# CITY OF MIAMI GARDENS
# CITY COUNCIL MEETING AGENDA

**Meeting Date: March 10, 2010**
**1515 NW 167th St., Bldg. 5, Suite 200**
**Miami Gardens, Florida 33169**
**Next Regular Meeting Date: April 28, 2010**
**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 Jr.**
**Councilwoman Barbara Watson**
**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

## (B) INVOCATION

## (C) PLEDGE OF ALLEGIANCE

## (D) APPROVAL OF MINUTES

D-1) Regular City Council Minutes – February 24, 2010

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

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

F-1) Councilman Bratton – Miss Miami Gardens 2010
F-2) Councilwoman Pritchett - Proclamation - Girl Scouts of America Day
F-3) Proclamation – March Proclaimed as Purchasing Month
F-4) Chief Boyd - Police Department Monthly Report
F-5) Dr. Danny O. Crew, City Manager – Census Activity Report

## (G) PUBLIC COMMENTS

## (H) ORDINANCE(S) FOR FIRST READING:

**H-1)** **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO ELECTIONS, CALLING THE 2010 GENERAL AND SPECIAL ELECTIONS FOR THE CITY COUNCIL SEATS 2, 4, 6 AND PROPOSED CHARTER AMENDMENTS; SCHEDULING THE DAY, PLACE AND TIME OF THE ELECTION; PROVIDING FOR RUNOFF ELECTION, IF NECESSARY; PROVIDING FOR QUALIFICATION OF CANDIDATES; PROVIDING FOR CLOSE OF ELECTION BOOKS; APPROVING THE OFFICIAL BALLOT FORM; PROVIDING FOR NOTIFICATION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.(SPONSORED BY THE CITY CLERK)**

**H-2)** **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NO. 2005-10-48, AS AMENDED, TO CREATE ARTICLE III ESTABLISHING DEBARMENT PROCEDURES; PROVIDING DEFINITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

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

None

## (J-1) CONSENT AGENDA

**J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF AMELIA HOPKINS TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF WINIFRED MCKENDRICK, WHICH EXPIRES FEBRUARY 3, 2012; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR AARON CAMPBELL JR.)**

**J-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF DANNY JOHNSON TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF MARGIE LANKFORD, WHICH EXPIRES FEBRUARY 5, 2011; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR AARON CAMPBELL JR.)**

**J-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF JOSE ANDINO TO THE CARIBBEAN AFFAIRS ADVISORY COMMITTEE FOR A TWO YEAR TERM ENDING MARCH 10, 2012 ; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR AARON CAMPBELL JR.)**

**J-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 LOCALLY-FUNDED AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT"), ATTACHED HERETO AS EXHIBIT "A" AND THAT CERTAIN MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT FOR STAMPED SIDEWALKS, PEDESTRIAN CROSSWALKS, AND DECORATIVE PAVERS AT STATE ROAD 7 FROM NORTHWEST 176TH STREET TO NORTHWEST 215TH STREET, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "B" AND THAT CERTAIN**

**MEMORANDUM OF AGREEMENT A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "C", AUTHORIZING THE CITY MANAGER TO EXPEND THE SUM OF SEVEN HUNDRED AND SIXTY-TWO THOUSAND, SIX HUNDRED AND TWELEVE DOLLARS ($762,612.00) FOR THE PROJECT; PROVIDING FROM INSTRUCTIONS 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 TO ISSUE A PURCHASE ORDER TO L3 COMMUNICATIONS MOBILE-VISION, INC. IN THE AMOUNT OF SEVENTY-FIVE THOUSAND, SEVEN HUNDRED THIRTY-FIVE DOLLARS (75,735.00) FOR THE PURCHASE OF MOBILE VISION IN-CAR DIGITAL VIDEO RECORDING SYSTEMS; AUTHORIZING A WAIVER OF THE COMPETITIVE BIDDING REQUIREMENTS OF THE CITY'S PURCHASING ORDINANCE; 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, URGING THE UNITED STATES CONGRESS TO PASS ECONOMIC DEVELOPMENT LEGISLATION TO ASSIST HAITI IN REBUILDING, BY CREATING A PROGRAM THAT INCLUDES LONG-TERM COMMITMENTS TO PURCHASE PRODUCTS FROM HAITI; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.(SPONSORED BY MAYOR SHIRLEY GIBSON)**

## (K-1) RESOLUTION(S)

None

## (M) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK

## (N) REPORTS OF MAYOR AND COUNCIL MEMBERS

N-1) Selection of Evaluation Format to be used for City Manager's Evaluation

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

## (P) ADJOURNMENT

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./ 2750 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. 2750. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY'S WEBSITE AT 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.

Miami Gardens, Florida 33169

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | March 10, 2010 | | **Item Type:** | **Resolution** | **Ordinance** | | **Other** | |
| | | | | | x | | | |
| **Fiscal Impact:** | Yes | No | **Ordinance Reading:** | | **1st Reading** | | **2nd Reading** | |
| | | | | | x | | | |
| | x | | **Public Hearing:** | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | x | | |
| **Funding Source:** | General Fund | | **Advertising Requirement:** | | **Yes** | | **No** | |
| | | | | | | | X | |
| **Contract/P.O. Required:** | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | | X | | | | | | |
| **Sponsor Name** | Ronetta Taylor, MMC<br>City Clerk | | **Department:** | | *Office of the City Clerk* | | | |

## Short Title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO ELECTIONS, CALLING THE 2010 GENERAL AND SPECIAL ELECTIONS FOR THE CITY COUNCIL SEATS 2, 4, 6, AND PROPOSED CHARTER AMENDMENTS; SCHEDULING THE DAY, PLACE AND TIME OF THE ELECTION; PROVIDING FOR RUNOFF ELECTION, IF NECESSARY; PROVIDING FOR QUALIFICATION OF CANDIDATES; PROVIDING FOR CLOSE OF ELECTION BOOKS; APPROVING THE OFFICIAL BALLOT FORM; PROVIDING FOR NOTIFICATION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

## Staff Summary:

The attached ordinance calls for the General Election for the City of Miami Gardens to take place on August 24, 2010, at which a Council member for Residential Area Seat 2 will be elected for a four (4) year term; a Council member for residential Area Seat 4, will be elected for a four (4) year term, and a Council member for at-large seat 6, will be elected for a four (4) year term. Also at that election certain questions will be presented to the voters for approval. The Ordinance also provides for the closing of the election books (registered voters) to take place July 26, 2010. The qualifying dates for candidates will begin Tuesday, June 1, 2010 and end Tuesday June 8 2010, at 4:00 p.m. sharp!

***ITEM H-1) ORDINANCE***
***FIRST READING***
***Calling the 2010***
***General & Special Election***

1515 NW 167 Street, Building 5 Suite 200
Miami Gardens, Florida 33169

A Run-Off Election, if necessary will take place Tuesday, November 2, 2010.

**Recommendation:**

That the City Council adopts the attached ordinance calling the City of Miami Gardens' General Election for Tuesday, August 24, 2010, with second reading and public hearing scheduled for March 24, 2010.

## Recommendation:

*That the City Council approves the ordinance calling the City of Miami Gardens General Election for Tuesday, August 24, 2010.*

## Attachment:

Attachment A : City of Miami Gardens Polling Places
Attachment B: Sample Ballot

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RELATING TO ELECTIONS, CALLING THE 2010 GENERAL AND SPECIAL ELECTIONS FOR THE CITY COUNCIL SEATS 2, 4, 6, AND PROPOSED CHARTER AMENDMENTS; SCHEDULING THE DAY, PLACE AND TIME OF THE ELECTION; PROVIDING FOR RUNOFF ELECTION, IF NECESSARY; PROVIDING FOR QUALIFICATION OF CANDIDATES; PROVIDING FOR CLOSE OF ELECTION BOOKS; APPROVING THE OFFICIAL BALLOT FORM; PROVIDING FOR NOTIFICATION; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 5, Article V, of the City Of Miami Gardens' Charter provides that a general election shall be held in each even-numbered year, on the day of the first state primary election, or if none is held in any such year, on the first Tuesday, following the second Monday in September, and

WHEREAS, Section 8.5(5), Article VIII, of the City of Miami Gardens' Charter provides for the transition and the initial election of the City Council, and

WHEREAS, a State-wide Election will take place on August 24, 2010, and

WHEREAS, state law requires election books to close thirty (30) days prior to the election, which is July 26, 2010,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. ELECTION: The 2010 General and Special Elections for the City of Miami Gardens will be held on Tuesday, August 24, 2010. On that date, one council

member representing residential area seat two (2), will be elected to serve for a four (4) year term; one council member representing residential area seat four (4), will be elected to serve for a four (4) year term; and one council member representing at-large seat six (6), will be elected to serve a four (4) year term; as well as any proposed Charter amendments.

SECTION 3. RUNOFF ELECTION. The 2010 Runoff Election, if necessary for the City of Miami Gardens will be held on Tuesday, November 2, 2010.

SECTION 4. QUALIFYING: The qualifying period for the election shall open Tuesday, June 1, 2010, at 9:00 a.m., and close precisely at 4:00 p.m., on Tuesday, June 8, 2010. Candidates shall qualify at the Office of the City Clerk, 1515 NW 167th Street, Building 5, Suite 200, City of Miami Gardens, Florida 33169

SECTION 5. POLLING PLACES: Voting shall be conducted at locations listed on Exhibit “A”. All polls shall open precisely at 7:00 a.m., and close precisely at 7:00 p.m.

SECTION 6. OFFICIAL BALLOT: The official ballot for the 2010 Election is in substantial form as the Ballot annexed to this ordinance as Exhibit “B”.

SECTION 7. VOTER REGISTRATION: The election books shall close Monday, July 26, 2010..

