

**CITY OF MIAMI GARDENS
REGULAR CITY COUNCIL MINUTES
SEPTEMBER 13, 2006**

(A) CALL TO ORDER/ROLL CALL

The City Council for the City of Miami Gardens, Florida, met in regular session on Wednesday, September 13, 2006, beginning at 7:13 p.m., in the City Council Chambers, 1515 NW 167th Street, Building 5, Suite 200, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Oscar Braynon II, and Council members Aaron Campbell Jr., Barbara Watson, Melvin L. Bratton and Sharon Pritchett. Councilman Ulysses Harvard arrived at 7:15 p.m.

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 – July 12, 2006

Motion offered by Vice Mayor Braynon, seconded by Councilwoman Watson to approve the minutes. Motion passed and carried by a 6-0 vote. Councilman Harvard was not present when vote was taken.

(E) ORDER OF BUSINESS (Items shall be pulled from the Consent Agenda at this time):

Mayor Gibson pulled Item J-2 from the Consent Agenda.

Councilwoman Pritchett pulled Item J-3 from the Consent Agenda.

Add on item as Item No. J-4 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING RESOLUTION NO. 2006-95-441, RELATING TO ELECTION; RATIFYING THE ELECTION RESULTS OF THE GENERAL ELECTION HELD SEPTEMBER 5, 2006, FOR THE PURPOSE OF ELECTING COUNCIL MEMBERS FOR SEATS 2, 3 AND 4; DECLARING RESULTS OF SAID ELECTION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.”

A replacement item was provided for Item J-2.

Motion offered by Vice Mayor Braynon, seconded by Councilman Bratton to approve the Official Agenda with the necessary changes. This motion passed and carried by a 7-0 vote.

(F) SPECIAL PRESENTATIONS (5 minutes each)

F-1) Dr. Fermin Leguen, Chief Physician Director, Office of Epidemiology & Disease Control, Miami-Dade Health Department – Avian Flu

Alvaro Mejia-Echeverry, MPH, RN, Program Coordinator/Bioterrorism Office of Epidemiology and Disease Control, 3600 NW 17th Street, Miami, Florida, appeared before the City Council representing the Miami-Dade County Health Department to provide a brief presentation on Avian Flu. He thanked Councilwoman Watson for this invitation. This outbreak was recognized in 1997, with a reported 250 cases with a total of 150 deaths. It appears that the current strain that is causing the outbreak can mutate and cause unpredictable consequences for the world and the country. There is currently an outbreak of the Avian Flu in the Asian, African and European Continent. This is a highly infectious disease that occurs mainly in birds but has managed to affect humans in other manners. This disease primarily affects individuals in the middle age of their life. The Miami-Dade County Health Department has created a Medical Resource Corp an initiative that will equip and manage volunteers on a continued basis. Municipalities are encouraged to initiate volunteer corps in their cities.

Mayor Gibson asked about the length of time required to train volunteers for the Volunteer Corp.

Mr. Mejia-Echeverry said the process takes one to one and a half months to complete.

Councilwoman Watson thanked Mr. Mejia-Echeverry for accepting this invitation. She asked whether a dispensing center has been established for the north end of Miami-Dade County, more particularly for the Miami Gardens area.

Mr. Mejia-Echeverry said many of the local elementary and middle schools will serve as point of dispensing.

Councilwoman Watson asked for an estimate of the number of volunteers t needed in order to dispense the medication to the residents of Miami Gardens.

Mr. Mejia-Echeverry said he did not have the figure for Miami Gardens however the Miami-Dade County Health Department has identified the need to have 11,000 volunteers, which would service the 2.4 Million residents in Miami-Dade County.

Councilman Campbell shared the City of Miami Gardens held a Citizen's Involvement Workshop during the first of the year, at which a representative from the Miami-Dade County Health Department was present. At that workshop a number of citizens signed up as volunteers for this Citizen Corp, and have yet to hear from the Health Department about training.

Mr. Mejia-Echeverry shared the Miami-Dade County Health Department has not had a volunteer coordination for the past three months. It is anticipated this position will be filled in approximately one month.

