departments. Last year the City did a 2.5 Million dollar bond for vehicles. That bond will be paid off within five years. This coming year, the City will need to do another bond to purchase police vehicles.

Manager Crew stated the City received several grants this fiscal year. A water truck was purchased with funds from a state grant. A Special Revenue Fund is set up to collect Impact Fees. In addition, last year over \$200,000.00 was donated to the City for Special Events.

Manager Crew explained the Capital Projects Fund was established to handle all major projects the City has coming up over the next five years (30 Million dollars pledged to renovate the parks over the next five years).

Manager Crew stated the City is still negotiating on a Public Works Facility and perhaps City Hall land. The City has a new fund starting FY 06-07, the Community Development Block Grant Fund. The City was award 1.4 Million Dollars for the first year.

Manager Crew said the City has one employee in the Community Outreach Division. That employee is in charge of organizing and doing everything that is involved with every community event this City has (MLK Event, Jazz Festival, Christmas Caroling, Community Day, Memorial Day Breakfast, etc.) This individual is also responsible for media issues. There has been a tremendous response from the general public with regard to the City's community events. In order to development the Community Outreach Division to its full potential will take a tax increase of two tenths of a mill.

Manager Crew addressed the establishing of a municipal police department as the major item impacting FY 06-07 Budget. Miami-Dade County has one of the best police departments in South Florida, unfortunately it is a County department and its priorities, rules and officers are county-wide. The incentives that will be offered to police officers will make it financially lucrative for the officers to come to this City. It will provide them with enhanced benefits that will be important to the officers, their families and the residents of this community. He anticipated meeting the goal of hiring 150 police offers to staff the City's municipal police department. To establish and fund a municipal police department will require a 1.2 mill increase. For a period of approximately four months (August, September, October and November 2007), the City will be paying Miami-Dade County for police services as well as the newly hired police officers for the City of Miami Gardens. The Miami Gardens Police Officers will not only be Certified Police Officers they will also be Certified Code Enforcement Officers. The Code Enforcement Training will assist the police officers in thinking about the community as a whole and look beyond being police focused. One of the incentives being offered to police officers is a \$2,000.00 annual bonus if they reside within the corporate boundaries of the City. In addition, the City will reimburse moving expenses for those officers moving into the City.

Manager Crew stated during the Town Hall meetings the pros and cons of having a municipal police department was discussed, which included increase in taxes. Even if the City established a municipal police department, Miami-Dade County would still provide Specialized Police Services, which is a cost to the City. Miami-Dade County has agreed they will reduce the Specialized Police

Services charge every year. There will be a transition cost involved with establishing a municipal police department. The establishment of a municipal police department will increase police accessibility.

Motion offered by Vice Mayor Braynon, seconded by Councilwoman Watson to approve the proposed budget for FY 06-07.

Mayor Gibson opened the floor for this public hearing.

Billy Isley, 1740 NW 193rd Street, Miami Gardens, Florida, appeared before the City Council to express his views about this budget. He recommended issuing a bond for the establishing a municipal police department, instead of raising taxes.

Robert Ham, 17731 NW 15th Court, Miami Gardens, Florida, appeared before the City Council in support of the budget and the establishment of a municipal police department. He shared that he was in attendance at the Town Hall meetings. The residents attending were told and understood that their property taxes would be increased in order to fund a police department. The residents at those Town Hall meetings understood this and agreed to the establishment of a municipal police department.

Oswald K. Sands, 1371 NW 173rd Terrace, Miami Gardens, Florida, appeared before the City Council to make comments on the budget. He voiced his opposition to raising taxes and concurred with Mr. Isley about the issuance of a bond to establish a municipal police department.

Oliver Gilbert, 3261 NW 208th Terrace, Miami Gardens, Florida, appeared before the City Council in support of the budget and the establishment of a municipal police department. He emphasized the importance of feeling and being safe.

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

Vice Mayor Braynon said there has been talk about millage rates never decreases, however the City of Opa-locka is dropping its millage rate this fiscal year. There has been a lot of talk about the police department and the safety of the community. However, the second part of this discussion has been missed, which is creating that sense of community, where kids will not feel like they can rob their neighbors. A lot of the times it is the people within the community that are committing these crimes. City sponsored events such as Community Day and Jazz in the Gardens facilitates community involvement. One of the items included in the Community Outreach Division is a major quarterly city newspaper. Another item is an annual report, which would be provided to every resident in this community.