SECTION 8. NOTIFICATION: The City Clerk shall publish notice of such general election once a week for four consecutive weeks next preceding the general election in a newspaper of general circulation in Miami Gardens. The notice shall contain the date, time, and place of the general election and identify the Council Seats to be voted for.

SECTION 8. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 10. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 11. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE _____ DAY OF MARCH, 2010.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE ____ DAY OF MARCH, 2010

_____
SHIRLEY GIBSON, MAYOR

ATTEST:

_____
RONETTA TAYLOR, MMC, CITY CLERK

Reviewed by SONJA K. DICKENS, ESQ.
City Attorney

SPONSORED BY: Ronetta Taylor, MMC, City Clerk

MOVED BY:_____

**VOTE: _____**

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell | ___(Yes) | ___(No) |

Ordinance No.

| | | | |
|---|---|---|---|
| 1 | Councilman Melvin L. Bratton | ___(Yes) | ___(No) |
| 2 | Councilman Oliver Gilbert, III | ___(Yes) | ___(No) |
| 3 | Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| 4 | Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| 5 | Councilman André Williams | ___(Yes) | ___(No) |

# Lester Sola

Date 3/3/2010 **Supervisor of Elections** Miami-Dade County, FL

Time 04:09 PM

## Precincts comprising District City:Miami Gardens

| | | Registered Voters | | | | | Inactive Voters | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Precinct | Place_Name | Total | Dems | Reps | NonP | Other | Dems | Reps | NonP | Other |
| 202.0 | Landmark Campus | 1,350 | 863 | 218 | 208 | 61 | 74 | 20 | 19 | 6 |
| 203.0 | North County Elementary School | 2,350 | 2,019 | 70 | 156 | 105 | 210 | 9 | 27 | 16 |
| 204.0 | Antioch Missionary Baptist Church | 922 | 786 | 21 | 72 | 43 | 54 | 4 | 9 | 7 |
| 205.0 | Robert Renick Educational Ctr | 1,426 | 1,158 | 47 | 136 | 85 | 177 | 3 | 26 | 25 |
| 206.0 | Norland United Methodist Church | 3,549 | 2,766 | 214 | 418 | 151 | 447 | 46 | 89 | 27 |
| 211.0 | Hibiscus Elementary School | 852 | 643 | 56 | 103 | 50 | 48 | 6 | 15 | 2 |
| 213.0 | North Dade Community Church | 2,346 | 1,823 | 115 | 289 | 119 | 269 | 22 | 52 | 28 |
| 214.0 | Episcopal Church Of the Holy Famil | 2,626 | 2,026 | 133 | 340 | 127 | 171 | 13 | 30 | 24 |
| 215.0 | Sierra Norwood Calvary Bapt Churc | 1,747 | 1,360 | 119 | 200 | 68 | 116 | 13 | 17 | 7 |
| 216.0 | Grace United Community Church | 2,519 | 1,965 | 92 | 330 | 132 | 141 | 13 | 20 | 19 |
| 217.0 | Hotel Roma Golden Glades | 2,126 | 1,770 | 61 | 202 | 93 | 125 | 7 | 22 | 13 |
| 218.0 | North Dade Middle School | 1,623 | 1,413 | 47 | 108 | 55 | 129 | 2 | 15 | 10 |
| 219.0 | Bunche Park Elementary School | 1,208 | 1,057 | 34 | 78 | 39 | 133 | 10 | 11 | 15 |
| 220.0 | New Way Fellowship Baptist Churcl | 1,800 | 1,477 | 74 | 154 | 95 | 148 | 5 | 18 | 8 |
| 221.0 | Parkview Elementary School | 2,284 | 1,879 | 91 | 224 | 90 | 147 | 16 | 19 | 22 |
| 222.0 | Miami Gardens Church Of Christ | 2,468 | 2,031 | 89 | 251 | 97 | 145 | 9 | 18 | 15 |
| 223.0 | Cosmopolitan Baptist Church | 1,987 | 1,510 | 109 | 246 | 122 | 138 | 9 | 42 | 14 |
| 224.0 | Miami Carol City Senior High | 2,147 | 1,674 | 134 | 199 | 140 | 140 | 11 | 24 | 22 |
| 225.0 | Myrtle Grove Presbyterian Church | 2,793 | 2,228 | 130 | 295 | 140 | 217 | 23 | 41 | 21 |
| 226.0 | Golden Glades Elementary School | 2,025 | 1,673 | 85 | 155 | 112 | 152 | 10 | 16 | 7 |
| 227.0 | A. J. King Park | 2,311 | 1,767 | 157 | 261 | 126 | 236 | 26 | 40 | 30 |
| 228.0 | Carol City Middle School | 913 | 769 | 30 | 72 | 42 | 75 | 6 | 12 | 10 |
| 229.0 | St Timothy Lutheran Church | 2,347 | 1,552 | 304 | 353 | 138 | 185 | 21 | 32 | 29 |
| 233.0 | Florida Memorial University | 1,707 | 1,241 | 144 | 223 | 99 | 170 | 13 | 37 | 16 |
| 234.0 | Mt Zion Ame Church | 923 | 742 | 44 | 85 | 52 | 45 | 7 | 7 | 5 |
| 256.0 | Robert Sharpe Towers #1 | 1,921 | 1,389 | 190 | 253 | 89 | 111 | 16 | 30 | 13 |
| 267.0 | Universal Truth Center | 1,296 | 839 | 194 | 198 | 65 | 127 | 20 | 35 | 21 |
| 269.0 | Mt Zion Ame Church | 1,615 | 1,389 | 49 | 98 | 79 | 185 | 8 | 20 | 18 |
| 270.0 | Miami-Dade County Fire Station #1 | 2,251 | 1,803 | 92 | 233 | 123 | 208 | 15 | 24 | 20 |
| 273.0 | Landmark Campus | 1,372 | 1,073 | 101 | 128 | 70 | 119 | 10 | 19 | 13 |
| 274.0 | Carol City Elementary School | 1,420 | 999 | 171 | 190 | 60 | 94 | 14 | 11 | 5 |
| 276.0 | Florida Memorial University | 463 | 192 | 124 | 120 | 27 | 37 | 14 | 27 | 7 |
| 283.0 | Lake Stevens Middle School | 17 | 11 | 0 | 6 | 0 | 0 | 0 | 0 | 0 |
| 290.0 | Landmark Campus | 648 | 324 | 197 | 97 | 30 | 22 | 4 | 8 | 3 |
| 291.0 | Miami Gardens Elementary School | 1,057 | 496 | 364 | 143 | 54 | 35 | 23 | 22 | 4 |
| 292.0 | Freewill Christian Center | 1,375 | 1,098 | 52 | 149 | 76 | 157 | 4 | 33 | 10 |
| 294.0 | North Dade Community Church | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 295.0 | North Dade Regional Library | 1,172 | 992 | 47 | 95 | 38 | 65 | 9 | 5 | 12 |
| | | 62,958 | 48,799 | 4,199 | 6,868 | 3,092 | 5,052 | 461 | 892 | 524 |

**EXHIBIT "B"**

**ELECTION BALLOT**
**CITY OF MIAMI GARDENS GENERAL ELECTION**
**August 24, 2010**

**Electors shall cast one vote for each available seat, with a maximum of one vote per candidate.**

## A) RESIDENTIAL AREA SEAT TWO (2), RESIDENTIAL AREA SEAT FOUR (4) AND AT-LARGE SEAT SIX (6)

**(Vote for one candidate in each category)**

**COUNCIL MEMBER RESIDENTIAL AREA SEAT TWO (2):**
**(Candidate Names)**

**COUNCIL MEMBER RESIDENTIAL AREA SEAT FOUR (4):**
**(Candidate Names)**

**COUNCIL MEMBER AT-LARGE SEAT SIX (6):**
**(Candidate Names)**

## B) CHARTER AMENDMENT QUESTIONS:

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | **March 10, 2010** | | **Item Type:** *(Enter X in box)* | **Resolution** | **Ordinance** | | **Other** | |
| | | | | | X | | | |
| **Fiscal Impact:** *(Enter X in box)* | Yes | No | **Ordinance Reading:** *(Enter X in box)* | | **1st Reading** | | **2nd Reading** | |
| | | | | | X | | | |
| | | X | **Public Hearing:** *(Enter X in box)* | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | X | | |
| **Funding Source:** | N/A | | **Advertising Requirement:** *(Enter X in box)* | | **Yes** | | **No** | |
| | | | | | | | X | |
| **Contract/P.O. Required:** *(Enter X in box)* | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | | X | | | | | | |
| **Sponsor Name** | **Dr. Danny Crew, City Manager** | | **Department:** | | **Procurement Division** | | | |

## Short Title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NO. 2005-10-48, AS AMENDED, TO CREATE ARTICLE III ESTABLISHING DEBARMENT PROCEDURES; PROVIDING DEFINITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

## Staff Summary:

The City of Miami Gardens Purchasing Ordinance 2005-10-48, adopted February 9, 2005, does not address procedures for debarring businesses that default on a contract, violate ethical standards, or refuse to enter into a contract with the City. Businesses that do not conduct themselves with responsible and ethical practices can jeopardize the integrity of the City's procurement process and potentially expose city projects to time delays additional monetary costs.

The proposed ordinance defines and establishes the causes, effect and procedures for the debarment of businesses.

***ITEM H-2) ORDINANCE***
***FIRST READING***
***Establishing Debarment Procedures***

1515 NW 167 Street, Building 5 Suite 200
Miami Gardens, Florida 33169

## Proposed Action:

The City Council approve the proposed ordinance amendment to Ordinance 2005-10-48 to include Article III Debarment Procedures.

## Attachment:

None.

