



CITY OF MIAMI GARDENS

CITY COUNCIL AFTER ACTION SUMMARY

Meeting Date: January 23, 2008
1515 NW 167th St., Bldg. 5, Suite 200
Miami Gardens, Florida 33169
Next Regular Meeting Date: February 13, 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 Oscar Braynon II
Councilman André Williams
Councilman Melvin L. Bratton
Councilwoman Sharon Pritchett
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 *Meeting called to order by Mayor Gibson at 7:08pm. The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Barbara Watson, Councilman Aaron Campbell Jr., Councilman Oscar Braynon II, and Councilman André Williams. Councilwoman Sharon Pritchett arrived at 7:13pm. Councilman Melvin L. Bratton was not present. Motion to excuse the absence of Councilman Bratton was made and passed on a 5-0 voice vote.*

(B) INVOCATION. *Delivered by Dr. Lester Brown*

(C) PLEDGE OF ALLEGIANCE *Recited in unison.*

(D) APPROVAL OF MINUTES
Regular Meeting – November 14, 2007
Minutes approved by 5-0 voice vote

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

Item L1 was pulled from the agenda to the February 13, 2008 City Council Meeting.

F4 was added by the City Attorney.

It was advised that the title for Item K-4 is wrong. The City Clerk has been given the corrective reading.

The official agenda with the necessary changes and additions was approved by a 6-0 voice vote.

(F) SPECIAL PRESENTATIONS (5 minutes each)

- F-1) Presentation of the Fiscal Year Ended September 30, 2007 Comprehensive Annual Financial Report by the City's Auditors
Motion to accept the Financial Report by the City's Auditors was passed by 6-0 voice vote.
- F-2) Presentation of the State Auditor General Financial Assessment for the City for the Fiscal Year Ended September 30, 2007
- F-3) December 2007 Budget Report
- F-4) Introduction of the new Police Legal Advisor

(G) PUBLIC COMMENTS

(H) ORDINANCE(S) FOR FIRST READING/PUBLIC HEARING(S):

- H-1) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A SIGN CODE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; REPLACING "THE SIGN CODE OF MIAMI-DADE COUNTY, FLORIDA", ALSO KNOWN AS ARTICLE VI. SIGNS, CHAPTER 33, CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR SIGN REGULATIONS; PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITTING REQUIREMENTS; PROVIDING FOR SIGN PLANS TO BE SUBMITTED; PROVIDING FOR NONCONFORMING SIGNS; PROVIDING FOR AN AMORTIZATION PERIOD; PROVIDING FOR DESIGN STANDARDS; PROVIDING FOR PROHIBITED SIGNS; PROVIDING FOR PENALTIES; 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. (SPONSORED BY THE CITY MANAGER)

Action: Passed and carried for first reading by a 5-0 vote with additional amendments.

(I) ORDINANCE(S) FOR FIRST READING:

I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REPEALING ORDINANCE NO. 2005-04-20 WHICH AMENDED SECTIONS 5, 6 AND 10 OF ORDINANCE NUMBER 2004-14-30 ENTITLED "CERTIFICATES OF USE", TO PROVIDE THAT CERTIFICATES OF USE WOULD BE RENEWED BY JANUARY 1ST OF EACH YEAR INSTEAD OF OCTOBER 1ST OF EACH YEAR; 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)

Action: Passed and carried for first reading by a 5-0 vote.

I-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A VEHICLE IMPOUNDMENT ORDINANCE TO PERMIT THE IMPOUNDMENT OF VEHICLES THAT POLICE OFFICERS HAVE PROBABLY CAUSE TO BELIEVE WERE INVOLVED IN THE COMMISSION OF CERTAIN CRIMES; PROVIDING FOR PRELIMINARY AND FINAL HEARINGS; PROVIDING FOR PENALTIES; PROVIDING FOR APPEALS; 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)

Action: Passed and carried for first reading by a 5-0 vote.

I-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE SETTING OF SERVICE AND USER CHARGES FOR MUNICIPAL SERVICES BY RESOLUTION; 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)

Action: Passed and carried for first reading by a 5-0 vote.

