



City Hall | 2<sup>nd</sup> Floor | Council Chambers

776 NE 125<sup>TH</sup> Street

North Miami, FL 33161

**1. CALL TO ORDER / ROLL CALL**

**2. PLEDGE OF ALLEGIANCE**

(Officer *Mercy Noel*, North Miami Police Department)

**3. INVOCATION**

(Pastor *Thelma Knowles*, Lively Stones for Jesus)

**4. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(S)**

◆ Certificate of Recognition presented to artist *Nereida Garcia Ferraz* and North Miami Hispanic Heritage Month Committee in honor of National Hispanic Heritage Month.

◆ Certificate of Recognition presented to *Johnson and Wales University* and *Florida International University* in honor of National Campus Safety Awareness Month.

**6. CITY EVENTS – ANNOUNCEMENT**

**7. CITY PROJECT(S) UPDATE**

**8. HURRICANE PREPAREDNESS**

**9. CONSENT AGENDA**

*UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH E CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:*

*“... THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH E BE ADOPTED...”*

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – August 23, 2016

*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION (PBA); AUTHORIZING THE CITY MANAGER TO EXECUTE AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Joseph Roglieri, Jr., Personnel Director*

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE MAJOR TREVOR SHINN IN RECOGNITION OF TWENTY-SEVEN (27) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Gary Eugene, North Miami Police Chief*

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE OFFICER MICHAEL CHIN IN RECOGNITION OF TWENTY-TWO (22) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Gary Eugene, North Miami Police Chief*

**[TAB E]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE INSTALLATION AND MAINTENANCE OF TRAFFIC CALMING DEVICES CONSISTING OF 25 MILES PER HOUR SPEED LIMIT SIGNS AND ELECTRONIC SPEED FEEDBACK SIGNS TO BE INSTALLED AND OPERATED BY THE CITY OF NORTH MIAMI AT DESIGNATED LOCATIONS THROUGHOUT THE CITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Wisler Pierre-Louis, Public Works Director*

**10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

**10. A. RESOLUTIONS**

**[TAB F]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE ATTACHED WAIVER OF PLAT FOR THE UN-PLATTED PROPERTY OF APPROXIMATELY 7.59 ACRES IN SIZE, GENERALLY LOCATED AT 13855 NW 17TH AVENUE AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2123-000-0060, IN ACCORDANCE WITH ARTICLE 3, DIVISION 8, SECTION 3-802 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS, CHAPTER 28, SECTION 28-4.1 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES AND CHAPTER 177, FLORIDA STATUTES (2015); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, Planning, Zoning, and Development Director*

**[TAB G]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, DESIGNATING A PORTION OF THE MEDIAN LOCATED EAST OF BISCAYNE BOULEVARD WITHIN THE VICINITY OF 2000 NE 135TH STREET AND 2600 NE 135TH STREET (APPROXIMATELY 0.6 OF A MILE IN LENGTH AS ILLUSTRATED IN THE ATTACHED MAP) AS A ‘PASSIVE PARK’; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Councilwoman Carol Keys, Esq.*

**[TAB H]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION

AGREEMENT BY AND AMONG MIAMI-DADE COUNTY, THE CITY OF NORTH MIAMI, FLORIDA AND THE NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT; FURTHER AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO IMPLEMENT AND FULFILL THE OBLIGATIONS OF THE CITY OF NORTH MIAMI AS PROVIDED THEREIN; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Larry M. Spring, Jr.*

## **10. B. LEGISLATIVE MATTERS**

### **10. B. i. ORDINANCES – SECOND READING AND PUBLIC HEARING – NONE**

#### **[TAB I]**

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE NEGOTIATION OF A LOAN IN AN AGGREGATE AMOUNT NOT TO EXCEED \$2,445,000.00 FROM THE FLORIDA MUNICIPAL LOAN COUNCIL TO REFUND A PRIOR LOAN, AS DESCRIBED HEREIN; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE FLORIDA MUNICIPAL LOAN COUNCIL; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: City Administration*

#### **[TAB J]**

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 11 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LICENSES AND BUSINESS REGULATIONS” UNDER ARTICLE II, ENTITLED “LOCAL BUSINESS TAXES,” BY SPECIFICALLY AMENDING SECTION 11-33, ENTITLED “EVIDENCE OF DOING BUSINESS, FEE SCHEDULE”, TO DELINEATE THE USE OF SIGNS, NEWSPAPERS, MAGAZINES OR OTHER ADVERTISEMENTS AS EVIDENCE OF CONDUCTING A BUSINESS AS ADVERTISED, AND LIMITING SUCH EVIDENCE SOLELY FOR THE PURPOSE OF ESTABLISHING COMPLIANCE WITH THE REQUIREMENTS OF A BUSINESS TAX RECEIPT; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: City Attorney*

