



# CITY OF MIAMI GARDENS CITY COUNCIL MEETING AGENDA

**Meeting Date: January 28, 2009**  
1515 NW 167<sup>th</sup> St., Bldg. 5, Suite 200  
Miami Gardens, Florida 33169  
**Next Regular Meeting Date: February 11, 2009**  
Phone: (305) 622-8000 Fax: (305) 622-8001  
Website: [www.miamigardens-fl.gov](http://www.miamigardens-fl.gov)  
Time: 7:00 p.m.

Mayor Shirley Gibson  
Vice Mayor Barbara Watson  
Councilman Aaron Campbell Jr.  
Councilman André Williams  
Councilman Melvin L. Bratton  
Councilwoman Sharon Pritchett  
Councilman Oliver G. Gilbert III  
City Manager Dr. Danny O. Crew  
City Attorney Sonja K. Dickens, Esq.  
City Clerk Ronetta Taylor, MMC

**City of Miami Gardens Ordinance No. 2007-09-115 requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.**

## **(A) CALL TO ORDER/ROLL CALL –**

The City Council of the City of Miami Gardens, Florida, met in regular session on Wednesday, January 28, 2009, beginning at 7:21 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 Barbara Watson and Council members Aaron Campbell Jr., Melvin L. Bratton, André Williams, Sharon Pritchett and Oliver G. Gilbert.

## **(B) INVOCATION – Dr. Lester Brown**

## **(C) PLEDGE OF ALLEGIANCE – Recited in unison**

**(D) APPROVAL OF MINUTES**

D-1) Regular City Council Minutes – January 14, 2009  
Motion to approve passed and carried by 7-0 voice vote.

**(E) ORDER OF BUSINESS** (Items to be pulled from Consent Agenda at this time)

Motion offered by Councilman Gilbert, seconded by Vice Mayor Watson to approve the Official agenda. This motion passed and carried by a 7-0 voice vote.

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

- F-1) Quarterly Report – Commission For Women
- F-2) Per Scholas – Nadine M. Dairymple, Director of Operations and David Williams Jr., Community Activist
- F-3) City’s Comprehensive Annual Financial Report Year ending September 30, 2008 by External Auditor
- F-4) December 2008 Budget Status Report

**(G) PUBLIC COMMENTS**

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

None

**(I) ORDINANCE(S) FOR SECOND READING/PUBLIC HEARING(S)**

**ORDINANCE NO. 2009-04-176**

- I-1) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING AN ORDINANCE ENTITLED “CERTIFICATE OF RE-OCCUPANCY”; PROVIDING FOR AN APPLICATION PROCESS; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR AN AMNESTY PERIOD; 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 COUNCILMAN ANDRÉ WILLIAMS) (1<sup>st</sup> Reading – January 14, 2009)**

*Action: Motion to adopt on second reading passed and carried by a 5-2 vote. Council members Gilbert and Bratton cast the dissenting vote.*

**ORDINANCE NO. 2009-05-177**

- I-2) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AUTHORIZING THE BORROWING OF TWO MILLION DOLLARS (\$2,000,000); AUTHORIZING THE ISSUANCE OF CITY OF MIAMI**

**GARDENS, FLORIDA EQUIPMENT ACQUISITION REVENUE BONDS NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000); PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) (1<sup>st</sup> Reading – January 14, 2009)**

*Action: Motion to adopt on second reading passed and carried by a 7-0 vote.*

**ORDINANCE NO. 2009-06-178**

- I-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AUTHORIZING THE BORROWING OF SEVEN MILLION THREE HUNDRED THOUSAND DOLLARS (\$7,300,000); AUTHORIZING THE ISSUANCE OF CITY OF MIAMI GARDENS, FLORIDA TAXABLE LAND ACQUISITION REVENUE BONDS NOT TO EXCEED SEVEN MILLION THREE HUNDRED THOUSAND DOLLARS (\$7,300,000); PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) (1<sup>st</sup> Reading – January 14, 2009)**