(J) ORDINANCE(S) FOR SECOND READING “PUBLIC HEARING(S)”

ORDINANCE NO. 2008-02-138

- J-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 5 OF ORDINANCE NO. 2005-03-41, WHICH ESTABLISHED A CONSENT AGENDA, TO PROVIDE THAT ALL ITEMS PULLED FROM THE CONSENT AGENDA REQUIRE THE REQUEST OF AT LEAST TWO MEMBERS OF THE GOVERNING BODY PRIOR TO ANY ITEM BEING PULLED; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (1st Reading – January 9, 2008) SPONSORED BY MAYOR GIBSON)**

Action: *Passed and carried for second reading by a 4-1 vote with additional amendments. Councilwoman Pritchett cast the dissenting vote.*

ORDINANCE NO. 2008-03-139

- J-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, OPTING OUT OF MIAMI-DADE COUNTY'S CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE AS IT RELATES TO THE CONE OF SILENCE WITH RESPECT TO COMMUNICATIONS REGARDING ADVERTISED PURCHASING SOLICITATIONS; ADDING SECTION 23 TO ORDINANCE NO. 2005-10-48, THE PURCHASING ORDINANCE TO PROVIDE FOR A CONE OF SILENCE; PROVIDING FOR PENALTIES; 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. (1st Reading – January 9, 2008) (SPONSORED BY THE CITY MANAGER)**

Action: *Passed and carried for second reading by a 5-0 vote with additional amendments.*

(K) CONSENT AGENDA/RESOLUTION(S)

RESOLUTION NO. 08-06-693

- K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RENEWING AN AWARD OF BID TO STRAIGHTLINE ENGINEERING GROUP, INC., AND MEF CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED THE ALLOCATED BUDGET AMOUNT OF \$85,000.00.; AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS FOR THE**

REPLACEMENT AND INSTALLATION OF SIDEWALKS ON AN AS-NEEDED BASIS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 08-07-694

- K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RESCINDING THE AWARD TO COUNTRY BILLS LAWN MAINTENANCE, INC., AND REJECTING ALL BIDS FOR THE 27TH AVENUE MEDIAN MAINTENANCE PROJECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

RESOLUTION NO. 08-08-695

- K-3) 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 FISCAL YEAR 2007/2008 TECHNICAL ASSISTANCE GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, IN THE AMOUNT OF \$25,000.00, 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. 08-09-696

- K-4) 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 MUTUAL AID AGREEMENT AND JOINT DECLARATION AGREEMENT WITH THE CITY OF OPA LOCKA, 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. 08-10-697

- K-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, THAT CERTAIN CONTRACT RENEWAL WITH**

THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION;
EXTENDING THAT CERTAIN MAINTENANCE AGREEMENT
ENTERED INTO ON DECEMBER 11, 2006 FOR AN ADDITIONAL
PERIOD OF ONE (1) YEAR; PROVIDING FOR INSTRUCTIONS TO
THE CITY CLERK; PROVIDING FOR THE ADOPTION OF
REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.
(SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 08-11-698

- K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING A CHANGE ORDER TO THAT CERTAIN AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND CRAVEN THOMPSON & ASSOCIATES, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE CITY'S LIVABLE NEIGHBORHOOD INITIATIVE PROGRAM, IN THE AMOUNT OF \$64,500. PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 08-12-699

- K-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A CHANGE ORDER TO PURCHASE ORDER 08-00326, WHICH WAS ISSUED TO ELAN LAWN AND LANDSCAPING SERVICES, INC., FOR TREE REMOVAL SERVICES, INC., FOR AN ADDITIONAL AMOUNT OF \$28,500; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER)

Action: Consent Agenda carried and passed by a 5-0 voice vote

(L) RESOLUTION(S)

- L-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING A __% INCREASE TO THE CURRENT SALARY OF DR. DANNY CREW, THE CITY MANAGER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Action: Was pulled

(M) REPORTS OF CITY MANAGER AND CITY ATTORNEY.

M-1) Monthly Report

(N) REPORTS OF MAYOR AND COUNCIL MEMBERS.

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

(P) ADJOURNMENT. *Meeting adjourned at 10:20pm*

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.