F-2) Introduction – City of Miami Gardens Youth Council

The members of the newly formed Youth Council, sponsored by Councilwoman Watson

were introduced as follows: Yasmin Law, Miami Carol City Senior High School; Kaylanna Johnson, Miami Norland Senior High School; Seiancia Johnson, Miami Carol City Senior High School; Courtney Robinson, Miami Carol City Senior High School; Takiya Sanders, Miami Carol City Senior High School; Juanita Williams, Miami Carol City Senior High School; Jai Renique Bottino, Miami Carol City Senior High School, Nadeige Thomas, Miami Norland Senior High School; Brittany Cox, Miami Norland Senior High School; Stacey Dorsonne, Miami Norland Senior High School; Shannon Fisher, Miami Norland Senior High School and Michael Cruz, Miami Carol City Senior High School.

F-3) Miami Gardens District Police Report

Major Matthew Boyd, Commander Miami Gardens District Police Station appeared before the City Council to provide the monthly District Police Report. The total reduction in crime is down 10 percent year-to-date. He shared there is a slight increase in commercial burglaries due to the new developments occurring within the City, the vacant apartments are being burglarized. However, these are considered commercial burglaries and not residential. The developers do not consider this a big concern because of the insurance write-offs. There is also a slight increase in sexual batteries this is due in largely to males that have reached the age of majority (18-19) who are having consensual intercourse with underage girls (15 or under). The parents find out about this activity and report it to the police. There has also been a 20 percent increase in homicides for the year. There has been a number of shooting throughout the north end of the county. Approximately 80 percent of the shooting currently under investigation have witnesses that do not want to talk to the police. There is a certain culture out there with the attitude “we will take care of it.” This makes it very difficult for the police to solve the crimes.

Councilman Harvard asked whether the victims of the homicides were residents of the City of Miami Gardens.

Major Boyd stated a majority of the homicides involve residents from the City of Miami Gardens.

Vice Mayor Braynon thanked and congratulated Major Boyd and his officers for a job well done in decreasing overall crime year-to-date.

F-4) City of Miami Gardens Elderly Affairs Committee Report.

Marie Conyers, President of the City of Miami Gardens Elderly Affairs Advisory Committee provided a report, which is attached hereto as Exhibit “A” and made a part hereof.

(G) PUBLIC COMMENTS

Michael Crew, 18011 NW 44th Avenue, Miami Gardens, Florida, appeared before the City Council to express his concern with the increase in youth violence.

Takiya Sanders, 20634 NW 22nd Place, Miami Gardens, Florida, appeared before the City Council to provide information on the Jeffery Taylor Johnson Tutoring Program. She stated that she was seeking funding as well as a location to house this program. At present the program has a Carol City Chapter, however the goal is to have this program implemented in all Miami-Dade County schools.

Mayor Gibson thanked the students for their comments and welcomed their continued involvement.

Billy Isley, 1740 NW 193rd Street, Miami Gardens, Florida, appeared before the City Council to comment on the budget. He asked whether a close-out budget was done on last year's Jazz Festival.

Horace McHugh, Assistant City Manager appeared before the City Council in response to Mr. Isley's question. He shared reconciliation and close-out of the Jazz Festival was done approximately one month after the event occurred.

Mr. Isley asked whether next year's Jazz Festival would be held the same week as the R&B Festival sponsored by Rivera Beach or would the Jazz Festival be scheduled a different time.

Mayor Gibson said next year's event would be scheduled two weeks prior to Rivera Beach's event, which is scheduled during the month of April 2007. The City of Miami Gardens' event will take place near the end of March 2007.

Mr. Isley requested a copy of the reconciliation and close-out for the 2006 Jazz Festival. He further asked if the use of Dolphin Stadium a free service or did the City pay for utilizing that location.

Mayor Gibson said the City did not pay for the use of the Dolphin Stadium. Dolphin Stadium was one of the sponsors of the event.

Mr. Isley expressed concern that the City did not make any money off of the Jazz Festival.