*Responsible Staff Person: Jeff P. H. Cazeau, Esq., City Attorney*

#### **[TAB K]**

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, BY REPEALING AND REPLACING ARTICLE VI, ENTITLED “CODE OF ETHICS”, DIVISION 3, ENTITLED “LOBBYING”, SPECIFICALLY SECTION 2-401, ENTITLED “REGISTRATION”; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: City Attorney*

*Responsible Staff Person: Jeff P. H. Cazeau, Esq., City Attorney*

**[TAB L]**

PROPOSED ORDINANCE (**SECOND READING**) ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7, ENTITLED “FINANCE”, ARTICLE III, ENTITLED “PROCUREMENT CODE”, DIVISION 3, ENTITLED “SOURCE SELECTION AND CONTRACT FORMATION”, SPECIFICALLY AT SECTION 7-140, ENTITLED “OPENING PROCEDURE” OF THE NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Alberto Destrade, Purchasing Director*

**10. B. i. ORDINANCES – FIRST READING**

**[TAB M]**

PROPOSED ORDINANCE (**FIRST READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, AT ARTICLE 5, DIVISION 6, ENTITLED “BOATS, DOCKS, SEAWALLS, ETC.”, SPECIFICALLY AT SECTION 5-601, ENTITLED “BOATS” AND SECTION 5-602, ENTITLED “DOCKS”, TO ALLOW THE PLACEMENT OF BOATS ON LIFTS THROUGHOUT THE CITY WITH CONDITIONS; REQUIRING AN ADMINISTRATIVE VARIANCE PRIOR TO CONSTRUCTION OF A BOAT LIFT; AND LIMITING THE EXTENSION INTO WATERWAYS OR CANALS FROM TWENTY (20) PERCENT TO A MAXIMUM OF TWENTY-FIVE (25) PERCENT; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, Planning, Zoning, and Development Director*

**10. C. QUASI-JUDICIAL ITEM(S) - NONE**

**11. REQUESTS-PETITIONS-COMMUNICATIONS - NONE**

**12. CITIZENS' FORUM**

**13. COUNCIL REPORTS**

Mayor Smith Joseph, D.O., Pharm.D.  
Vice Mayor Alix Desulme  
Councilman Philippe Bien-Aime  
Councilman Scott Galvin  
Councilwoman Carol Keys, Esq.

**14. CITY CLERK’S REPORT**

**15. CITY ATTORNEY’S REPORT**

**16. CITY MANAGER’S REPORT**

**17. ADJOURNMENT**

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH CODE SECTIONS 2-401, ALL LOBBYISTS SHALL REGISTER WITH THE OFFICE OF THE CITY CLERK WITHIN FIVE (5) BUSINESS DAYS OF BEING RETAINED AS A LOBBYIST OR BEFORE ENGAGING IN ANY LOBBYING ACTIVITIES, WHICHEVER SHALL COME FIRST.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THE IN PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN 4 DAYS PRIOR TO THE PROCEEDING. TELEPHONE NUMBER (305) 893-6511, EXT. 12145, FOR ASSISTANCE; IF HEARING IMPAIRED TELEPHONE THE 711 OR MAY CONTACT 1-800-955-8771 FOR THE FLORIDA RELAY SERVICE FOR ASSISTANCE.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF NORTH MIAMI WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, EXT. 12145. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY'S WEBSITE AT [WWW.NORTHMIAMIFL.GOV](http://WWW.NORTHMIAMIFL.GOV).

TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

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**ALCOHOLIC BEVERAGE SYMBOLS**

1-COP Beer only, Consumption on Premises  
2-COP Beer and Wine, Consumption on Premises  
4-COP Beer, Wine and Alcohol, Consumption on Premises  
1-APS Beer, Package Sales Only  
2-APS Beer and Wine, Package Sales Only  
3-APS Beer, Wine and Alcohol, Package Sales Only

**ZONING SYMBOLS**

R-1 Residential Estate District  
R-2 Single-Family District  
R-4 Multi-Family District  
R-5 Multi-Family District  
R-6 Multi-Family District  
RO Residential Office District

**ZONING SYMBOLS (con't)**

C-1 Commercial District  
C-3 Commercial District  
C-2BE Commercial District  
C-2BW Commercial District  
M-1 Industrial District  
PU Public Use District  
PD Planned Development District  
AOD Arts, Culture and Design Overlay District  
NRO Neighborhood Redevelopment District