ORDINANCE No. 2010-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ORDINANCE NO. 2005-10-48, AS AMENDED, TO CREATE ARTICLE III ESTABLISHING DEBARMENT PROCEDURES; PROVIDING DEFINITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens desires to conduct business with contractors who operate with the highest level of integrity, and

WHEREAS, it is necessary to amend Ordinance No. 2005-10-48 to establish debarment procedures to protect the City from engaging in business relations with dishonest, unethical, or otherwise irresponsible contractors, and

WHEREAS, the establishment of debarment procedures will prevent fraud, waste and abuse of City resources, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AMENDMENT: Ordinance No. 2005-10-48 is hereby amended to create include Article III establishing debarment procedures as follows:

## ARTICLE III: DEBARMENT PROCEDURES

**Section 25: Purpose.**

The purpose of this Article is to protect the City from risks associated with awarding contracts to persons or firms having exhibited an inability or unwillingness to fulfill contractual requirements, and to protect the City's interests and the integrity of the procurement process by preventing contractors who have displayed improper conduct from engaging in business with the City for specific periods of time. The policies outlined in this Article are not intended to be punitive in nature. Instead, the City will seek other legal recourse, if necessary to enforce contractual obligations.

**Section 26: Definitions.**

For purposes of Article III, the following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this Article, except where the context clearly indicates a different meaning:

(1) "Debarment" is the act of excluding a vendor from city contracting and city approved contracting.

(2) "Conviction" means a judgment or conviction of a criminal offense, be it a felony or misdemeanor, by any court of competent jurisdiction, whether entered upon by a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

(3) "Civil judgment" means a judgment or finding of a civil offense by any court of competent jurisdiction.

**Section 27: Causes for Debarment.**

The City Manager shall debar a person or entity from city procurement for cause. The debarment period shall be for a period of not less than two (2) years and no more than five (5) years. Causes for debarment include:

(1) Conviction of a criminal offense or civil judgment as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;

(2) Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a city contractor;

(3) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

(4) Violation of contract provisions which are regarded by the City Manager to be so serious as to justify debarment action. Such actions include:

(a) Deliberate failure, without good cause, to perform in accordance with the specifications or within the time limit provided in the contract;

(b) A record of failure to perform, or of unsatisfactory performance in accordance with the terms of one or more contracts;

(c) The untimely and unwarranted withdrawal of a bid or response to ITB or RFP;

(d) Becoming insolvent or being declared bankrupt;

(e) Any misrepresentation in connection with a solicitation or any misrepresentation of fact upon which the City has based a decision on awarding a bid;

(5) Violation of the ethical standards contained in this Code;

(6) Debarment by another governmental entity for any cause listed in this Code; and

(7) Any other cause the City Manager determines to be serious and compelling as to affect responsibility as a city contractor.

**Section 28: Effect of Debarment.**

(1) Debarred contractors are excluded from receiving contracts, and departments shall not solicit offers from, award contracts to, or consent to subcontracts with these contractors, unless the City Manager determines that an emergency exists justifying such action, and obtains approval from the City Council. Debarred contractors are also excluded from conducting business with the city as agents, representatives, subcontractors or partners of other contractors.

(2) Debarred contractors are excluded from acting as individual sureties.

**Section 29: List of Debarred Contractors.**

The City Manager, or his or her designee, shall compile and maintain a current, consolidated list of all contractors debarred by the City. Such list shall be public record and shall be available for public inspection and dissemination. The list shall include:

(1) The names and addresses of all contractors debarred;

(2) The cause for the debarment action, as is further described herein, or other statutory or regulatory authority;

(3) The effect of the debarment action;

(4) The termination date for each listing;

(5) The contractor's certificate of competency or license number, when applicable; and

(6) The qualifier of the contractor, when applicable.

**Section 30: Decision to Debar.**

A decision to suspend or debar shall be made after consultation with the City Attorney. The City Manager, or his or her designee, shall issue a written decision of debarment to the person involved. The decision shall state the reasons for the action taken and shall include information on the person's right to appeal. A copy of the decision shall be mailed to the person, which is the subject of debarment.

**Section 31: Finality of Decision to Debar.**

A decision to debar shall be final and conclusive, unless the person debarred files a written notice of appeal to the City Council within ten calendar days after receipt of the City Manager's decision. If an appeal is taken, the decision of the City Council shall be deemed final and conclusive. An appeal of the decision of the City Council shall be to the appropriate court in the Eleventh Judicial Circuit, Miami-Dade County, Florida.

Section 3. CONFLICT: All ordinances or code provisions in conflict herewith are hereby repealed.

Section 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the

use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

Section 6. EFFECTIVE DATE: This Ordinance shall take effect immediately upon its final passage.

PASSED ON FIRST READING ON THE 10TH DAY OF MARCH, 2010.

PASSED ON SECOND READING ON THE 24TH DAY OF MARCH, 2010.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24TH DAY OF MARCH, 2010.

_____
SHIRLEY GIBSON, MAYOR

ATTEST:

_____
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY:_____

**VOTE:** _____

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell | ___(Yes) | ___(No) |
| Councilman Melvin L. Bratton | ___(Yes) | ___(No) |

| | | |
|---|---|---|
| Councilman Oliver Gilbert, III | ___(Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| Councilman André Williams | ___(Yes) | ___(No) |

Miami Gardens, Florida 33169

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | March 10, 2010 | | **Item Type:** | **Resolution** | **Ordinance** | | **Other** | |
| | | | | **X** | | | | |
| **Fiscal Impact:** | Yes | No | **Ordinance Reading:** | | **1st Reading** | | **2nd Reading** | |
| | | | | | | | | |
| | | **X** | **Public Hearing:** | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | | | |
| **Funding Source:** | N/A | | **Advertising Requirement:** | | **Yes** | | **No** | |
| | | | | | | | **X** | |
| **Contract/P.O. Required:** | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | | X | | | | | | |
| **Sponsor Name** | **Aaron Campbell Jr. Vice Mayor** | | **Department:** | | *Mayor/Council* | | | |

## Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF AMELIA HOPKINS TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF WINIFRED MCKENDRICK, WHICH EXPIRES FEBRUARY 3, 2012; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.
.

## Staff Summary:

*In accordance with the establishment of the Elderly Affairs Committee, Vice Mayor Aaron Campbell Jr. hereby submits his appointee for membership in accordance with Ordinance No. 06-04-85 as amended by Ordinance No. 2008-25-161. Effective upon ratification, the committee will recognize Amelia Hopkins as an appointee of Vice Mayor Campbell Jr.*

*This appointment fills the unexpired term of Ms. Winifred McKendrick, who resigned December 2009, and will expire February 3, 2012.*

*The appointed members of the Committee will advise and make recommendations to the City Council with regard to matters pertaining to senior citizens within the City.*

***ITEM J-1) CONSENT AGENDA RESOLUTION***
***Vice Mayor Campbell's appoint to the Elderly Affairs Advisory Committee***

1515 NW 167 Street, Building 5 Suite 200
Miami Gardens, Florida 33169

## Recommendation:

*That the City Council approves Vice Mayor Campbell Jr's appointment of Amelia Hopkins to the Elderly Affairs Advisory Committee.*

## Attachment:

Attachment A : Board/Committee application.

RESOLUTION No.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF AMELIA HOPKINS TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF WINIFRED MCKENDRICK, WHICH EXPIRES FEBRUARY 3, 2012; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has created an Elderly Affairs Advisory Committee, and

WHEREAS, the Mayor and each member of the City Council has the right to appoint two members to the Committee for a two and three year term, respectively, and

WHEREAS, Vice Mayor Campbell, is appointing Amelia Hopkins to fill the unexpired term of Winifred McKendrick, which will expire February 3, 2012, and

WHEREAS, it is appropriate for the City Council to ratify Vice Mayor Campbell's appointment of Amelia Hopkins,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. RATIFICATION OF APPOINTMENT: The City Council hereby ratifies Vice Mayor Aaron Campbell's, appointment of Amelia Hopkins to the Elderly Affairs Advisory Committee until February 3, 2012.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MARCH 10, 2010.

ATTEST:

_____
SHIRLEY GIBSON, MAYOR

_____
RONETTA TAYLOR, MMC, CITY CLERK

REVIEWED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: VICE MAYOR AARON CAMPBELL JR.

