



CITY OF NORTH MIAMI BEACH

City Council Meeting Minutes
Council Chambers, 2nd Floor
City Hall, 17011 NE 19th Avenue
North Miami Beach, FL 33162

RESCHEDULED
Tuesday, January 10, 2012
7:30 PM

Mayor George Vallejo
Vice Mayor Phyllis S. Smith
Councilman Philippe Derose
Councilwoman Barbara Kramer
Councilman Marlen Martell
Councilman Frantz Pierre
Councilwoman Beth E. Spiegel

City Manager Lyndon L. Bonner
City Attorney Darcee S. Siegel
City Clerk Pamela L. Latimore, CMC

REGULAR MEETING MINUTES

1. ROLL CALL OF THE CITY OFFICIALS

2. INVOCATION – Reverend Dr. Jonas Georges, All Nations Presbyterian Church

3. PLEDGE OF ALLEGIANCE

4. REQUESTS FOR WITHDRAWALS, DEFERMENTS AND ADDITIONS TO AGENDA

Addition of Item 6.1 Appointment to Multi-Cultural Committee and 6.2 Appointment to Planning and Zoning Board.

5. PRESENTATIONS/DISCUSSIONS

5.1 Remembrance of Haiti's devastating January 12, 2010 Earthquake (Reverend Dr. Jonas Georges, All Nations Presbyterian Church) Presented.

5.2 Introduction of new Finance Director Janette Smith

Finance Director Janette Smith was sworn in by City Clerk Latimore.

6. APPOINTMENTS

6.1 Appointment to Multi-Cultural Committee

Fortuna Smukler

MOTION by Councilwoman Kramer, seconded by Councilman Pierre, to appoint Fortuna Smukler to the Multi-Cultural Committee. **(Approved 6-0 - Vice Mayor Smith absent)**

6.2 Appointment to Planning and Zoning Board

Saul Smukler

MOTION by Councilwoman Kramer, seconded by Councilman Pierre, to appoint Saul Smukler to the Planning and Zoning Board. **(Approved 6-0 - Vice Mayor Smith absent)**

7. CONSENT AGENDA

7.1 Resolution No. R2012-1

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FLORIDA CONSTRUCTION & ENGINEERING, INC. FOR THE PHASE II RENOVATIONS AT THE ALLEN PARK DE LEONARDIS YOUTH CENTER.

7.2 Resolution No. R2012-2

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A WAIVER OF BID FOR THE CONTINUED OPERATION OF THE CITY'S STAND ALONE POLICE 800 MHZ RADIO SYSTEM; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH COMMUNICATIONS INTERNATIONAL, INC. FOR SUCH PURPOSE; AND PROVIDING FOR AN EFFECTIVE DATE.

7.3 Resolution No. R2012-3

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH PAXTEN LEARNING CORPORATION FOR THE OPERATION AND MANAGEMENT OF THE HAZEL CRAWFORD CENTER.

7.4 Resolution No. R2012-4

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MYZEEZ FOR THE OPERATION AND MANAGEMENT OF THE ULETA CENTER..

7.5 Resolution No. R2012-5

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE INFILTRATION AND INFLOW REDUCTION AND SEWER REHABILITATION PROGRAM BID 2011-08 WITH ENVIROWASTE SERVICES GROUP, INC. FOR GROUP A: EXCAVATED POINT REPAIRS AND A PORTION OF GROUP B: MANHOLE INSTALLATION; VACVISION ENVIRONMENTAL, LLC FOR THE OTHER PORTION OF GROUP B: MANHOLE REHABILITATION; INSITUFORM TECHNOLOGIES, INC. FOR GROUP C: MAINLINE PIPE LINING; AND LMK PIPE RENEWAL, LLC FOR GROUP D: LATERAL LINING AND MAINLINE SECTIONAL LINING.