Mayor Gibson stated the City has not made a profit off of any city sponsored event.

Manager Crew gave an example of the Parks and Recreation Department, which has a departmental budget of approximately 5.5 million dollars. That department has only generated a half million dollars in revenues. Events like this are something that is done for the community.

Mr. Isley stated since this is a community event the tickets should be sold for \$10.00 instead of the \$25.00-\$40.00 range.

Councilwoman Watson shared the expenses incurred to bring in a former should be considered. For an example the group Frankie Beverly and Maze commands \$85,000.00 a performance.

Roosevelt Murray, 1420 NW 192nd Street, Miami Gardens, Florida, appeared before the City Council to express his concern about young people not wanting to come back to Miami Gardens once they have completed college. He further indicated that some of the police officers patrolling the streets of Miami Gardens have such a nasty attitude that no one wants to talk to them.

(H) ORDINANCE(S) FOR FIRST READING

H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF

MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NO, 2005-22-60 RELATING TO PUBLIC SOLICITATION; PROHIBITING THE COLLECTING, DISPLAYING OR SELLING MERCHANDISE OR SERVICES FROM WITHIN THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY; REPEALING SECTION 21-36 OF THE MIAMI-DADE COUNTY CODE, AS MADE APPLICABLE TO THE CITY OF MIAMI GARDENS; PROVIDING FOR PENALTIES; 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 clarification of an existing ordinance. There are vendors who keep saying the City's ordinance allows them to vend on the public rights-of-way.

Motion offered by Councilwoman Watson, seconded by Councilman Harvard to approve this item on first reading.

Councilman Bratton referenced Section 2 (c) of this ordinance and asked Manager Crew to clarify the term "City Officers".

Manager Crew stated "City Officers" refers to Code Enforcement Officers and police officers.

Councilman Harvard referenced Section (d) of the ordinance and asked whether the \$500.00 fine was with or without a warning.

Manager Crew said this is an existing provision already in the Code the City's practice is to give a warning notice and to work with the violator.

Vice Mayor Braynon asked whether this would include the newspaper vendors.

Manager Crew said this does not include newspaper vendors or campaign items.

Councilwoman Watson asked whether this ordinance would prohibit those individuals collecting for the homeless.

Manager Crew said that type of activity is already prohibited. This ordinance does not change that; if they are selling newspapers that can not be prohibited.

Attorney Dickens clarified as it relates to newspapers they can be regulated but not prohibited. The selling of goods or services in the middle of the street can be prohibited.

Councilwoman Watson referenced the individual homeless individuals participating in this prohibited act and the fines and possible imprisonment associated with that and asked whether the City would incur any cost in this instance.

Manager Crew said this provision is in the current code and is usually handled by a police officer. The City's Code Enforcement Officers do not have the right to demand to see an individual's identification.

Attorney Dickens said a situation like that is processed through the court system. The City of Miami Gardens has an agreement with the State Attorney's to prosecute municipal violations on behalf of the City. Ultimately, a Judge would make a final determination.

Mayor Gibson made reference to the Super Bowl Event, scheduled February 2007 and asked how the City plans to deal with the vendors, who may not know about the City's ordinance against street solicitation, and will be coming into the City from other areas to sell on that particular day.

Manager Crew said either the police department or Code Enforcement will be out there advising those vendors before they set up that vending is prohibited. The police officer will have the option of giving the vendor who violates the ordinance a Notice to Appear or arresting them.

Mayor Gibson shared she was making this clear because she did not want any of Miami Gardens' residents to get arrested on Super Bowl Sunday, selling merchandise.

Major Boyd appeared before the City Council to expound on this matter. He shared for the last five months the police department has been having meeting regarding the sale of merchandise in the City of Miami Gardens. He said for a week prior and leading up to the Super Bowl the City will be on lock down as it related to vending. There will be no warnings issued only arrest will be made during this time period.

Councilman Harvard asked whether an individual can set-up and sell at an established business within the City.

Christopher Steers, Assistant City Manager for Business Services appeared before the City Council in response to Councilman Harvard's question and answered, "No they can't."

