



CITY OF MIAMI GARDENS CITY COUNCIL MEETING AGENDA (AS AMENDED)

Meeting Date: July 23, 2008
1515 NW 167th St., Bldg. 5, Suite 200
Miami Gardens, Florida 33169
Next Regular Meeting Date: September 10, 2008
Phone: (305) 622-8000 Fax: (305) 622-8001
Website: 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 Danny O. Crew
City Attorney Sonja K. Dickens, Esq.
City Clerk Ronetta Taylor, CMC

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**
- (B) INVOCATION**
- (C) PLEDGE OF ALLEGIANCE**
- (D) APPROVAL OF MINUTES**
Regular City Council Meeting – July 9, 2008
- (E) ORDER OF BUSINESS (Items shall be pulled from the Consent Agenda at this time):**
- (F) SPECIAL PRESENTATIONS (5 minutes each)**
 - F-1) Presentation – City Manager Dr. Crew

- F-2) Education Compact – Assistant City Manager Farmer
- F-3) Miami Gardens Kiwanis Club – Assistant Chief Miller

(G) PUBLIC COMMENTS

(H) ORDINANCE(S) FOR FIRST READING:

H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AMENDING SECTION 3 OF ORDINANCE NO.2007-08-114 WHICH CREATED AN AFFORDABLE HOUSING ADVISORY COMMITTEE TO PROVIDE FOR THE ADDITION OF TWO MEMBERS; AMENDING SECTION 5 TO AMEND THE TERM OF THE COMMITTEE MEMBERS; 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)

~~**H-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, PROVIDING FOR REGULATIONS PROHIBITING MEMBERS OF THE CITY COUNCIL FROM ACTING IN ADMINISTRATIVE CAPACITIES; PROHIBITING MEMBERS OF THE CITY COUNCIL FROM INTERFERING IN THE ADMINISTRATION OF ANY POLICIES ADOPTED BY THE CITY COUNCIL; PROHIBITING ANY MEMBER OF THE CITY COUNCIL FROM ACTING AS THE CITY MANAGER'S APPOINTED OR DE FACTO DESIGNEE OR DIRECTOR OVER ADMINISTRATIVE MATTERS; PROHIBITING THE USE OF CITY FUNDS, INCLUDING EXPENSE ACCOUNTS IN FURTHERANCE OF IMPROPERLY INTERFERING IN ADMINISTRATIVE MATTERS; PROVIDING FOR PENALTY; 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 MAYOR SHIRLEY GIBDON)**~~

H-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 23 OF ORDINANCE NO. 2005-10-48 ("THE CONE OF SILENCE ORDINANCE"); TO DELETE THE PROHIBITION ON COMMUNICATIONS BETWEEN THE CITY MANAGER AND HIS STAFF, AND THE MAYOR AND CITY COUNCIL AND THEIR STAFF ON PENDING SOLICITATIONS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL

ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

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

**I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, CREATING A "HANDBILL ORDINANCE;" PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCLUSIONS; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN GILBERT)
(1st Reading – July 9, 2008)**

(J) CONSENT AGENDA/RESOLUTION(S)

J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING AMENDED POLICIES AND PROCEDURES FOR THE BUSINESS INCENTIVE PROGRAM AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

J-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ACCEPTANCE OF \$700,000.00 in 2005 DISASTER RECOVERY FUNDS FROM MIAMI-DADE COUNTY'S OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT; AUTHORIZING THE CITY MANAGER TO TAKE WHATEVER STEPS ARE NECESSARY TO RECEIVE THE FUNDING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

J-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY TO MOVE FORWARD WITH EMINENT DOMAIN PROCEEDINGS REGARDING THE ROADS WITHIN THE GARDEN CIRCLE, KINGS GARDENS I, II AND III, AND VISTA VERDE/MIRAMAR GARDENS NEIGHBORHOODS IN ACCORDANCE WITH THAT CERTAIN LIVABLE NEIGHBORHOODS PROJECT; PROVIDING

FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

- J-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, NOMINATING DANNY O. CREW FOR CITY MANAGER OF THE YEAR WITH THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, MEMORANDUMS OF UNDERSTANDING WITH ALL PROVIDERS WHO WILL BE PROVIDING SERVICES PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE CHILDREN'S TRUST, IN SUBSTANTIAL FORM AS THAT AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO LAWN LOGIC, LLC, FOR TRIMMING, PRUNING AND REMOVAL OF CITY TREES ON AN AS-NEEDED BASIS IN AN AMOUNT NOT TO EXCEED THE BUDGET AMOUNT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO ORVILLE BECKFORD FORD-MERCURY, IN THE AMOUNT OF \$55,613.00 FOR THE PURCHASE OF THREE 2008 FORD E-250 CARGO VANS, BY RELYING UPON THAT CERTAIN FLORIDA SHERIFF'S INVITATION TO BID NO. 07-15-0827; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- J-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST,**

RESPECTIVELY, THAT CERTAIN UNDERGROUND DISTRIBUTION FACILITIES INSTALLATION AGREEMENT WITH FP&L FOR THE INSTALLATION OF FACILITIES AT MIAMI GARDENS COMMUNITY CENTER, 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)

- J-9) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY, THAT CERTAIN THIRD ADDENDUM TO THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI GARDENS RELATING TO FUNDING FOR THE CAROL CITY COMMUNITY CENTER, 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)**

(K) RESOLUTION(S)

- (K-1) A RESOLUTION OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2008-2009 WITH THE ROLLED-BACK RATE; SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARINGS TO CONSIDER THE PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

- K-2a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REJECTING ALL BID RECEIVED IN RESPONSE TO THE REQUEST FOR PROPOSALS FOR DEBRIS REMOVAL SERVICES; AUTHORIZING A WAIVER OF COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ADDENDUM TO THE CURRENT CONTRACTS FOR EMERGENCY DEBRIS REMOVAL & DISPOSAL SERVICES WITH CROWDER-GULF AND SUN RECYCLING, LLC., PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

OR

K-2b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT, IN SUBSTANTIAL FORM AS THAT AGREEMENT ATTACHED HERETO AS EXHIBIT "A", WITH _____ FOR THE PROVISION OF EMERGENCY DISASTER DEBRIS REMOVAL AND DISPOSAL SERVICES; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

(L) REPORTS OF CITY MANAGER AND CITY ATTORNEY.

L-1) City Manager Monthly Report

(L) REPORTS OF MAYOR AND COUNCIL MEMBERS.

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

(O) ADJOURNMENT.

IN ACCORDANCE WITH THE AMERICANS 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, CITY CLERK (305) 622-8003, NOT LATER THAN 48 HOURS PRIOR TO SUCH PROCEEDING. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, CITY CLERK (305) 622-8003.

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.

Please turn-off all beepers and cellular telephones to avoid interrupting the council meeting.