Vice Mayor Braynon stated this budget hearing advertised in the local newspaper however, the Council Chamber is only half full. Perhaps with an annual report and quarterly newspaper that would reach every resident more people will be informed and participate. He emphasized that responsibilities have to be taken and there are some things that must be done as a City, just like any other viable Miami-Dade County municipality.

Vice Mayor Braynon shared he had asked staff to find a municipality that had established a

municipal police department. Staff's research found that Elkgrove, California established a municipal police department. He inquired as to how long it took Elkgrove to establish its municipal police department.

Manager Crew said it took Elkgrove a couple of years, which included a transition period. Miami-Dade County has committed to work with the City during its transition period.

Vice Mayor Braynon asked what was the problems Elkgrove encountered establishing its municipal police department.

Manager Crew shared Elkgrove had a lot of problems with the Sheriff. With less than 12 months to go with the transition, Elkgrove tried to discuss the need for dispatch services. The Sheriff was non-responsive. Elkgrove had to establish its own police dispatch service, which including building a facility to accommodate the service. Elkgrove had approximately nine months to accomplish this task. Elkgrove's police dispatch service was operational last week.

Vice Mayor Braynon asked whether staff perceived the City having any of those problems.

Manager Crew said he did not foresee this as a problem for the City of Miami Gardens.

Vice Mayor Braynon referenced the Miami-Dade County Miami Gardens District Police Building and the possibility of the City floating a bond to purchase that existing building. He said he is of the opinion that the residents of this community have already paid for that building. He asked whether staff has taken this approach with discussing the existing structure.

Manager Crew said that is a political issue, which will require discussion when this matter is brought before the Miami-Dade County Commission.

Vice Mayor Braynon referenced the purchase of police vehicles and shared that he was told by a police officer that there might be cheaper police vehicles the City might look at purchasing such as the Charger.

Manager Crew shared that he has spoken with several police departments that purchased the Charger and all are not satisfied with that particular vehicle.

Vice Mayor Braynon asked whether Elkgrove had provided a cost associated with the establishment of its police department.

Manager Crew said he did not ask that question although he did have a copy of Elkgrove's Police Department pay scale, which is a little higher than the City's.

Councilman Campbell stated often times residents appears before the Council and make inaccurate statements or provide misinformation, which in his opinion should be clarified and addressed by the Council when that occurs. He addressed his comments to statements made by a resident about funding a police department by purchasing a bond. He said perhaps the gentleman is

lacking in knowledge about municipal bonds. He stated it is illegal for a municipality to use a bond as part of the general fund for a police department.

Attorney Dickens further expounded on this issue and stated Councilman Campbell is correct. She said the City can not float a bond to establish a police department it would have to be a General Obligation Bond (GO), which is approved by the electors. She opined that is typically not the way a municipality would fund a service like this or any other municipal service.

Councilman Campbell referenced the Special Events and the suggestion made to utilize sponsors for these vents. He opined relying on sponsors to fund an event is not practical. Often when large corporations spend money on an event it is done for a reason, therefore, caution should be exercised.

Councilman Campbell referenced the Miami Gardens District Police Building and stated tax payers' dollars have already paid for this building. He questioned why could Miami-Dade County not give that building to the City because it is not going to be used for anything. He suggested taking the City Manager's recommendation of paying for the building that way the City is not obligated to Miami-Dade County for anything.

Councilman Bratton stated there is a preconceived concept that once the police department has been established the millage would be decreased.

Manager Crew said there has been some talk about taking that additional money and investing it in the community. He opined there will be an opportunity to bring the millage rate down somewhat once the police department is established. He stated the City will need to hire an additional 30-40 police officers.

Councilman Campbell shared this City is progressing, and increasing in population. There is a lot of development occurring, which means there is going to be a greater demand for police services. He opined at present the Miami-Dade Police Department can not adequately provide police services with the number of officers it has patrolling the City. He said the City is not going to be the same in three years therefore, the police department sworn staff will need to be increased.

Councilman Bratton referenced the new Community Outreach Division being proposed in FY 06/07 and asked where would the two additional staff members be placed.

Manager Crew said the two new positions would be a Community Outreach Specialist and a Media Specialist. The Community Outreach Specialist is not going to necessarily be involved in events. That person would be involved with helping citizens, going to community meetings, meeting with citizens, assisting residents with the building permitting process. The Media Events Specialist would be assisting with the events. This would free Ula Zucker up to do more public relations, PIO, writing newsletters, annual report, and deal with the media.

Councilman Harvard asked whether Manager Crew foresees an additional tax increase for FY 07/08, or FY 08/09.