7.6 Resolution No. R2012-6

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE STATE REVOLVING FUND LOAN AGREEMENT DW130103 BETWEEN THE CITY OF NORTH MIAMI BEACH AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE SECOND PHASE OF THE VOC REMOVAL PROJECT FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$6,150,303.00; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

7.7 Resolution No. R2012-8

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, GRANTING A SIX (6)-MONTH EXTENSION OF TIME TO TD BANK FOR PROPERTY LOCATED AT 1190 NORTH MIAMI BEACH BOULEVARD, NORTH MIAMI BEACH, FLORIDA, UNDER RESOLUTION 2011-07, IN ORDER TO OBTAIN THE NECESSARY BUILDING PERMITS TO CONSTRUCT THE PROJECT.

MOTION by Councilman Pierre, seconded by Councilwoman Kramer, to approve the Consent Agenda (**Approved 5-0 - Vice Mayor Smith, Councilman Derosé absent**)

8. CITY MANAGER'S REPORT

8.1 Discussion of Solid Waste Collection and Recycling Service Options

- a. Bid
- b. Piggyback
- c. Reverse Auction
- d. Status Quo

City Manager Bonner presented to Mayor and Council the different ways to receive quotes for goods and services. After the presentation there was a discussion by Mayor and Council on receiving proposals for privatization of sanitation services for the City of North Miami Beach.

Direction to staff: Mayor and Council gave a direction to the City Manager to go out for proposals for sanitation services.

8.2 Taylor Park

City Manager Bonner reported to Mayor and Council that he was having discussions with the proper County departments in reference to the County aiding the City with funds for the approximately 16 million dollars in funds that the city had paid in fees to assist with the clean-up of Taylor Park.

8.3 Special Olympics Track & Field Meet funding support

Assistant City Manager Serda reported to Mayor and Council that there were 2 requests for funding from LETF Funds. The Special Olympics were requesting a financial contribution of \$10,000 and in-kind support of about \$3,500. The Little League Baseball Teams were requesting a financial contribution of \$10,000.

MOTION by Councilman Derose, seconded by Councilman Pierre, to support the City Manager looking into the funding sources for these programs. (**Approved 6-0 - Vice Mayor Smith absent**).

Direction to staff: Councilwoman Kramer asked that a procedure for Waiver of Fees Request be created and applications for Fee Waivers be placed on-line.

Direction to staff: Councilwoman Spiegel requested that the financial impact of these types of requests be presented with the request.

City Manager Bonner reminded everyone that Jazzapalooza was coming. A night of jazz music featuring the University of Miami Jazz Band will be held in the Littman Theater.

8.4 Martin Luther King, Jr. Event – Paulette Murphy

Director of Leisure Services, Paulette Murphy reported to Mayor and Council that a program featuring actor David Mills will be presented in honor of the Dr. Martin Luther King Holiday. This program will be sponsored by the Oscar Thomas Foundation and the North Miami Library Foundation. The winners of the Dare to Dream essay contest will be presented. This event will be held in the Silver Auditorium.

8.5 Boards, Committees and Commission meeting locations

City Manager Bonner directed the attention of Mayor and Council to a meeting schedule sheet that listed the time and place of City Boards, Committees, and Commission Meetings.

9. CITY ATTORNEY'S REPORT

City Attorney Siegel waived her report.

Councilwoman Spiegel announced that City Attorney Siegel should be congratulated for being named one of the top Municipal Attorneys in the state.

10. MAYOR'S DISCUSSION

Mayor Vallejo thanked all the residents and his colleagues for all their condolences during his family's time of mourning the death of his father-in-law. Mayor Vallejo stated to the residents, staff, and all those watching at home that he is taking detailed notes and listening closely to all those who came up to make comments. While he was on the campaign trail and since being in office he has promised that he would find better ways and efficiencies for the city. He stated that there are many areas of reform needed at the City. Staff and his colleagues cannot afford to slow dance on the issues, there is a need to look at all operations and find savings.