There being no further discussion on this item, the motion to adopt this ordinance on first reading 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

**H-2) AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA,
AMENDING THE CITY'S BUDGET FOR 2005-2006 FISCAL YEAR;
ADOPTING REVISED BUDGET ESTIMATES; AUTHORIZING THE
CITY MANAGER TO MAKE CERTAIN ADJUSTMENTS;**

AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained this is a budget amendment ordinance for FY 05-06, which is done once during that fiscal year. The biggest part of this ordinance is recognizing the appropriations of reimbursements the City received from FEMA and the State of Florida for Hurricane Wilma. This ordinance also takes those donations received for special events such as the Jazz Festival and moves those revenues into the General Fund. This ordinance also recognizes the Fund Balance received from the Audit. The ordinance recognizes the additional revenue received from developments in the Development Services Fund.

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

Councilwoman Pritchett referenced page 2 of the Ordinance, more specifically the Capital Projects Fund and asked about the accrued interest.

Manager Crew said as of now all interest accrued is being accepted in the General Fund. The City has just completed its General Ledger upgrade (Eden System) eventually each fund would keep its own interest.

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

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

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

ORDINANCE NO. 2006-16-97

- I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 33-99 OF THE ZONING CODE ENTITLED: "CLASS A TEMPORARY SIGNS," TO ADD A PROVISION DEALING WITH TEMPORARY SIGNS FOR NATIONAL EVENTS, AND TO ADD SECTION 33-99.1 TO PROVIDE AN EXEMPTION FOR TEMPORARY SIGNS FOR NATIONAL SPECIAL EVENTS; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PERMITTING PROCESS; PROVIDING FOR GUIDELINES; PROVIDING FOR MAINTENANCE REQUIREMENTS; PROVIDING FOR DESIGN REVIEW; PROVIDING FOR PENALTIES; PROVIDING**

FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Manager Crew explained the passage of this ordinance would enable the City to control the regulation for temporary signage during the Super Bowl Event. Miami-Dade County has informed the City that it can not do this. However, the City's attorney says it is legal and can be enforced. This legislation would not only allow the City to regulate the signage but recoup some of the cost for policing this event. This provision only covers a four month period before the Super Bowl Event. If this item is approved a resolution establishing fees will be brought forth for the Council's consideration at the next City Council meeting.

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

Motion offered by Councilwoman Watson, seconded by Vice Mayor Braynon to adopt this ordinance.

Councilwoman Pritchett asked why would Miami-Dade County have an issue with this particular item because there is similar legislation on the books already.

Christopher Steers, Assistant City Manager for Business Services appeared before the City Council in response to Councilwoman Pritchett's question. He said Miami-Dade County is not specific as to what it is they object to. Eighty to ninety percent of what is in the Code is almost verbatim to what is written now. There may be some issue as to what is allowed in the area.

Manager Crew shared Miami-Dade County did not cite any Code sections or explain why this ordinance was illegal.

Mayor Gibson shared this is why she and Mr. Steers had attended a meeting with Miami-Dade County representatives earlier in the day. She along with staff did not feel comfortable in that Miami-Dade County was not able to explain specifically what they had issues with. As a result Mr. Steers was directed to talk with the attorney to try to find out what is the issue. She shared one issue that did come out of that meeting is the NFL has some very specific things that it wants to be in control of when they do Super Bowls. Advertising and displays are a critical part of that.

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

(J) CONSENT AGENDA/RESOLUTION(S)

RESOLUTION NO. 2006-97-443

- J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT A HIGHWAY BEAUTIFICATION GRANT, AND TO ENTER INTO A HIGHWAY BEAUTIFICATION COUNCIL GRANT, LANDSCAPE CONSTRUCTION AND MAINTENANCE MEMORANDUM OF AGREEMENT, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR A MATCH OF FUNDS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2006-98-444

- J-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING RESOLUTION NO. 2006-95-441, RELATING TO ELECTION; RATIFYING THE ELECTION RESULTS OF THE GENERAL ELECTION HELD SEPTEMBER 5, 2006, FOR THE PURPOSE OF ELECTING COUNCIL MEMBERS FOR SEATS 2, 3 AND 4; DECLARING RESULTS OF SAID ELECTION; PROVIDING FOR ADOPT. (SPONSORED BY THE CITY CLERK)

Motion offered by Vice Mayor Braynon, seconded by Councilman Harvard to approve the Consent Agenda. There being no discussion, this motion passed and carried by a 7-0 vote.

