



City Hall | 2<sup>nd</sup> Floor | Council Chambers  
776 NE 125<sup>th</sup> Street  
North Miami, FL 33161

REGULAR COUNCIL MEETING  
MARCH 12, 2019  
7:00 PM

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

**2. PLEDGE OF ALLEGIANCE**

(Cdr. *James Mesidor*, North Miami Police Department)

**3. INVOCATION**

(Cdr. *Angelo Brinson*, North Miami Police Department)

**4. ORDER OF BUSINESS**

(Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(S)**

- Certificate of Recognition presented to "Officer of the Month - January 2019" *Rocio Torres* and *Gedeus Frederick*

**6. CITY EVENT(S) - ANNOUNCEMENT**

**7. CITY PROJECT(S) UPDATE - NONE**

**8. CONSENT AGENDA**

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

**[TAB A]**

APPROVAL OF MINUTES -- Regular Council Meeting -- February 26, 2019

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

**[TAB B]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND CIRCLE OF ONE MARKETING, INC. TO PROVIDE MARKETING SERVICES FOR THE CLEAN CITY TASK FORCE; AND PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

*Sponsored by: City Attorney*

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

**9. PUBLIC HEARINGS -- RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

**9. A. RESOLUTIONS**

**[TAB C]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A SETTLEMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BY AND BETWEEN THE CITY OF NORTH MIAMI AND NORTH MIAMI HOUSES, LLC RELATIVE TO ANTICIPATED LITIGATION; PROVIDING FOR REPEAL, AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

*Sponsored by: City Attorney*

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

**[TAB D]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF AIRMATIC CONTROLS, INC., APEX-TECH ELECTRICAL & AIR CONDITIONING, INC. AND COOL BREEZE AIR CONDITIONING CORP., AS THE LOWEST RESPONSIVE RESPONSIBLE CONTRACTORS, FOR THE MAINTENANCE AND REPAIR OF AIR CONDITIONING SYSTEMS IN CITY FACILITIES, IN ACCORDANCE WITH INVITATION FOR BID #81-17-18 -- AIR CONDITIONING REPAIR & MAINTENANCE SERVICES; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AGREEMENTS WITH THE THREE SELECTED CONTRACTORS FOR THE PROVISION OF THE STATED SERVICES IN AN AMOUNT NOT TO EXCEED NINETY-NINE THOUSAND DOLLARS (\$99,000) ANNUALLY; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Alberto Destrade, Purchasing Director*

**9. B. LEGISLATIVE MATTER(S)**

**9. B. i ORDINANCES -- SECOND READING**

**[TAB E]**

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES ENTITLED, "FINANCE", AT ARTICLE III ENTITLED "PROCUREMENT CODE" BY AMENDING DIVISION 10, ENTITLED "PROHIBITION ON USE OF EXPANDED POLYSTYRENE" TO PROHIBIT THE USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES IN CITY FACILITIES AND ON CITY PROPERTY; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

*Sponsored by: Councilwoman Carol Keys, Esq., District 2*

**[TAB F]**

PROPOSED ORDINANCE (**SECOND READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES ENTITLED "BUILDING STANDARDS AND REGULATIONS," AT ARTICLE V. "CONSTRUCTION FEES AND REGULATIONS", SECTION 5-36 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "CONSTRUCTION SITE MAINTENANCE" TO ADD A REQUIREMENT THAT THERE SHALL BE NO ACCUMULATION OF DEBRIS AROUND CONSTRUCTION SITES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE.

*Sponsored by: Councilman Scott Galvin, District 1*

**9. B. ii ORDINANCES -- FIRST READING**

**[TAB G]**

PROPOSED ORDINANCE (**FIRST READING**) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 11 OF THE CITY OF NORTH MIAMI CODE ORDINANCE ENTITLED "LICENSES AND BUSINESS REGULATIONS" TO ESTABLISH ARTICLE XI, "CONTROLLED RESIDENTIAL PARKING AREAS" LIMITED TO THOSE WHO LIVE IN PROXIMITY TO THE ZONED AREA. PROVIDING FOR

INCLUSION IN THE CODE OF THE CITY OF NORTH MIAMI AND PROVIDING FOR AN EFFECTIVE DATE.

*Sponsored by: Councilman Scott Galvin, District 1*

*Co-Sponsored by: Councilwoman Carol Keys, Esq., District 2*

## **9. C. QUASI-JUDICIAL ITEM(S)**

### **[TAB H]**

PROPOSED (**QUASI-JUDICIAL**) RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, ALLOCATING ONE HUNDRED AND SEVENTY-FIVE (175) RESIDENTIAL UNITS FROM THE PRIMARY POOL OF TWO THOUSAND FOUR HUNDRED AND THIRTY-EIGHT (2,438) REMAINING FLOATING RESIDENTIAL UNITS, AND THIRTY-ONE THOUSAND, FIFTY-THREE (31,053) SQUARE FEET (S.F.) FROM THE POOL OF 750,000 SQUARE FEET (S.F.) FOR NON-RESIDENTIAL USE, RESERVED FOR USE WITHIN THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT, FOR A PROPOSED MIXED-USE DEVELOPMENT FEATURING 175 SENIOR APARTMENTS, RETAIL, OFFICE AND EVENT SPACE ON THE 1.95-ACRE REAL PROPERTY, GENERALLY LOCATED AT 950 NE 124 STREET AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2230-040-0020, IN ACCORDANCE WITH ARTICLE 4, DIVISION 4, SECTION 4-205(B) & SECTION 4-305, AND ARTICLE 3, DIVISION 4, SECTIONS 3-402 THROUGH 3-407 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, CHAPTER 29, ENTITLED "LAND DEVELOPMENT REGULATIONS"; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

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

## **10. REQUESTS-PETITIONS-COMMUNICATIONS**

### **A. [TAB I]**

DISCUSSION REGARDING ADMINISTRATIVE VARIANCES MORATORIUM.

*Sponsored by: Councilman Scott Galvin, District 1*

## **11. CITIZENS' FORUM**

## **12. COUNCIL REPORTS**

Mayor Smith Joseph, D.O., Pharm.D.

Vice-Mayor Philippe Bien-Aime

Councilman Alix Desulme, Ed.D.

Councilman Scott Galvin

Councilwoman Carol Keys, Esq.

## **13. CITY CLERK'S REPORT**

## **14. CITY ATTORNEY'S REPORT**

## **15. CITY MANAGER'S REPORT**

## **16. 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 THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN 4 DAYS PRIOR TO THE PROCEEDING. TELEPHONE NUMBER (305) 893-6511, EXT. 13000, FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE 711 OR YOU 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. 13000. 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 ESTATE 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