11. PUBLIC COMMENT

City Clerk Latimore read the rules for Public Comment. The following person(s) spoke on the record:

1. Roland Villieux - 13730 Highland Drive, North Miami Beach, FL
2. Volney Nerette - 16121 N.E. 19th Place, North Miami Beach, FL

3. Marcel Larrade - 2310 N.E. 135th Street, North Miami Beach, FL
4. Dorothy DeNoia – 1179 N.E. 181st Street, North Miami Beach, FL
5. Harold Lewis - 146 N.E. 155th Terrace, North Miami Beach, FL
6. Demetrice Morrison - 1935 N.W. 183rd Street, North Miami Beach, FL
7. Joe Simmons Jr. - 99 N.W. 183rd Street, North Miami Beach, FL
8. Bert Kehren – 3302 N.E. 171st Street, North Miami Beach, FL
9. Ed Moore, AFSCME – 99 N.W. 183rd Street, North Miami Beach, FL
10. Janice Coakley, AFSCME – P.O. Box 600951, Miami, FL
11. Percivil Davis – 3809 East Woodscape Drive, Miramar, FL
12. Karyne Sylvestre-Pompilus – 1733 N.E. 163rd Street, North Miami Beach, FL
13. Robert Kamski – 18541 N.E. 7th Court, North Miami Beach, FL
14. Rose Jasmin – 1171 N.E. 165th Terrace, North Miami Beach, FL
15. Anthony DeFillipo – 1458 N.E. 177th Street, North Miami Beach, FL
16. Stavroula Castro – 1271 N.E. 179th Street, North Miami Beach, FL
17. Cynthia Thompson - 1290 N.E. 179th Street, North Miami Beach, FL
18. Dominique Ritchie - 1935 N.W. 183rd Street, Miami, FL
19. Angenika Edwards - 920 N.E. 164th Street, North Miami Beach, FL
20. Daniel Pierre – 15240 N.E. 10th Court, North Miami Beach, FL
21. Richard Riess - 23 N.W. 169th Street, North Miami Beach, FL
22. Robert Taylor - 1951 N.E. 157th Terrace, North Miami Beach, FL
23. Mubarak Kazan – 15564 N.E. 12th Avenue, North Miami Beach, FL
24. Jean Jean-Louis - 15604 N.E. 12th Avenue, North Miami Beach, FL
25. Levingston Ritchie – 5901 N.W. 19th Street, Miami, FL
26. Walter Rodriguez - 1111 N.E. 178th Terrace, North Miami Beach, FL
27. Sally Heyman, Miami-Dade County Commissioner

12. MISCELLANEOUS ITEMS

12.1 2012 Council Meeting Dates

City Clerk Latimore informed Mayor and Council of the dates of the meetings for calendar year 2012.

- 13. **WAIVER OF FEE – None**
- 14. **BUSINESS TAX RECEIPTS - None**
- 15. **LEGISLATION -**

15.1 Resolution No. R2012-9

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA APPROVING A BUDGET AMENDMENT TO DECREASE BOTH THE REVENUES AND EXPENDITURES FOR THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FUND 104 IN THE AMOUNT OF \$310,432 FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011 AS A RESULT OF CORRECTIONS TO THE TAX INCREMENT FINANCING (TIF) CALCULATIONS.

MOTION by Councilman Derose, seconded by Councilwoman Spiegel, to adopt Resolution No. 2012-9. **(Approved 6-0 - Vice Mayor Smith absent)**

15.2 Resolution No. R2012-10

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA APPROVING A BUDGET AMENDMENT TO INCREASE BOTH THE REVENUES AND EXPENDITURES FOR THE GENERAL FUND 010 IN THE AMOUNT OF \$122,549 FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011 TO PROVIDE THE TAX INCREMENT FINANCING (TIF) AND AN ADDITIONAL AMOUNT FOR STREET MAINTENANCE TO THE COMMUNITY REDEVELOPMENT AGENCY (CRA).