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

(K) RESOLUTION(S)

RESOLUTION NO. 2006-99-445

- J-2-K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO VILA & SON LANDSCAPING CORP., IN THE AMOUNT OF TWO MILLION FIVE

HUNDRED SIXTEEN THOUSAND, THREE HUNDRED AND THIRTY-SIX DOLLARS (\$2,516,236.00) FOR LANDSCAPING SERVICES ACCORDANCE WITH ITS RESPONSE TO BID DOCUMENT #05-06-016; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mayor Gibson explained she pulled this item from the Consent Agenda in order to provide the City Manager with an opportunity to expound on this as well as explain the bid process and why the bid was awarded to this particular firm.

This is a joint contract between the City of Miami Gardens, Opa-locka and Miami-Dade County. The project encompasses beautification of NW 27th Avenue from County Line Road (215th Street) to NW 127th Street. This project is anticipated to be completed prior to the Super Bowl event, scheduled February 2007. Miami-Dade County was originally going to manage this project but had advised that it would take between six to eight months to get the project bid and awarded. The City said it could go through the bid process in approximately two months. Miami-Dade County staff got permission from the County Commission to allow the City of Miami –Gardens to take the lead on the bid. Bid specs were sent out to over 1,000 vendors. At the pre-bid conference only four landscape companies were in attendance, with only one firm bidding. Letters were sent to the three companies that did not bid. The City received three different reasons why those companies did not bid. The scope of work has been structured so that the work will first start on the north side of the Palmetto to NW 215th Street, with the second phase of the work starting on the south side of the Palmetto to NW 127th Street.

Manager Crew stated that Vila and Son has done satisfactory work for the City before. This firm has been checked out by the City's architect. This firm did a portion of the FDOT Project along NW 183rd Street. This firm is also doing the SR7/441 Corridor Landscaping. This bid came in about \$500,000.00 more than what the City estimated, however the City has the funds to handle the project.

Vice Mayor Braynon stated the main problem he has with the landscape project along NW 183rd Street is the type of grass planted.

Manager Crew said the choice of grass to be planted along NW 183rd Street was decided by FDOT. In addition, the City will be responsible for maintenance along the NW 27th Avenue corridor, which included the irrigation system.

Vice Mayor Braynon asked that the Council be provided with the Landscape Plan for NW 27th Avenue. He asked for a completion date for the first phase.

Manager Crew said the first phase of this project is anticipated to be completed, January 2007, in time for the Super Bowl.

Councilman Bratton asked about the façade of the business along NW 27th Avenue.

Manager Crew said the façade along this corridor will be a continuing process. The City has received some funds for façade renovations, which some businesses have taken advantage of.

Councilman Harvard asked in addition to the 1,000 notices that were sent out were there also notices sent out for the pre-bid conference.

Manager Crew said this was part of the bid package.

Councilman Harvard expressed concern as to whether local landscape companies had received this information.

Manager Crew said any vendor that is registered with Demand Star can access that website and download this information. One landscape firm from the City of Miami Gardens did in fact pull the specs for this project, however this individual did not show up for the mandatory pre-bid conference.

Pam Thompson, Procurement Manager appeared before the City Council to further expound on this matter. She shared that those vendors that are registered with the City of Miami Gardens are also added to the list to receive the bid information. Demand Star sends a notice of upcoming bids. An interested party can then download this information from Demand Star's website. This information is also published in the newspapers.

Councilman Harvard questioned whether a bid would be rebided if only one bid was received.

Manager Crew said normally a bid would be re-bided if only one bid was received however, in this case time is of the essence. Overall staff feels this bid is reasonable and in the general range of where it should be.