MOVED BY:
SECOND BY:

**VOTE:**

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell Jr. | ___(Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| Councilman Melvin L. Bratton | ___(Yes) | ___(No) |
| Councilman André Williams | ___(Yes) | ___(No) |
| Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| Councilman Oliver G. Gilbert III | ___(Yes) | ___(No) |

Campbell

# CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

*1515 NW 167th Street, Bldg. 5, Suite 200*
*Miami Gardens, FL 33169*

*Phone No. 305-622-8000*
*Fax No. 305-622-8001*

1. **Position sought:** Elderly Affairs
2. **Name:** Amelia Hopkins (Please print)
3. **Home Address:** 2435 N.W 168 ST
4. **Business Address:** Same
5. **Employer (if self please state):** _____

   **a. Job Title:** _____
   **b. Nature of business:** _____

6. **Home Phone No.** 305-624-0384 **Business Phone No.** _____ **Fax No.** _____
7. **E-mail Address:** amelia hopkins 9 ATT.Net
8. **Education Background:**

   **a. High School**
   **Name of School** Carol City Sr. **Dates of Attendance** 1973-1976

   **b. Vocational School**
   **Name of School** Lindsay Hopkins **Dates of Attendance** 1979

   **c. College**

   **Name of College** Miami Dade Comm College **Dates of attendance** _____
   **Degree obtained if any** _____

   **Please provide a copy of your Resume or CV along with this Application.**

9. **Community Service (attach additional sheets if necessary):**

   _____

10. **Please state your qualifications for position sought (attach additional sheets if necessary):**

   _____

11. **Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:** No

12. **Are you employed by the City?** Yes____ No ✓

13. **Are you employed by the Mayor or any of the Council members in their private capacities?** No

14. **Are you a resident of the City?** Yes ✓ No ____

15. **Do you own a business in the City?** Yes ____ No ✓

    **If yes, please state the name of the business:** _____
    **Is this business a vendor with the City** Yes____ No ✓

16. **Do you operate a business in the City?** Yes____ No ✓

    **If yes, please state the name of the business:** _____
    **Is this business a vendor with the City** Yes____ No ✓

17. **Ethnic Origin:**

    **White Non-Hispanic**___ **African American** ✓ **Hispanic American**___ **Other** _____

18. **If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):**

    _____ **Second choice**

    _____ **Third choice**

    _____ **Fourth choice**

    _____ **Fifth choice**

**I certify that the information contained in this Application is true and accurate.**

**Signature** Amelia Hopkins **Date** 01-15-10
**Applicant**

**THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR**

Miami Gardens, Florida 33169

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | March 10, 2010 | | **Item Type:** | **Resolution** | **Ordinance** | | **Other** | |
| | | | | **X** | | | | |
| **Fiscal Impact:** | Yes | No | **Ordinance Reading:** | | **1st Reading** | | **2nd Reading** | |
| | | | | | | | | |
| | | **X** | **Public Hearing:** | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | | | |
| **Funding Source:** | N/A | | **Advertising Requirement:** | | **Yes** | | **No** | |
| | | | | | | | **X** | |
| **Contract/P.O. Required:** | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | | X | | | | | | |
| **Sponsor Name** | **Aaron Campbell Jr, Vice Mayor** | | **Department:** | | *Mayor/Council* | | | |

## Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF DANNY JOHNSON TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF MARGIE LANKFORD, WHICH EXPIRES FEBRUARY 5, 2011; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

## Staff Summary:

*In accordance with the establishment of the Elderly Affairs Advisory Committee, Vice Mayor Aaron Campbell Jr. hereby submits his appointee for membership in accordance with Ordinance No. 06-04-85 as amended by 2008-25-161. Effective upon ratification, the committee will recognize Danny Johnson as an appointee of Vice Mayor Aaron Campbell Jr.*

*This appointment fills the unexpired term of Danny Johnson, who missed more than three consecutive unexcused absences. This term will expire February 5, 2011.*

*The appointed members of the Committee will advise and make recommendations to the City Council with regard to matters pertaining to senior citizens residing in the City.*

## Recommendation:

*That the City Council approves Vice Mayor Campbell Jr's appointment of Danny Johnson to the Elderly Affairs Committee.*

***ITEM J-2) CONSENT AGENDA RESOLUTION***
***Vice Mayor Campbell's appointment to the Elderly Affairs Advisory Committee***

1515 NW 167 Street, Building 5 Suite 200
Miami Gardens, Florida 33169

## Attachment:

Attachment A : Board/Committee application.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF DANNY JOHNSON TO THE ELDERLY AFFAIRS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF MARGIE LANKFORD, WHICH EXPIRES FEBRUARY 5, 2011; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has created an Elderly Affairs Advisory Committee, and

WHEREAS, the Mayor and each member of the City Council has the right to appoint two members to the Committee for a two and three year term, respectively, and

WHEREAS, Vice Mayor Campbell, is appointing Danny Johnson to fill the unexpired term of Margie Lankford, which will expire February 5, 2011, and

WHEREAS, it is appropriate for the City Council to confirm Vice Mayor Campbell's appointment of Danny Johnson,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. RATIFICATION OF APPOINTMENT: The City Council hereby ratifies Vice Mayor Aaron Campbell's, appointment of Danny Johnson to the Elderly Affairs Advisory Committee until February 5, 2011.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MARCH 10, 2010.

ATTEST:

_____
SHIRLEY GIBSON, MAYOR

_____
RONETTA TAYLOR, MMC, CITY CLERK

REVIEWED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: VICE MAYOR AARON CAMPBELL JR.

MOVED BY:
SECOND BY:

**VOTE:**

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell Jr. | ___(Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| Councilman Melvin L. Bratton | ___(Yes) | ___(No) |
| Councilman André Williams | ___(Yes) | ___(No) |
| Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| Councilman Oliver G. Gilbert III | ___(Yes) | ___(No) |

Councilman Campbell

# CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

*1515 NW 167th Street, Bldg. 5, Suite 200*
*Miami Gardens, FL 33169*

*Phone No. 305-622-8000*
*Fax No. 305-622-8001*

1. **Position sought:** Elderly Affairs Advisory Committee
2. **Name:** Danny Johnson
   **(Please print)**
3. **Home Address:** 660 NW 177th Street #215 Miami Gardens FL 33169
4. **Business Address:** N/A
5. **Employer (if self please state):** N/A

   **a. Job Title:** N/A
   **b. Nature of business:** N/A

6. **Home Phone No.** (305) 652-0699 **Business Phone No.** N/A
   **Fax No.** N/A
7. **E-mail Address:** Johnsondanny59@gmail.com
8. **Education Background:**

   **a. High School**
   **Name of School** North Miami Sr. **Dates of Attendance** 1977-1978

   **b. Vocational School**
   **Name of School** Lindsey Hopkins **Dates of Attendance** 1981-1982

   **c. College**

   **Name of College** Miami Dade North **Dates of attendance** 1979-1981

   **Degree obtained if any** Certified Nurses Aide

   **Please provide a copy of your Resume or CV along with this Application.**

9. **Community Service (attach additional sheets if necessary):**
   Former member of PTA - Brentwood Elementary (1988)

10. **Please state your qualifications for position sought (attach additional sheets if necessary):**
    Work with the elderly in the field of healthcare, and participated in community outreach programs with ~~the~~ my Church to assist the elderly.

11. **Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:**

Nowe that I am aware of.

12. **Are you employed by the City?** Yes____ No ✓

13. **Are you employed by the Mayor or any of the Council members in their private capacities?** NO

14. **Are you a resident of the City?** Yes ✓ No ____

15. **Do you own a business in the City?** Yes ____ No ✓

**If yes, please state the name of the business:** _____
**Is this business a vendor with the City** Yes____ No ✓

16. **Do you operate a business in the City?** Yes____ No ✓

**If yes, please state the name of the business:** _____
**Is this business a vendor with the City** Yes____ No ✓

17. **Ethnic Origin:**

**White Non-Hispanic**___ **African American** ✓ **Hispanic American**___ **Other** _____

18. **If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):**

Youth Committee
**Second choice**

Community outreach Committee
**Third choice**

_____
**Fourth choice**

_____
**Fifth choice**

**I certify that the information contained in this Application is true and accurate.**

**Signature** [signature] **Date** 2-22-2010
**Applicant**

**THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR**

Miami Gardens, Florida 33169

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | **March 10, 2010** | | **Item Type:** | **Resolution** | **Ordinance** | | **Other** | |
| | | | | **X** | | | | |
| **Fiscal Impact:** | Yes | No | **Ordinance Reading:** | | **1st Reading** | | **2nd Reading** | |
| | | | | | | | | |
| | | **X** | **Public Hearing:** | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | | | |
| **Funding Source:** | N/A | | **Advertising Requirement:** | | **Yes** | | **No** | |
| | | | | | | | **X** | |
| **Contract/P.O. Required:** | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | | X | | | | | | |
| **Sponsor Name** | **Aaron Campbell, Jr., Vice Mayor** | | **Department:** | | ***Mayor/Council*** | | | |

## Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF JOSE ANDINO TO THE CARIBBEAN AFFAIRS ADVISORY COMMITTEE FOR A TWO YEAR TERM ENDING MARCH 10, 2012; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

## Staff Summary:

In accordance with the establishment of the Caribbean Affairs Board, Vice Mayor Aaron Campbell, Jr. hereby submits his appointee for membership in accordance with Ordinance No. 2009-11-183. Effective upon ratification, the committee will recognize Jose Andino as an appointee of Vice Mayor Campbell for a two year term.

## Recommendation:

It is recommended that the City Council approves Vice Mayor Campbell's appointment of Jose Andino to the Caribbean Affairs Board.

## Attachment:

Attachment A: Board/Committee application

***ITEM J-3) CONSENT AGENDA RESOLUTION***
***Vice Mayor Campbell's appointment to the Caribbean Affairs Advisory Committee***

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, RATIFYING VICE MAYOR AARON CAMPBELL JR'S APPOINTMENT OF JOSE ANDINO TO THE CARIBBEAN AFFAIRS ADVISORY COMMITTEE FOR A TWO YEAR TERM ENDING MARCH 10, 2012; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City established a Caribbean Affairs Board in accordance with Ordinance No. 2009-11-183, and

WHEREAS, Vice Mayor Aaron Campbell Jr. has appointed Jose Andino to the Caribbean Affairs Advisory Committee, and

WHEREAS, in accordance with Ordinance No. 2009-11-183, it is appropriate for the City Council to ratify the appointment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: RATIFICATION OF APPOINTMENT: The City Council hereby ratifies Vice Mayor Campbell's appointment of Jose Andino to the Caribbean Affairs Committee for a two-year term.

Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MARCH 10, 2010.

_____

SHIRLEY GIBSON, MAYOR

ATTEST:

_____
RONETTA TAYLOR, MMC, CITY CLERK

Reviewed by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: Vice Mayor Aaron Campbell Jr.