MOTION by Councilman Derose, seconded by Councilwoman Kramer, to adopt Resolution No. 2012-10. **(Approved 6-0 – Vice Mayor Smith absent)**

15.3 Resolution No. R2012-11

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING ON A TRIAL BASIS A SPECIAL MAGISTRATE TO HEAR CODE VIOLATIONS MATTERS INVOLVING COMMERCIAL PROPERTIES, BUSINESSES, AND NON-OWNER OCCUPIED SINGLE FAMILY RESIDENCES WHERE ALLEGED CODE VIOLATIONS EXIST, AS AUTHORIZED BY CITY CODE AND STATE STATUTE.

MOTION by Councilman Derose, seconded by Councilwoman Spiegel, to amend Resolution No. 2012-11, that Code Enforcement continue to retain jurisdiction over all code enforcement violations involving owner occupied duplexes. **(Approved 6-0 - Vice Mayor Smith absent)**

MOTION by Councilman Derose, seconded by Councilwoman Spiegel, to adopt Resolution No. 2012-11, as amended. **(Approved 6-0 - Vice Mayor Smith absent)**

15.4 Ordinance No. 2012-1 (First Reading by Title Only)

AN ORDINANCE REPEALING IN ITS ENTIRETY ORDINANCE NO. 2007-12 OF THE CITY OF NORTH MIAMI BEACH, FLORIDA.

MOTION by Councilman Derose, seconded by Councilwoman Spiegel, to adopt Ordinance No. 2012-1. (Approved 6-0)

ROLL CALL: Derose Yes, Kramer Yes, Martell Yes, Pierre Yes, Spiegel Yes, Vallejo Yes - Vice Mayor Smith absent).

16. CITY COUNCIL REPORTS

Councilman Derose expressed his condolences to Mayor Vallejo and his family on the death of his father-in-law. He also wished condolences to Jay Chernoff on the death of his father last month. Councilman Derose reminded everyone that next week is the anniversary of the earthquake that hit the Republic of Haiti. He asked for prayers that things change this year and that the quality of life for the people of Haiti improve. Councilman Derose stated that there will be a walk on 54th Street to 62nd Street on Thursday at 5:30 pm and there will also be a service at Notre Dame Church with Father Reginald at 7:30 pm. Councilman Derose announced that the Little Haiti Cultural Center will be presenting documentaries on the events of Haiti on Friday. He wished Councilman Pierre a Happy Birthday.

Councilwoman Kramer expressed condolences to Mayor Vallejo and his wife Sandy on the passing of her father. She reminded everyone that it has been 2 years since the earthquake struck the people of Haiti. She sent her thoughts and prayers to all the residents and employees who were affected and lost loved ones, to the people of the Republic she wished them a fast rebuild and a speedy recovery. Councilwoman Kramer gave congratulations to our Miami Herald Reporter Nadege Green who delivered a 7 pound baby boy on December 21st. Tomorrow night our city will celebrate the life of Dr. Martin Luther King Jr., Thursday evening there will be a celebration at the Spanish Monastery at 7 pm. Councilwoman Kramer wished Councilman Pierre a Happy Birthday. She announced that the Multi-Cultural Committee will be having Cultural Cinema Night event Friday night, she invited everyone to come, and the movie will be Catfish and Black Bean Sauce. Come out and be with your community as we celebrate our diversity.

