



CITY OF MIAMI GARDENS CITY COUNCIL MEETING AFTER ACTION SUMMARY

Meeting date: December 8, 2004
1515 NW 167th St., Bldg. 5, Suite 200
Miami Gardens, Florida 33169
Next Special Meeting Date: Dec. 15, 2004 @ 7:00 p.m.
Next Regular Meeting Date: January 12, 2005
Phone: (305) 622-8000 Fax: (305) 622-8001
Website: www.miamigardens-fl.gov
Time: 7:00 p.m.

Mayor Shirley Gibson
Vice Mayor Aaron Campbell
Councilman Melvin L. Bratton
Councilman Oscar Braynon, II
Councilwoman Audrey J. King
Councilwoman Sharon Pritchett
Councilwoman Barbara Watson
City Manager Danny O. Crew
City Attorney Sonja Knighton
City Clerk Ronetta Taylor

City of Miami Gardens Ordinance No. 2004-02-18 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.

1. CALL TO ORDER/ROLL CALL OF MEMBERS:

Meeting called to order at 7:13 p.m., by Mayor Shirley Gibson. All Council members were present.

2. INVOCATION:

Dr. Lester Brown delivered the Invocation.

3. PLEDGE OF ALLEGIANCE:

Recited in unison.

4. APPROVAL OF MINUTES:

4A) Regular City Council Meeting -October 13, 2004

4B) Regular City Council Meeting - October 27, 2004

Approved by a 7-0 vote, with the necessary corrections, if there be any.

5. AGENDA/ORDER OF BUSINESS (ADDITIONS/DELETIONS/AMENDMENTS):

Approved by a 7-0 vote to add Major Donald J. Rifkin to the official agenda, under Special Presentations.

6. SPECIAL PRESENTATION(S):

6A) South Florida Water Management District

6B) Major Donald J. Rifkin, Miami Gardens/Carol City District Police Department

7. CONSENT AGENDA

RESOLUTION NO. 2004-119-170

7A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING THE CITY MANAGER'S ACTIONS IN PURCHASING VEHICLES AND EQUIPMENT FOR USE BY THE CITY FROM MIAMI-DADE COUNTY FOR A COMBINED PURCHASE PRICE OF \$19,600; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER). Passed and adopted by a 6-1 vote. Councilwoman Pritchett cast the “no” vote.

RESOLUTION NO. 2004-120-171

7B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING THE CITY MANAGER'S ACTIONS IN PURCHASING VEHICLES FOR USE BY THE CITY FROM THE CITY OF FT. LAUDERDALE, FLORIDA FOR A COMBINED PURCHASE PRICE OF \$21,550; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER) Passed and adopted by a 6-1 vote. Councilwoman Pritchett cast the “no” vote.

RESOLUTION NO. 2004-121-172

7C) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING RESOLUTION NO. 2004-64 TO REVISE THE HOLIDAY SCHEDULE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER) Passed and adopted by a 7-0 vote.

RESOLUTION NO. 2004-122-173

- 7D) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR STREET-PAVING SERVICES WITH H & J ASPHALT, INC.; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER) Passed and adopted by a 7-0 vote.

RESOLUTION NO. 2004-123-174

- 7E) 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 AGREEMENT WITH THE MIAMI-DADE COUNTY OFFICE OF THE STATE ATTORNEY, FOR THE PROSECUTION OF MUNICIPAL ORDINANCE VIOLATIONS, 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 ATTORNEY) Passed and adopted by a 5-2 vote. Mayor Gibson and Councilwoman Watson cast the “no” votes.