Moved by: _____

VOTE: _____

| | | |
|---|---|---|
| Mayor Shirley Gibson | ____ (Yes) | ____(No) |
| Vice Mayor Aaron Campbell Jr. | ____ (Yes) | ____(No) |
| Councilman Melvin L. Bratton | ____(Yes) | ____(No) |
| Councilwoman Barbara Watson | ____ (Yes) | ____(No) |
| Councilman Andre' Williams | ____(Yes) | ____(No) |
| Councilwoman Sharon Pritchett | ____ (Yes) | ____(No) |
| Councilman Oliver Gilbert | ____ (Yes) | ____(No) |

attention: Ms. Taylor

# CITY OF MIAMI GARDENS BOARD/COMMITTEE APPLICATION

1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169

Phone No. 305-622-8000
Fax No. 305-622-8001

1. Position sought: Caribbean Com.
2. Name: Jose Andino (Please print)
3. Home Address: 3867 NW 207 St Rd.
4. Business Address: _____
5. Employer (if self please state): self

   a. Job Title: _____
   b. Nature of business: _____

6. Home Phone No. _____ Business Phone No. (305)620-3982
   Fax No. _____
7. E-mail Address: _____
8. Education Background:

   a. High School
      Name of School ✓ Dates of Attendance _____

   b. Vocational School
      Name of School _____ Dates of Attendance _____

   c. College

      Name of College ND Dates of attendance _____

      Degree obtained if any _____

**Please provide a copy of your Resume or CV along with this Application.**

9. Community Service (attach additional sheets if necessary):

   Church
   Community Board Trus.

10. Please state your qualifications for position sought (attach additional sheets if necessary):

   - Caribbean descent
   - Have been treasurer of Vista Verde HOA for 13 yrs.
   - Church member & organizer

Revised 7/2008

11. Are you aware of any potential or real conflicts of interest that would prevent you from serving on a City board or committee? If so, please state the nature of the real or potential conflict:

none

12. Are you employed by the City? Yes____ No X

13. Are you employed by the Mayor or any of the Council members in their private capacities? no

14. Are you a resident of the City? Yes ✓ No ____

15. Do you own a business in the City? Yes ____ No ✓

If yes, please state the name of the business: n/a
Is this business a vendor with the City Yes____ No____

16. Do you operate a business in the City? Yes____ No ✓

If yes, please state the name of the business:_____
Is this business a vendor with the City Yes____ No____

17. Ethnic Origin:

White Non-Hispanic___ African American ___ Hispanic American ✓ Other _____

18. If there are no vacancies for the board or committee position sought, I would also be interested in serving on the following board(s)/committee(s):

Second choice _____ Third choice _____

Fourth choice _____ Fifth choice _____

I certify that the information contained in this Application is true and accurate.

Signature _____ Date 2/22/10
Applicant

THIS APPLICATION WILL REMAIN ON FILE FOR ONE YEAR

Revised 7/2008

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | **March 10, 2010** | | **Item Type:** *(Enter X in box)* | **Resolution** | **Ordinance** | | **Other** | |
| | | | | **X** | | | | |
| **Fiscal Impact:** *(Enter X in box)* | Yes | No | **Ordinance Reading:** *(Enter X in box)* | | **1st Reading** | | **2nd Reading** | |
| | | | | | | | | |
| | **X** | | **Public Hearing:** *(Enter X in box)* | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | | | |
| **Funding Source:** | **Capital Improvement Fund** | | **Advertising Requirement:** *(Enter X in box)* | | **Yes** | | **No** | |
| | | | | | | | **X** | |
| **Contract/P.O. Required:** *(Enter X in box)* | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | **X** | | | | | | | |
| **Sponsor Name** | **Dr. Danny O. Crew, City Manager** | | **Department:** | | **Public Works** | | | |

## Short Title:

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 LOCALLY-FUNDED AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT"), ATTACHED HERETO AS EXHIBIT "A" AND THAT CERTAIN MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT FOR STAMPED SIDEWALKS, PEDESTRIAN CROSSWALKS, AND DECORATIVE PAVERS AT STATE ROAD 7 FROM NORTHWEST 176TH STREET TO NORTHWEST 215TH STREET, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "B" AND THAT MEMORANDUM OF AGREEMENT A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "C", AUTHORIZING THE CITY MANAGER TO EXPEND THE SUM OF SEVEN HUNDRED AND SIXTY-TWO THOUSAND, SIX HUNDRED AND TWELEVE DOLLARS ($762,612.00) FOR THE PROJECT; PROVIDING FROM INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

***ITEM J-4) CONSENT AGENDA***
***RESOLUTION***
***Agreement w/ FDOT***

1515 NW 167 Street, Building 5 Suite 200
Miami Gardens, Florida 33169

## Staff Summary:

The 2006 livable community corridor study for NW 2 Avenue (441) from the Golden Glades Interchange to NW 215 Street was approved by Council on December 2008, Resolution No. 2008-233-921. Based on the findings the need to replace missing and broken sidewalks was listed as a priority. At this time, staff recommended use stamped colored finish, to mimic the image of pavers, to make the NW 2nd Avenue corridor more aesthetically pleasing.

Since this time property owners such as William Lehman Dealership and South Florida Educational Federal Credit Union have installed new stamped 10 feet concrete sidewalks in front of their properties. Staff continues to urge developers/owners whose property lies along NW 2nd Avenue to improve their sidewalks using this finishing method.

In 2007, FDOT District 6 approached the City with their Road Resurfacing and Sidewalk Improvement Project No. 418094-1-52-02. The scope of the project is to resurface the road, add missing sidewalks and signalization on NW 2 Avenue from NW 177 Street to NW 215 Street. City staff shared our desired for future improvements of new sidewalks to meet city standards as outlined in the livable community corridor study. The City Council agreed to dedicate funding in the amount of $672,732 to integrate stamped concrete finish of the sidewalks and asphalt crosswalks to the FDOT project via Resolution 2008-233-921.

After the 65% of the design completion, city staff noticed that the median tips along NW 2nd Avenue were going to require reconstruction as well. Staff requested an estimate from FDOT to include paver bricks on the median tips as part of FDOT planned improvements. The cost for FDOT to install these paver upgrades would be $89,880.

## Proposed Action:

It is recommended that City Council approve the attached Resolution authorizing the City Manager to negotiate and execute the FDOT agreements (Locally Funded Agreement, FDOT Maintenance Memorandum of Agreement, and FDOT Memorandum of Agreement) for the sum of $762,612.

## Attachments:

Exhibit A: FDOT Locally Funded Agreement
Exhibit B: Maintenance Memorandum of Agreement
Exhibit C: Memorandum of Agreement

RESOLUTION No. 2010-

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 LOCALLY-FUNDED AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT"), ATTACHED HERETO AS EXHIBIT "A" AND THAT CERTAIN MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THAT CERTAIN MAINTENANCE MEMORANDUM OF AGREEMENT WITH FDOT FOR STAMPED SIDEWALKS, PEDESTRIAN CROSSWALKS, AND DECORATIVE PAVERS AT STATE ROAD 7 FROM NORTHWEST 176TH STREET TO NORTHWEST 215TH STREET, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "B" AND THAT CERTAIN MEMORANDUM OF AGREEMENT A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "C", AUTHORIZING THE CITY MANAGER TO EXPEND THE SUM OF SEVEN HUNDRED AND SIXTY-TWO THOUSAND, SIX HUNDRED AND TWELEVE DOLLARS ($762,612.00) FOR THE PROJECT; PROVIDING FROM INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Staff completed a Corridor Livable Community Study for Norwest 2nd Avenue (441) from the Golden Glades Interchange to Northwest 215 Street with funding assistance from the Florida Department of Transportation ("FDOT"), and

WHEREAS, the purpose of the study was to select data and assess existing conditions relating to transit, pedestrian, bicycles, traffic, land use, and to identify alternatives where improvements need to be made, and

WHEREAS, one of the recommendations in the study was the use of stamped concrete to make the corridor more aesthetically pleasing, and

WHEREAS, the FDOT recommended undergoing improvements in the area in accordance with their Road Resurfacing and Sidewalk Improvement Project, and

WHEREAS, the City would partner with FDOT to use available City funding to install decorative brick pavers on median tips along Northwest 2nd Avenue, from Northwest 177th Street to Northwest 215th Street, and

WHEREAS, the total cost to the City for the Project is Seven Hundred and Sixty-Two Thousand, Six Hundred and Twelve Dollars ($762,612.00),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes and directs the City Manager and City Clerk to negotiate, execute and attest, respectively, that certain locally-funded Agreement between the City of Miami Gardens and the State of Florida Department of Transportation ("FDOT") attached hereto as Exhibit "A" and that certain Maintenance Memorandum of Agreement between the City of Miami Gardens with FDOT, a copy of which is attached hereto as Exhibit "B" and that certain Memorandum of Agreement attached hereto as Exhibit "C" and authorizing the City Manager to expend the sum of Seven Hundred and Sixty-Two Thousand, Six Hundred and Twelve Dollars ($762,612.00) for the Project.

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to obtain two (2) fully executed copies of the subject Agreement with the

Florida Department of Transportation, with one to be maintained by the City, and one to be delivered to the Florida Department of Transportation.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MARCH 10, 2010.

_____
SHIRLEY GIBSON, MAYOR

ATTEST:

_____
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY:_____
**VOTE: _____**

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell | ___(Yes) | ___(No) |
| Councilman Melvin L. Bratton | ___(Yes) | ___(No) |
| Councilman Oliver Gilbert, III | ___(Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| Councilman André Williams | ___(Yes) | ___(No) |

# LOCALLY FUNDED AGREEMENT

**THIS LOCALLY FUNDED AGREEMENT** (hereinafter 'Agreement') is made and entered into this ___ day of _____, 20__, between the **CITY OF MIAMI GARDENS**, a municipal corporation of the State of Florida, hereinafter called 'CITY', and the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION** a component agency of the State of Florida, hereinafter called the 'DEPARTMENT'.