Councilman Campbell said during the City Manager's presentation of this item, he repeatedly emphasized this was being done in time for the Super Bowl. He conveyed his hope that emphasis would be placed on the fact that this was being done for the residents as opposed to the Super Bowl.

Manager Crew concurred with Councilman Campbell and shared this is a project that was already on the City's radar to do. The City had already allocated \$400,000.00 to start on the project. He emphasized this is being done because we want a better City and not because of the Super Bowl.

Councilman Campbell placed emphasis on the importance of the City of Miami Gardens getting recognition for the significant efforts being made in association with the Super Bowl being held here.

Mayor Gibson shared that issue has been discussed during the Super Bowl Committee meetings. She said this is a political issue and the City of Miami Gardens is not going to get all the recognition that the Super Bowl will be held in the City of Miami Gardens prior to the Super Bowl. That is because Broward County, the City of Ft. Lauderdale, Miami-Dade County and the City of Miami have all financially contributed to the Super Bowl Committee, from here and is charged with raising millions of dollars to actually get this Super Bowl together. They are not going to allow all of the press to go to the City of Miami Gardens prior to the Super Bowl. She shared she is working to it

publicized as often as possible during the game that the Super Bowl is being held physically in the City of Miami Gardens. The Super Bowl is being viewed as a South Florida event.

Councilman Campbell conveyed concern for the traffic problems along 27th Avenue that will be caused by this construction. He asked that during the monitoring of this project that consideration be given to those individuals who have to travel this corridor during rush hour.

Manager Crew said most of the project will take place in the median.

Councilwoman Watson inquired about the Morton Family’s contribution to this project and why is Miami-Dade County holding the City’s money.

Manager Crew said this is no involved on the part of the Morton Family with this project. As part of the Wal-Mart original DRI; part of that DRI requires the Morton Family to pay a certain amount to Miami-Dade County for transportation improvements. Miami-Dade County has agreed to give the City the balance of the funds once they have made their transportation improvements.

Councilwoman Pritchett asked whether the City would get the interest that goes along with the \$500,000.00 to be given by Miami-Dade County as part of the Wal-Mart DRI.

Manager Crew replied “no”. The City had no claim to the money to begin with. Miami-Dade County is only contributing to help.

Councilwoman Pritchett asked how will this landscape project be impacted when the construction of the Metrorail starts.

Manager Crew explained FDOT considers the life of landscaping to be approximately seven to eight years therefore they did not have a problem. In addition the rails will not be going down the median.

At the conclusion of this discussion a motion was offered by Vice Mayor Braynon, seconded by Mayor Gibson to approve this item. This motion 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

RESOLUTION NO. 2006-99-445-1

J-3 K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER, IN CONSULTATION WITH THE MAYOR, TO SELECT AN ENTITY AND TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE

PRODUCTION OF *JAZZ IN THE GARDENS 2007*, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ATTORNEY, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE EVENT; PROVIDING FOR EXCEPTIONS/WAIVERS TO BID AND QUOTATION PROCEDURES WHERE NECESSARY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Councilwoman Pritchett referenced page 2, line 3 of the resolution more specifically the language “in light of the uniqueness of the Event, City staff believes that it would not be prudent for the selection of the Event producers to be subject to competitive bidding procedures ... She asked the City Manager for clarification.

Manager Crew explained musical events are basically unique. Each producer and promoter has a certain category they represent.

Councilwoman Pritchett conveyed the importance of competitive bidding because it provides an opportunity for local vendors.

Horace McHugh, Assistant City Manager appeared before the Council to expound on this matter. He said staff is certainly sensitive to the local talents and try to incorporate those individuals as much as possible. The producers and promoters selected are encouraged to use as many local talents and contractors as possible.

Councilwoman Pritchett stated perhaps the resolution should be amended to reflect the City makes every concerted effort to be inclusive of its residents.

Manager Crew suggested adding the language “Whereas, the City will endeavor to support the local vendor and talents whenever possible and will encourage the selected producer to do the same.”