RESOLUTION NO. 2004-124-175

- 7F) 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 AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS, FLORIDA AND THE STATE OF FLORIDA OFFICE OF THE PUBLIC DEFENDER FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO REIMBURSE THE STATE FOR THE COSTS OF DEFENDING CERTAIN CRIMINAL VIOLATIONS OF THE MIAMI GARDENS CODE, 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 ATTORNEY) Passed and adopted by a 4-2 vote. Mayor Gibson and Councilwoman Watson cast the “no” votes. As an employee of the State Attorney’s Office, Councilwoman Pritchett announced that would not take part in the discussion or voting and was recused, and left the chambers during the discussion and voting.

8. ORDINANCE(S) FOR FIRST READING:

- 8A) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING OFFICIAL CITY HOLIDAYS; 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)** Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005.
- 8B) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING RULES AND PROCEDURES FOR COMMITTEES AND NON-STATUTORY BOARDS; 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 ATTORNEY)** Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005
- 8C) **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NO. 2003-07 OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS RELATING TO RULES OF PROCEDURE FOR THE CITY COUNCIL TO ESTABLISH A CONSENT AGENDA AND PROCEDURES FOR THE CONSENT AGENDA; 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)** Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005
- 8D) **AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA APPROVING THE APPLICATION OF GOLDEN GLADES ACQUISITION CORPORATION, FOR A DISTRICT BOUNDARY CHANGE OF ZONING FROM GU TO BU-1A FOR THE PROPERTY DESIGNATED AS PARCEL B ON EXHIBIT "A" ATTACHED HERETO, AND FROM RU-4M TO IU-1 FOR THE PROPERTY DESIGNATED AS PARCEL D ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER).** Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005
- 8E) **AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA APPROVING THE APPLICATION OF D.R. HORTON F/K/A, SPORTACRES**

DEVELOPMENT GROUP, FOR A DISTRICT BOUNDARY CHANGE OF ZONING FROM RU-1 TO RU-1M(B) FOR THE PROPERTY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) This item was *deferred* by a 7-0 vote.

8F) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NUMBER 2004-14-30 ENTITLED "CERTIFICATES OF USE"; AMENDING SECTION 5 ENTITLED "TERM OF CERTIFICATE OF USE AND TRANSFER"; AMENDING SECTION 6 ENTITLED "DUE DATE FOR PAYMENT OF CERTIFICATE OF USE FEE"; AMENDING SECTION 10 ENTITLED "RENEWAL OF CERTIFICATE OF USE"; 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) Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005

8G) AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NUMBER 2004-08-24 ENTITLED OCCUPATIONAL LICENSE TAX; AMENDING SECTION 4 ENTITLED "SEPARATE LICENSE FOR EACH PLACE OF BUSINESS"; AMENDING SECTION 7 ENTITLED "ISSUANCE OF LICENSE- APPLICATION"; AMENDING SECTION 12 ENTITLED "APPROVAL OF BUSINESS LOCATION REQUIRED"; AMENDING SECTION 13 ENTITLED "DENIAL OF LICENSE APPLICATION"; AMENDING SECTION 14 ENTITLED "RENEWAL OF LICENSE"; AMENDING SECTION 17 ENTITLED "OCCUPATIONAL LICENSE DOES NOT PERMIT ILLEGAL ACTIVITY"; AMENDING SECTION 18 ENTITLED "REVOCATION OF OCCUPATIONAL LICENSE"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE;; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005

9. ORDINANCE(S) FOR SECOND READING (PUBLIC HEARINGS):
None

10. PUBLIC COMMENT – 10 MINUTES

11. RESOLUTION(S)

RESOLUTION NO. 2004-125-176

- 11A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A MONITORING WELL AGREEMENT WITH THE CITY OF NORTH MIAMI BEACH IN SUBSTANTIAL FORM AS THE AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) Passed on first reading by a 7-0 vote. Second reading scheduled for January 12, 2005

OTHER ACTIONS OF THE CITY COUNCIL: Cornelia Sands and Sharon Frazier-Stephens were appointed to the Dr. Martin Luther King, Jr., Steering Committee.

- 17. ADJOURNMENT:** The meeting adjourned at 11:55 p.m.

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.

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.