## RECITALS:

**WHEREAS,** the DEPARTMENT has jurisdiction over and maintains State Road (S.R.) 7/NW 2nd Avenue corridor within the corporate limits of the CITY; and

**WHEREAS,** the CITY has requested the DEPARTMENT to install decorative pavers in the median, stamped concrete sidewalks, and stamped asphalt pedestrian crosswalks along S.R. 7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street; and

**WHEREAS**, the DEPARTMENT has agreed to install decorative pavers in the median, stamped concrete sidewalks, and stamped asphalt pedestrian crosswalks along S.R. 7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street, subject to the terms and conditions detailed in this Agreement; and

**WHEREAS,** the DEPARTMENT and the CITY find it mutually beneficial to allow the CITY to fund the increased costs, under Financial Project Number 418094-1-52-02, associated with installing decorative pavers in the median, stamped concrete sidewalks, and stamped asphalt pedestrian crosswalks along S.R. 7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street, hereinafter collectively called the 'PROJECT', and as detailed in the attached Exhibit "A", "Scope of Services", which is herein incorporated by reference; and

**WHEREAS,** the parties are authorized to enter into this Agreement pursuant to **Sections 334.044(7) and 339.12 (2006),** ***Florida Statutes (F.S.),*** and authorize its officers to do so;

**NOW, THEREFORE,** in consideration of the premises, the mutual covenants and other valuable considerations contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**1. Recitals.** The Recitals to this Agreement are true and correct and are incorporated herein by reference and made a part hereof.

**2. General Requirements.**

(a) A true and correct copy of the Resolution of the CITY Commission approving this Agreement is attached hereto as Exhibit "C", 'CITY OF MIAMI GARDENS RESOLUTION', and is incorporated herein by reference and made part hereof.

(b) The DEPARTMENT will administer and construct the PROJECT in accordance with the PROJECT plans and the attached Exhibit "A", 'Scope of Services'. The DEPARTMENT will complete the PROJECT utilizing funds provided by the CITY.

(c) The CITY will provide funding to the DEPARTMENT in the aggregate amount of SEVEN HUNDRED SIXTY TWO THOUSAND SIX HUNDRED TWELVE DOLLARS ($762,612.00) for the PROJECT, per the Financial Provisions detailed in Section 3 of this Agreement, and as outlined in the attachment Exhibit "B", "Financial Summary", which is herein incorporated by reference.

(d) Upon the receipt, authorization and encumbrance of funding received from the CITY as a result of this Agreement, the DEPARTMENT Contractor will commence work on the PROJECT.

(e) The DEPARTMENT Contractor may not commence work on the PROJECT until the CITY funding for the PROJECT is on deposit with the DEPARTMENT.

**3. Financial Provisions.**

(a) The CITY agrees that it will, at least fourteen (14) calendar days prior to the DEPARTMENT's advertising the PROJECT for bid, furnish the DEPARTMENT an advance deposit in the amount of SEVEN HUNDRED SIXTY TWO THOUSAND SIX HUNDRED TWELVE DOLLARS ($762,612.00) for full payment of the estimated PROJECT cost for Locally Funded Project Number 418094-1-52-02. The DEPARTMENT may utilize this deposit for payment of the costs of the PROJECT.

(b) If the accepted bid amount is in excess of the advance deposit amount, the CITY will provide an additional deposit within fourteen (14) calendar days of notification from the DEPARTMENT or prior to posting of the accepted bid, whichever is earlier, so that the total deposit is equal to the bid amount. The DEPARTMENT will notify the CITY as soon as it becomes apparent the accepted bid amount is in excess of the advance deposit amount. However, failure of the DEPARTMENT to so notify the CITY shall not relieve the CITY from its obligation to pay for its full participation on final accounting as provided herein below. If the CITY cannot provide the additional deposit within fourteen (14) days, a letter must be submitted to and approved by the DEPARTMENT's PROJECT manager indicating when the deposit will be made. The CITY understands the request and approval of the additional time could delay the PROJECT, and additional costs may be incurred due to a delay of the PROJECT. In the event the bid amount exceeds ten percent (10%) of the advance deposit amount,

the City shall reserve the right to either amend the Scope of Services to decrease the area of the stamped concrete, or to provide the additional deposit.

(c) If the accepted bid amount plus allowances is less than the advance deposit amount, the DEPARTMENT will refund the amount that the advance deposit exceeds the bid amount plus allowances if such refund is requested by the CITY in writing.

(d) Should PROJECT modifications or changes to bid items occur that increase the CITY's share of total PROJECT costs, the CITY will be notified by the DEPARTMENT accordingly, and shall be provided with detailed information as to any increases. The CITY agrees to provide, without delay, in advance of the additional work being performed, adequate funds to ensure that cash on deposit with the DEPARTMENT is sufficient to fully fund its share of the PROJECT. In no event shall project modifications or changes exceed ten percent (10%) of the total project costs, including the advance and additional deposit amounts. The DEPARTMENT shall notify the CITY as soon as it becomes apparent actual costs will overrun the award amount. However, failure of the DEPARTMENT to so notify the CITY shall not relieve the CITY from its obligation to pay for its full participation during the PROJECT and on final accounting as provided herein below. Funds due from the CITY during the PROJECT not paid within forty (40) calendar days from the date of the invoice are subject to an interest charge at a rate established pursuant to **Section 55.03, F.S.**

(e) The DEPARTMENT intends to have its final and complete accounting of all costs incurred in connection with the work performed hereunder within three hundred and sixty (360) days of final payment to the Contractor. The DEPARTMENT considers

the PROJECT complete when the final payment has been made to the Contractor, not when the construction work is complete. All PROJECT cost records and accounts shall be subject to audit by a representative of the CITY for a period of three (3) years after final close out of the PROJECT. The CITY will be notified of the final cost. Both parties agree that in the event the final accounting of total PROJECT costs pursuant to the terms of this Agreement is less than the total deposits to date, a refund of the excess will be made by the DEPARTMENT to the CITY. If the final accounting is not performed within three hundred and sixty (360) days, the CITY is not relieved from its obligation to pay. However, the City's obligation to pay any final sums is contingent upon the City receiving a final accounting.

(f) In the event the final accounting of total PROJECT costs is greater than the total deposits to date, the CITY will pay the additional amount within forty (40) calendar days from the date of the invoice from the DEPARTMENT. The CITY agrees to pay interest at a rate as established pursuant to **Section 55.03, F.S.**, on any invoice not paid within forty (40) calendar days until the invoice is paid.

(g) The payment of funds under this Locally Funded Agreement will be made directly to the DEPARTMENT for deposit and as provided in the attached Memorandum of Agreement (MOA) between the CITY, DEPARTMENT and the State of Florida, Department of Financial Services, Division of Treasury.

(h) Nothing in this Agreement shall be construed to violate the provisions of Section 339.135(6)(a), Florida Statutes, which provides as follows:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS ($25,000.00) and which have a term for a period of more than one year."

**4. Effective Date of this Agreement.** This Agreement shall become effective on the date hereof.

**5. Provisions Separable.** The provisions of this Agreement are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part.

**6. Amendment of Agreement.** This Agreement may only be amended by mutual agreement of the DEPARTMENT and the CITY, expressed in writing and executed and delivered by each.

**7. Notices.** All notices, requests, demands and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given, made and received when delivered (personally, by courier service such as Federal Express, or by other messenger) against receipt or upon actual receipt of registered or certified mail, postage prepaid, return receipt requested, addressed as set forth below:

(a) If to the CITY: City of Miami Gardens
1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169
Attention: Dr. Danny Crew
Ph: (305)622-8007

(b) If to the Department: Florida Department of Transportation
1000 NW 111 Avenue, Room 6202-B
Miami, Florida 33172
Attention: Michelle Loren Meaux, JPA Coordinator
Ph: (305)470-5112 Fax: (305)470-5704

Any party may alter the address to which communications or copies are to be sent by giving notice of such change of address in conformity with the provisions of this paragraph for the giving of notice.

**8. Entire Agreement.** This Agreement, including its attached Exhibits, contain the sole and entire Agreement between the parties with respect to such subject matter and supersede any and all other prior written or oral agreements between them with respect to such subject matter.

**9. Binding Effect.** This Agreement shall be binding upon the parties and their respective representatives, successors and assigns.

**10. Waiver.** Waiver by either party of any breach of any provision of this Agreement shall not be considered as or constitute a continuing waiver or a waiver of any other breach of the same or any other provision of this Agreement.

**11. Captions.** The captions contained in this Agreement are inserted only as a matter of convenience or reference and in no way define, limit, extend or describe the scope of this Agreement or the intent of any of its provisions.

**12. Absence of Third Party Beneficiaries.** Nothing in this Agreement, express or implied, is intended to (a) confer upon any entity or person other than the parties and their permitted successors and assigns any rights or remedies under or by reason of this Agreement as a third

party beneficiary or otherwise except as specifically provided in this Agreement; or (b) authorize anyone not a party to this Agreement to maintain an action pursuant to or based upon this Agreement.

**13. Other Documents.** The parties shall take all such actions and execute all such documents which may be reasonably necessary to carry out the purposes of this Agreement, whether or not specifically provided for in this Agreement.

**14. Governing Law.** This Agreement and the interpretation of its terms shall be governed by the laws of the State of Florida, without application of conflicts of law principles. Venue for any judicial, administrative or other action to enforce or construe any term of this Agreement or arising from or relating to this Agreement shall lie exclusively in Miami-Dade County, Florida.