Motion offered by Councilwoman Pritchett, seconded by Vice Mayor Braynon to add the additional whereas clause as prescribed by the City Manager. This motion passed and carried by a unanimous voice vote of 7-0.

Councilwoman Pritchett referenced page 3, line 7 of the resolution and asked for clarification.

Attorney Dickens stated the contractor is anybody the City would enter into an agreement with.

Councilwoman Pritchett referenced page 3, line 12 as it relates to the City Manager to exceed his purchasing authority as may be necessary.

Attorney Dickens in putting on an event there are certain artist the City is looking at retaining. In the course of negotiating the City Manager will not have time to come back to the Council for approval.

Councilwoman Pritchett placed emphasis on the importance of the residences hearing the

explanation.

Manager Crew stated in the event he has to make such a purchase that information would be reported to the City Council during the monthly report.

Councilman Harvard asked whether the local talents in the City of Miami Gardens will be notified of this event.

Mr. McHugh said a data base of individuals who are registered to provide these services is utilized for this purpose. Local talents will be considered.

Attorney Dickens said notices will be provided as well as information placed on the City's website.

Mr. McHugh shared that individuals have contacted the City expressing an interest in participating either as a vendor or as an artist. The event promoters is one aspect of this event there are other services to be provided such as lights, food, sound, etc.

Mayor Gibson commented because of this type of venue, people that are in the business tend to know about the events. There were several local artists that performed at last year's event. There will be every effort made for people to participate.

At the conclusion of this discussion, motion offered by Vice Mayor Braynon, seconded by Councilwoman Pritchett to approve this item. This 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) REPORTS OF CITY MANAGER AND CITY ATTORNEY.

L-1) Monthly Staff Report – July – August 2006

(M) REPORTS OF MAYOR AND COUNCIL MEMBERS.

M-1) Conflict with National League of Cities Conference – December 5-9, 2006, and December 6, 2006 Zoning Meeting. This matter was resolved.

Councilwoman Pritchett referenced the upcoming Super Bowl and asked what is in it for the City of Miami Gardens.

Mayor Gibson explained the NFL had an agreement in previous years that when they came to a City they would leave a million dollars worth of contributions to build a recreation center. That has now changed and the NFL is no longer doing that. The City has made a request to have the NFL donate to the

Carol City Community Center track field. The city is looking at maximizing its relationship with the NFL because the Super Bowl is slated to come back to Miami Gardens 2010, as well as a relationship with Dolphin Stadium. She emphasized the importance of getting corporate partnership to take ownership for the Carol City Community Center because the building has to be operated.

Councilwoman Pritchett congratulated Ms. Ham, Vice Chairperson of the Elderly Affairs Committee and thanked the Chair and members for their community involvement from a senior's perspective.

Councilman Bratton thanked the electors for their vote of confidence.

Councilman Harvard thanked Ms Ham and members of the Elderly Affairs Committee for the outstanding job being done.

Vice Mayor Braynon announced he was the guest speaker on WQPS 1080 Radio Station this morning. The station is very support of the City of Miami Gardens.

Councilwoman Watson referenced the presentation of the Avian Flu and the lack of volunteers. She stressed the importance of becoming a volunteer in order to assist this municipality. An important aspect of being a volunteer is that that volunteer and each member of that family will be the first to receive the vaccine.

Councilman Campbell asked whether the City Manager had any additional information about the police department.

Manager Crew shared staff has been having weekly meetings. The City is currently interview for senior staff (Deputy Chief and two Majors). Internal programs and the application is being developed.

(N) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC.

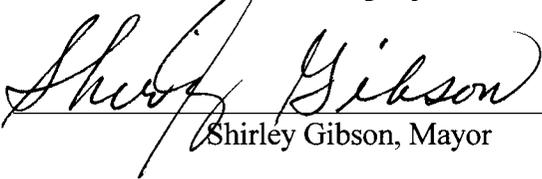
There was none.

(o) 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 9:55 p.m.

Attest:


Ronetta Taylor, CMC, City Clerk


Shirley Gibson, Mayor