Manager Crew stated staff would not be proposing this increase if it were not for the police department. He said he did not foresee anything further increases on the horizon. There are no other substantial operations the City would be undertaking that would require a tax increase, other than if the City decided to build a City Hall, which would require a bond issue.

Councilman Harvard stated he was all for protection and more police officers, for the safety of the residents, as well as for jobs creation. He shared his only concern was whether there are alternatives that can be looked at as it related to the seniors. He said he has heard a lot of concerns raised by the senior citizens because they are on fixed incomes.

Manager Crew said even though there would be a tax increase, the State of Florida provides that assessed values can only increase by 3% each year. Therefore, the increase would not be as great for someone who purchased their property 30-40 years ago. In addition, there are several exemptions senior citizens are able to take whereas other homeowners are not.

Attorney Dickens stated the unfortunate thing about ad valorem taxes and municipalities is that the taxes have to be applied across the board. Municipalities do not have the authority to give waivers of tax bills or the authority to provide a reduction for any particular person. It is a Constitution violation for another person that pays full taxes. However, there are some built in protections in the State of Florida (e.g Save Our Home, Senior Citizen exemption, disability exemptions).

Vice Mayor Braynon opined of all the exemptions mentioned by the City Attorney, there are many seniors who are taking advantage of all the exemptions they are entitled to. He suggested to Councilman Harvard that it might be a positive thing for him to sponsor a workshop or seminar to inform the seniors of the many different exemptions available to them.

Manager Crew shared the City Council adopted a Senior Citizen Exemption Ordinance however the resident has to apply for it.

Councilman Harvard thanked Vice Mayor Braynon for making this suggestion he shared this is something he will definitely pursue.

Councilwoman Pritchett asked whether the dispatch service the City's municipal police department would utilize a part of this proposed millage increase, or would the City utilize the services of Miami-Dade County dispatch services.

Manager Crew said there will not be a cost. The dispatch unit belongs to all and is paid for out of our taxes and the 911 fees.

Councilman Bratton asked whether sufficient staff for every City department was allocated for in FY 06/07 budget.

Manager Crew said every department that made a request for personnel got what was asked for, with the exception of the Code Enforcement Department. That department had asked for six additional

people and instead received three. The building department is self maintained therefore the additional people hired for that department will not impact the budget.

Councilwoman Pritchett asked how would the Miami-Dade Dispatch Unit work in prioritizing calls for the City of Miami Gardens.

Manager Crew said the City will still operate under Miami-Dade County rules especially for emergency calls. The City might have to man its own non-emergency number this would provide the City with an opportunity to determine how it prioritizes its calls.

Councilwoman Watson shared while campaigning she was approach by concerned residents about the police department's response time for non-emergency calls. She shared that she has not found very many people in her contact with the community, opposing the establishment of a municipal police department. She expressed concern with having to pay for a police building that has already been paid for by the tax payers. She said residents are also concern that through their Ad Valorem taxes they are still paying for a police department, even though the City is paying over 20 Million dollars a year. She further expressed concern that the City of Miami Gardens did not have control over the hiring or firing of the officers currently patrolling the City's streets.

Mayor Gibson asked whether those developments coming on line would be included in this year's Ad Valorem taxes.

Manager Crew said those Ad Valorem taxes would be coming on line FY 07/08.

Mayor Gibson thanked the residents those for and against this item for their comments.

There being no further discussion, a motion was offered by Vice Mayor Braynon, seconded by Councilman Bratton to defer this item until the matter of the millage is voted on. This motion passed by a unanimous voice vote.

At this time, the millage rate resolution was entertained.

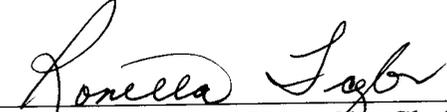
At the conclusion of the adoption of the resolution setting a tentative millage rate, the budget was recalled and voted on by a 5-2 vote.

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

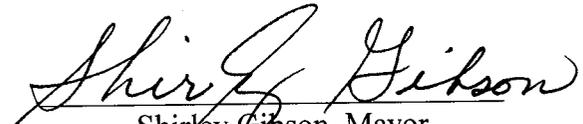
6. ADJOURNMENT:

There being no further business to come before this Body, and upon a motion being duly made by Councilman Bratton, seconded by Councilman Harvard, the meeting adjourned at 8:21 p.m.

Attest:



Ronetta Taylor, CMC, City Clerk



Shirley Gibson, Mayor