**IN WITNESS WHEREOF,** the parties hereto have made and executed this Agreement on the day and year first above written, the CITY OF MIAMI GARDENS, signing by and through its City Manager, and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, signing by and through its District Secretary, each duly authorized to execute same.

| | |
|---|---|
| **CITY OF MIAMI GARDENS:** | **STATE OF FLORIDA,<br>DEPARTMENT OF TRANSPORTATION:** |
| **BY:** _____<br>**CITY MANAGER** | **BY:** _____<br>**DISTRICT SECRETARY** |
| **ATTEST:** _____<br>**(SEAL) CITY CLERK** | **ATTEST:** _____<br>**(SEAL) EXECUTIVE SECRETARY** |

**LEGAL REVIEW:**

| | |
|---|---|
| _____<br>**CITY ATTORNEY** | _____<br>**DISTRICT CHIEF COUNSEL** |

## EXHIBIT 'A'

## SCOPE OF SERVICES

The DEPARTMENT is installing:

- A six (6) foot wide colored stamped concrete sidewalk along the eastside of SR7/NW 2nd Avenue from approximately Station 45+00 to approximately Station 57+50.
- Stamped asphalt pedestrian crosswalks along SR7/NW 2nd Avenue from NW 177th Street to just north of 209th Street.
- Decorative pavers within the median of S.R. 7/NW 2nd Avenue south of N.W. 176th Street intersection to approximately 1200 feet south of NW 215th Street.
- Replacing existing sidewalk with a stamped concrete sidewalk from approximately Station 57+00 to 67+20.

PROJECT LIMITS: **S.R. 7/NW 2nd Ave. from NW 176th St. to 1250 ft. south of NW 215th St.**

DEPARTMENT Financial Project Number: **418094-1-52-02**

COUNTY: **Miami-Dade**

DEPARTMENT Project Manager: **Judy Solaun-Gonzalez, P.E. (305)470-5207**

CITY Project Manager: **Tom Ruiz, (305)622-8048**

**EXHIBIT 'B'**

**FINANCIAL SUMMARY**

The DEPARTMENT's Work Program allocates the following funding, programmed on Financial Project Number 418094-1-52-02, for PROJECT completion:

| **Fiscal Year:** | **Amount:** | **Fund Type:** |
|---|---|---|
| 2010/2011 | $762,612.00 | Local Funds (LF) |

CITY OF MIAMI GARDENS FINANCIAL RESPONSIBILITY: $762,612.00

**EXHIBIT 'C'**

**CITY OF MIAMI GARDENS RESOLUTION**

To be herein incorporated once approved by the CITY Commission.

***FLORIDA DEPARTMENT OF TRANSPORTATION***
***STAMPED CONCRETE SIDEWALKS, STAMPED ASPHALT CROSSWALKS AND DECORATIVE PAVERS***
***MAINTENANCE MEMORANDUM OF AGREEMENT***
***WITH***
***CITY OF MIAMI GARDENS***

This **AGREEMENT**, entered into this _____ day of _____, 20__, by and between the **FLORIDA DEPARTMENT OF TRANSPORTATION**, a component agency of the State of Florida, hereinafter called the **DEPARTMENT,** and the **CITY OF MIAMI GARDENS**, a municipal corporation of the State of Florida, hereinafter called the **CITY**.

**RECITALS:**

**WHEREAS**, the **DEPARTMENT** has jurisdiction over **State Road (S.R.) 7/NW 2nd Avenue from NW 176th Street to 1250 feet south of NW 215th Street,** within the limits of the **CITY,** as part of the State of Florida Highway System; and

**WHEREAS**, the **DEPARTMENT** is installing stamped concrete sidewalks, stamped asphalt pedestrian crosswalks and decorative pavers on S.R. 7 in accordance with **DEPARTMENT** Contract # C-8P99 the limits of which, hereinafter **PROJECT LIMITS,** are described in the attached Exhibit 'A', which by reference hereto shall become a part hereof; and

**WHEREAS**, the **DEPARTMENT** and the **CITY** are both committed to improving the aesthetics within the **PROJECT** LIMITS; and

**WHEREAS**, the **CITY** has requested the **DEPARTMENT** to install stamped concrete sidewalks, stamped asphalt pedestrian crosswalks and decorative pavers, at various intersections within the **PROJECT LIMITS,** and the **DEPARTMENT** is willing to do so subject to the terms and conditions contained herein; and

**WHEREAS**, the **CITY,** by Resolution No._____, dated _____, attached hereto as Exhibit 'B', which by reference hereto shall become a part hereof, desires to enter into this **AGREEMENT** and authorizes its officers to do so.

**NOW, THEREFORE**, for and in consideration of the mutual benefits to flow each to the other, the parties covenant and agree as follows:

## 1. DEPARTMENT RESPONSIBILITIES

### 1.1. Assignment

The **DEPARTMENT** and the **CITY** agree that, by executing this **AGREEMENT**, all maintenance responsibilities pertaining to the stamped concrete sidewalks, stamped asphalt pedestrian crosswalks and decorative pavers on various locations within the **PROJECT LIMITS** will be assigned to the **CITY** in perpetuity.

## 2. CITY'S MAINTENANCE RESPONSIBILITIES

The **CITY** shall be solely responsible for the maintenance and preservation of the stamped surfaces and decorative pavers on all locations within the **PROJECT LIMITS**.

### 2.1. LITTER REMOVAL

**2.1.1.** Promptly and regularly remove all litter from the stamped and paved surfaces.

### 2.2. STAMPED SURFACES AND DECORATIVE PAVERS

**2.2.1.** Maintain and make repairs to the stamped surfaces and decorative pavers to prevent safety hazards for those using or intending to use the pedestrian crossings.

**2.2.2.** Sweep the decorative pavers, and stamped surfaces on pedestrian crosswalks and sidewalks periodically to keep them free of debris and to maintain an aesthetically pleasing condition. A light pressure washing may be necessary for heavy stain removal or cleaning.

**2.2.3.** For any routine repairs or replacement due to noticeable color scarring or surface deterioration of the stamped or paver surfaces, the product authorized installer should be contacted.

## 3. AMENDMENTS

This **AGREEMENT** may be amended in writing if mutually agreed to by both parties.

## 4. MAINTENANCE DEFICIENCIES

If, at any time while the terms of this **AGREEMENT** are in effect, it shall come to the attention of the **DEPARTMENT'S DISTRICT MAINTENANCE ENGINEER** that the **CITY'S** responsibility as established herein or a part thereof is not being properly accomplished pursuant to the terms of this **AGREEMENT**, said

**DISTRICT MAINTENANCE ENGINEER** may, at his option, issue a written notice, in care of the **CITY MANAGER**, to place the **CITY** on notice regarding its maintenance deficiencies. Thereafter, the **CITY** shall have a period of thirty (30) calendar days within which to correct the cited deficiency or deficiencies. If said deficiencies are not corrected within this time period, the **DEPARTMENT** may, at its option, proceed as follows:

**4.1.** Maintain the stamped concrete sidewalks, stamped asphalt pedestrian crosswalks and decorative pavers declared deficient with **DEPARTMENT** and/or independent contractor's materials, equipment and personnel. The actual cost for such work will be charged to the **CITY**.

**5. NOTICES**

All notices, requests, demands, consents, approvals, and other communication which are required to be served or given hereunder, shall be in writing and shall be sent by registered mail or certified U.S. mail, return receipt requested, postage prepaid, addressed to the party to receive such notices as follows:

**To the DEPARTMENT:** Florida Department of Transportation
1000 Northwest 111 Avenue, Room 6205
Miami, Florida 33172-5800
Attention: District Maintenance Engineer

**To the CITY:** City of Miami Gardens
1515 NW 167th Street, Bldg. 5, Suite 200
Miami Gardens, FL 33169
Attention: City Manager

**6. STAMPED CONCRETE SIDEWALKS, STAMPED ASPHALT PEDESTRIAN CROSSWALKS AND DECORATIVE PAVERS INSTALLATION**

**6.1.** It is understood between the parties hereto that the stamped concrete sidewalks, stamped asphalt pedestrian crosswalks and decorative pavers in various intersections covered by this **AGREEMENT** may be removed at any time in the future, as found necessary by the **DEPARTMENT,** in order that the adjacent state road be widened, altered or otherwise changed and maintained to meet with future criteria or planning of the **DEPARTMENT**. All costs associated with such activities will be solely at the expense of the **DEPARTMENT**.

**7. TERMINATION**

This **AGREEMENT** is subject to termination under any one of the following conditions:

**7.1.** In accordance with Section 287.058(1)(c), Florida Statutes, the **DEPARTMENT** shall reserve the right to unilaterally cancel this **AGREEMENT** if the **CITY** refuses to allow public access to any or all documents, papers, letters, or other materials made or received by the **CITY** pertinent to this **AGREEMENT** which are subject to provisions of Chapter 119, of the Florida Statutes.

**7.2.** Only if mutually agreed to by both parties with a six (6) month written notice.

**8. TERMS**

**8.1.** The terms of this **AGREEMENT** shall only commence upon execution by all parties and after the **CITY** receives the Notice To Proceed letter from the **DEPARTMENT**. This **AGREEMENT** shall continue in perpetuity or until termination as set forth in Section 7.

**8.2.** This writing embodies the entire **AGREEMENT** and understanding between the parties hereto and there are not other agreements and understanding, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby.

**8.3.** This **AGREEMENT** is nontransferable and nonassignable in whole or in part without the prior written consent of the **DEPARTMENT**.

**8.4.** This **AGREEMENT**, regardless of where executed, shall be governed by and constructed in accordance with the laws of the State of Florida.