Councilwoman Martell sent condolences and prayers to the family of Mayor Vallejo and wished Councilman Pierre a Happy Birthday. Councilwoman Martell congratulated her husband Steve Pizzillo on being named Broward County's Building Official of the Year. She also thanked him for all his work with the Holiday Toy Drive. Councilwoman Martell thanked her colleagues and staff for all their help with the Toy Drive. She announced that there were 3 new businesses in North Miami Beach; Smash Burger, Sir Pizza, and Mario the Baker which will be opening up in the Biscayne Commons Shopping Mall soon. She encouraged everyone to support the businesses in the City. Councilwoman Martell stated that she was in receipt of all the emails concerning crime in the Winward area and encouraged the residents in the area to attend the 10th Avenue Civic Association Meeting to voice their concerns. She asked the residents to get involve and report suspicious activity that they may find in the neighborhood. Community involvement was the reason that she was starting Let's Get Fit In NMB so that the community could come out to meet and get involved, this program will start in February, on Monday's and Thursday's, through April. She wished all a Happy and Healthy Prosperous New Year.

Councilman Pierre welcomed everyone back to a productive New Year. He stated that he was committed to working faster and smarter for the city. Councilman Pierre extended his condolences to Mayor and his wife on the passing of her father. He announced that the offices of

Commissioner Sally Heyman and Jean Monestime were receiving applications for small business grants. Councilman Pierre stated that he received a ton of emails about crime issues and that he met with the Chief of Police and the City Manager to resolve the issues. He was also having conversations with Congresswoman Wilson about crime, he and the City Council are determined to take the increase in crime seriously. Councilman Pierre stated that the people of Haiti were in his prayers and that his prayer was that no other people have to suffer such a great tragedy again. He wished everyone a Happy New Year.

Councilwoman Spiegel announced that the Commission on the Status of Women were seeking volunteers. There are several upcoming events planned. In February there is a financial seminar planned on the subject of financial fraud, March a Health Expo, April a Youth Symposium, and a Seminar on Osteoporosis and Diabetes in May. Councilwoman Spiegel thanked Steve Pizzillo for enabling them to have so much fun while delivering the toys to the kids in Highland Village, she stated she had a wonderful time with the Shop with a Cop Program and received a hug from every child she wrapped a gift for. She thanked Bert Kehren for all his assistance with the Christmas Dinner. Councilwoman Spiegel thanked Interim Chief Gomer and Detective Marin for their presence and representation at the meeting held at Temple Israel. Councilwoman Spiegel announced that she received a call from Dr. Krop's office stating that North Miami Beach Senior High School had moved from a "C" to a "B" school. She thanked Carmen Kienzle and Chuck Asarnow on their attendance at the meetings on the Fire Rescue issue. Councilwoman stated she and all her colleagues were working in the best interest of the city and decisions they make are not isolated impacts, but impact city wide. She thanked all who came out to speak, wished all a Happy Healthy and Prosperous New Year and thanked all for letting her represent them.

Mayor Vallejo thanked everyone for their condolences and concerns, and wished Councilman Pierre a Happy Birthday. Mayor Vallejo echoed Councilwoman Spiegel in recognizing Interim Chief Gomer on his representation at the meeting at Temple Israel. Mayor Vallejo congratulated North Miami Beach Senior High School on being a "B" school and encouraged everyone to come when they are honored at the next City Council Meeting. He asked that we remember the people of Haiti who are still recovering from the earthquake. He stated that the people of North Miami Beach are standing with the people of Haiti. Mayor Vallejo announced that the Wounded Warriors Walk will be leaving from the Residence Inn in Aventura on Thursday morning. Wounded Vets will be walking for the cause to Key West, Florida. He stated that he will attend the event commemorating the life of Dr. Martin Luther King Jr., who was one of his heroes, a man who preached non-violence and civil disobedience against unjust law. The Mayor quoted Dr. King "I decided to stick with love; hate is too much of a burden to bear" and "A true leader does not go out searching for consensus; he molds consensus" and that is what they are trying to do from the dais. Mayor Vallejo stated that he will also be attending movie night on Friday.

17. NEXT REGULAR CITY COUNCIL MEETING

Tuesday, January 24, 2012

18. ADJOURNMENT

There being no other business before Council the meeting was adjourned at 12:24 am.

ATTEST:

(S E A L)



Pamela L. Latimore
City Clerk