*Action: Motion to adopt passed and carried by a 6-1 vote. Councilwoman Pritchett cast the dissenting vote.*

**ORDINANCE NO. 2009-07-179**

- I-4) AN ORDINANCE ADOPTING A MORATORIUM ON THE PROCESSING OF DEVELOPMENT ORDERS FOR MULTIFAMILY USES IN ALL ZONING DISTRICTS, INCLUDING BUT NOT LIMITED TO SITE PLANS, DEVELOPMENT APPLICATIONS, ZONING PERMITS AND ANY RELATED ACTIONS AND/OR APPROVALS FOR SUCH USES; PROVIDING FOR A TERM; PROVIDING FOR EXCEPTIONS; PROVIDING FOR A STUDY(S); 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) (1<sup>st</sup> Reading – January 14, 2009)**

*Action: Motion to adopt passed and carried with approve amendments by a 7-0 vote.*

**(J) CONSENT AGENDA**

**RESOLUTION NO. 2009-13-958**

- J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THE FISCAL YEAR 2007/2008 ANNUAL AUDIT REPORT PREPARED BY THE CITY'S AUDITORS, HARVEY, COVINGTON AND THOMAS LLC; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-14-959**

- J-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE CONTINUING CONTRACT WITH CPZ ARCHITECTS, INC., FOR ARCHITECTURAL SERVICES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-15-960**

- J-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE CONTINUING CONTRACT WITH SPILLIS CANDELA DMJM, FOR ARCHITECTURAL SERVICES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-16-961**

- J-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE CONTINUING CONTRACT WITH URS CORPORATION SOUTHERN FOR ARCHITECTURAL SERVICES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-17-962**

- J-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE CONTINUING CONTRACT WITH CORZO CASTELLA CARBALLO THOMPSON SALMAN, PA (C3TS), FOR ARCHITECTURAL SERVICES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-18-963**

- J-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS ON AN AS-NEEDED BASIS, TO AIR B SCHOOL BUS TRANSPORTATION, INC., FOR THE PROVISION OF TRANSPORTATION SERVICES RELATING TO THE CITY'S PARKS AND RECREATION DEPARTMENT, IN AN AMOUNT NOT TO EXCEED THE ANNUAL BUDGETED AMOUNT OF \$140,000.00; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-19-964**

- J-7) 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 CONTRACT NO. 826-594 BETWEEN THE CHILDREN'S TRUST AND THE CITY OF MIAMI GARDENS RELATING TO A GRANT IN THE AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), 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 MANAGER)**

**RESOLUTION NO. 2009-20-965**

- J-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO RESCIND A PRIOR AGREEMENT WITH FLORIDA POWER & LIGHT FOR THE INSTALLATION OF UNDERGROUND FACILITIES AT THE MIAMI GARDENS COMMUNITY CENTER AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THE NEW AGREEMENT WITH FLORIDA POWER & LIGHT FOR THIS PURPOSE, 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 MANAGER)**

**RESOLUTION NO. 2009-21-966**

- J-9) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CONFIRMING VICE MAYOR BARBARA WATSON'S APPOINTMENT OF ALVIN I. SMITH TO THE PARKS AND RECREATION ADVISORY COMMITTEE FOR A ONE- YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR BARBARA WATSON)**

**RESOLUTION NO. 2009-22-967**

- J-10) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S ANNUAL ACTION PLAN FOR PROGRAM YEAR 2 TO DESIGNATE THE BUNCHE PARK AREA AS A NEIGHBORHOOD REVITALIZATION STRATEGY AREA (NRSA) AND TO REALLOCATE \$107,641.09 IN RECAPTURED FUNDS FROM PUBLIC SERVICES PROGRAMS TO THE BUNCHE PARK NRSA HOUSING REHABILITATION PROGRAM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**RESOLUTION NO. 2009-23-968**

- J-11) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, IMPLEMENTING THE MIAMI GARDENS "GET FIT" INITIATIVE FOR CITY RESIDENTS AND STAFF; PROVIDING FOR INSTRUCTIONS TO THE CITY MANAGER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)**

*Action: Motion to approve the Consent Agenda passed and carried by a 7-0 voice vote.*

**(K) RESOLUTION(S)**

**RESOLUTION NO. 2009-24-969**

- K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF**

MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF EQUIPMENT ACQUISITION REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF TWO MILLION DOLLARS (\$2,000,000) FOR THE PURPOSE OF FINANCING OR REIMBURSING A PORTION OF THE COSTS OF PURCHASING VEHICLES, EQUIPMENT AND MACHINERY FOR VARIOUS CITY DEPARTMENTS, AND PAYING COSTS OF ISSUANCE OF THE BONDS; AWARDING THE SALE OF THE BONDS TO WACHOVIA BANK, NATIONAL ASSOCIATION; PROVIDING FOR SECURITY FOR THE BONDS; CONTAINING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

*Action: Motion to approve passed and carried by a 7-0 voice vote*

**RESOLUTION NO. 2009-25-970**

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF TAXABLE LAND ACQUISITION REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING SEVEN MILLION THREE HUNDRED THOUSAND DOLLARS (\$7,300,000) FOR THE PURPOSE OF FINANCING THE COSTS OF PURCHASING CERTAIN PROPERTY DESCRIBED ON EXHIBIT "C" ATTACHED HERETO, AND PAYING COSTS OF ISSUANCE OF THE BONDS; AWARDING THE SALE OF THE BONDS TO WACHOVIA BANK, NATIONAL ASSOCIATION; PROVIDING FOR A WAIVER OF THE COMPETITIVE REQUIREMENTS OF THE CITY'S PURCHASING ORDINANCE; PROVIDING FOR SECURITY FOR THE BONDS; CONTAINING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT OF SALE AND PURCHASE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

*Action: Motion to approve passed and carried 6-1. Councilwoman Pritchett cast the dissenting vote.*

**RESOLUTION NO. 2009-26-971**

- K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXERCISING AN OPTION TO PURCHASE THAT CERTAIN REAL PROPERTY DESCRIBED IN THE OPTION AGREEMENT ATTACHED HERETO AS EXHIBIT “A” IN THE AMOUNT OF THREE MILLION, EIGHT HUNDRED THOUSAND DOLLARS (\$3,800,000.00); AUTHORIZING THE USE OF PROCEEDS FROM THE CAPITAL PROJECTS FUND FOR THE PURCHASE; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THE PURCHASE OF THE PROPERTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

*Action: Motion to adopt passed and carried by a 7-0 voice vote.*

**RESOLUTION NO. 2009-27-972**

- K-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, IMPLEMENTING SECTION 2.1 OF THE CITY’S CHARTER PROHIBITING ANY COUNCIL MEMBER, OTHER THAN THE MAYOR OR THE VICE MAYOR IN THE MAYOR’S ABSENCE, FROM ATTEMPTING TO REPRESENT THE CITY IN ANY DEALINGS OTHER GOVERNMENTAL ENTITIES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR WATSON)**

*Action: Motion to approve passed and carried by a 6-1 voice vote. Councilman Campbell cast the dissenting vote.*

**(L) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK**

L-1) City Manager’s Monthly Report

**(M) REPORTS OF MAYOR AND COUNCIL MEMBERS**

**(N) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN**

**(O) COMMUNICATIONS FROM THE PUBLIC**

**(P) ADJOURNMENT**

There being no further business to come before this Body, and upon a motion being duly made by Councilman Bratton, the meeting adjourned at 10:43 p.m.

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT./ 2228, NO LATER

THAN 48 HOURS PRIOR TO SUCH PROCEEDINGS. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT. 2228. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY'S WEBSITE AT [www.miamigardens-fl.gov](http://www.miamigardens-fl.gov).

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF MIAMI GARDENS 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.