**IN WITNESS WHEREOF,** the parties hereto have caused these presents to be executed the day and year first above written.

| | |
|---|---|
| **CITY OF MIAMI GARDENS:** | **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION:** |
| **BY:**_____ City Manager | **BY:**_____ District Secretary |
| **ATTEST:**_____ | **ATTEST:**_____ |

City Clerk Executive Secretary

**LEGAL REVIEW:**

**BY:**_____ **BY:**_____
City Attorney District Chief Counsel

# *EXHIBIT 'A'*

**PROJECT LIMITS**

Below are the limits of the stamped concrete sidewalks, stamped asphalt pedestrian crosswalks and decorative pavers to be maintained under this **AGREEMENT.**

| | |
|---|---|
| **State Road Number:** | **7 (NW 2nd Avenue)** |
| **Agreement Limits:** | **From NW 176th Street to 1250 feet south of NW 215th Street** |
| **County:** | **Miami-Dade** |

# *EXHIBIT 'B'*

**CITY OF MIAMI GARDENS RESOLUTION**

To be herein incorporated once ratified by the City of Miami Gardens Board of Commissioners.

# MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this _____, day of _____, 20__, by and between the State of Florida, Department of Transportation, hereinafter referred to as "FDOT" and the State of Florida, Department of Financial Services, Division of Treasury and City of Miami Gardens hereinafter referred to as the "Participant".

## WITNESSETH

WHEREAS, "FDOT" is currently constructing the following project:

Financial Project Number: 418094-1-52-02
County: Miami-Dade

hereinafter referred to as the "Project".

WHEREAS, FDOT and the Participant entered into a **Locally Funded Agreement** dated _____, wherein DOT agreed to perform certain work on behalf of the Participant in conjunction with the Project.

WHEREAS, the parties to this AGREEMENT mutually agreed that it would be in the best interest of the FDOT and the Participant to establish an interest bearing escrow account to provide funds for the work performed on the Project on behalf of the Participant by the FDOT.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit in the amount of $762,612.000 (SEVEN HUNDRED SIXTY TWO THOUSAND SIX HUNDRED TWELVE DOLLARS) will be made by the Participant into an interest bearing escrow account established by the FDOT for the purposes of the project. Said escrow account will be opened with the Department of Financial Services, Division of Treasury, Bureau of Collateral Management on behalf of the FDOT upon receipt of this Memorandum of Agreement. Such account will be an asset of FDOT.

2. Other deposits will be made only by the Participant as necessary to cover the cost of additional work prior to the execution of any Supplemental Agreements.

3. All deposits shall be made payable to the <u>Department of Financial Services, Revenue Processing</u> and mailed to the FDOT Office of Comptroller for appropriate processing at the following address:

Florida Department of Transportation
OOC-GOA, LFA Section
605 Suwannee Street, MS 42B
Tallahassee, Florida 32399

4. The FDOT's Comptroller and/or her designees shall be the sole signatories on the escrow account with the Department of Financial Services and shall have sole authority to authorize withdrawals from said account.

5. Unless instructed otherwise by the parties hereto, all interest accumulated in the escrow account shall remain in the account for the purposes of the project as defined in the LFA.

6. The Department of Financial Services agrees to provide written confirmation of receipt of funds to the FDOT.

7. The Department of Financial Services further agrees to provide periodic reports to the FDOT.

| | |
|---|---|
| _____ | _____ |
| STATE OF FLORIDA<br>DEPARTMENT OF TRANSPORTATION<br>COMPTROLLER | STATE OF FLORIDA<br>DEPARTMENT OF FINANCIAL SERVICES<br>DIVISION OF TREASURY |
| | _____<br>PARTICIPANT SIGNATURE |
| | _____<br>PARTICIPANT NAME & TITLE |
| | _____<br>PARTICIPANT ADDRESS |
| | _____<br>FEDERAL EMPLOYER I.D. NUMBER |

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | **March 10, 2010** | | **Item Type:** | **Resolution** | **Ordinance** | | **Other** | |
| | | | | **X** | | | | |
| **Fiscal Impact:** | Yes | No | **Ordinance Reading:** | | **1st Reading** | | **2nd Reading** | |
| | | | | | | | | |
| | **X** | | **Public Hearing:** | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | **X** | | |
| **Funding Source:** | **FY 09 Equipment Bond/General Services Fund - Fleet** | | **Advertising Requirement:** | | **Yes** | | **No** | |
| | | | | | | | **X** | |
| **Contract/P.O. Required:** | Yes | No | **RFP/RFQ/Bid #:** | | **NA** | | | |
| | **X** | | | | | | | |
| **Sponsor Name** | **Dr. Danny O. Crew, City Manager** | | **Department:** | | **Police** | | | |

## Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO L3 COMMUNICATIONS MOBILE-VISION, INC. IN THE AMOUNT OF SEVENTY-FIVE THOUSAND, SEVEN HUNDRED THIRTY-FIVE DOLLARS (75,735.00) FOR THE PURCHASE OF MOBILE VISION IN-CAR DIGITAL VIDEO RECORDING SYSTEMS; AUTHORIZING A WAIVER OF THE COMPETITIVE BIDDING REQUIREMENTS OF THE CITY'S PURCHASING ORDINANCE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

## Staff Summary

**Background**

On June 27, 2007, the City Council adopted Resolution No. 2007-98-605, which authorized the issuance of a purchase order in the amount of $656,151.20, relying on the Arizona Department of Public Safety Bid #SVV070013-A2, to L3 Communications Mobile-Vision, Inc., for the Police Department's in car mobile digital recording system. With the increase in the number of officers

in the Department, specifically the Community Enrichment Team, there is a need to purchase 14 additional digital recording units and accessories for the newly purchased vehicles.

The cost of the additional mobile digital recording systems and accessories is $75,735.00. While this price is consistent with the Arizona Department of Public Safety Bid; the attached resolution is requesting that the City Council waive the purchasing requirements, because the L3 Communications System is a proprietary purchase, the city has already invested in the system, and it is currently in place across the Police Department fleet. The new equipment is designed to work seamlessly with the existing system.

## Proposed Action:

That the City Council approve the attached resolution authorizing the City Manager to issue a purchase order to L3 Communications for the purchase of Mobile Vision in-car Digital Video Recording systems in an amount of $75,735.00 and waiving the competitive bidding requirements.

## Attachment:

Attachment A: L3 Communications Quote

RESOLUTION No. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO L3 COMMUNICATIONS MOBILE-VISION, INC. IN THE AMOUNT OF SEVENTY-FIVE THOUSAND, SEVEN HUNDRED THIRTY-FIVE DOLLARS (75,735.00) FOR THE PURCHASE OF MOBILE VISION IN-CAR DIGITAL VIDEO RECORDING SYSTEMS; AUTHORIZING A WAIVER OF THE COMPETITIVE BIDDING REQUIREMENTS OF THE CITY'S PURCHASING ORDINANCE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 27, 2007, the City Council adopted Resolution No. 2007-98-605, which authorized the issuance of a purchase order in the amount of Six Hundred Fifty-Six Thousand, One Hundred Fifty-One Dollars and 20/100 Cents ($656,151.20) to L3 Communications Mobile-Vision, Inc. based upon a Arizona Department of Public Safety Bid, and

WHEREAS, due to an increase in the number of police officers on the Community Enrichment Team, fourteen (14) additional digital recording units and accessories are needed, and

WHEREAS, the cost of the additional mobile digital recording systems and accessories is Seventy-Five Thousand, Seven Hundred Thirty-Five Dollars ($75,735.00), and

WHEREAS, City Staff is requesting that the City Council waive the competitive bidding requirements of the City's Purchasing Ordinance, as the price is consistent with the Arizona Department of Public Safety Bid, and the mobile digital recording system is already being utilized throughout the Miami Gardens Police Department's fleet,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes the City Manager to issue a purchase order to L3 Communications Mobile-Vision, Inc. in the amount of Seventy-Five Thousand, Seven Hundred Thirty-Five Dollars ($75,735.00) for the purchase of mobile vision in-car digital video recording systems for the Miami Gardens Police Department. The City Council further waives the competitive bidding requirements of its Purchasing Ordinance for this purchase.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MARCH 10, 2010.

_____
SHIRLEY GIBSON, MAYOR

ATTEST:

_____
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY:_____

**VOTE: _____**

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell, Jr. | ___(Yes) | ___(No) |
| Councilman Melvin L. Bratton | ___(Yes) | ___(No) |
| Councilman Oliver Gilbert, III | ___(Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| Councilman André Williams | ___(Yes) | ___(No) |

L3 communications
Mobile-Vision, Inc.

90 Fanny Road
Boonton, NJ 07005
Phone: (800) 336-8475
Fax: (973) 257-3024

# Quote

QUOTATION NUMBER: 0069398
QUOTATION DATE: 12/22/2010

SALESPERSON: TK
CUSTOMER NUMBER: FLMIAMI

**Sold To:**
Miami Gardens Police Dept.
1020 NW 163rd Drive
Attn: Accounts Payable
Miami Gardens, FL 33169

**Ship To:**
Miami Gardens Police Dept.
1020 NW 163rd Drive
Attn: Audrey Coney-Brown
Miami Gardens, FL 33169

**Confirm To:**
Audrey Brown

Bill-To Phone: (305) 622-8000



| Customer P.O. | Ship VIA | F.O.B. | Terms |
|---|---|---|---|
| | UPS GROUND | BOONTON, NJ | Net 30 Days |

| Item Number | Unit | Ordered | Retail Price | Sale Price | Amount |
|---|---|---|---|---|---|
| MVD-FB2DVS-2 | EACH | 14.00 | 5,295.00 | 4,560.00 | 63,840.00 |
| Flashback 2 Digital Video System w/VLP2 assy | | | | | |
| ECCN No: 5A002 | HS Tariff No: 8521900000 | | | | |
| MVD-IR-CAM | EACH | 14.00 | 295.00 | 295.00 | 4,130.00 |
| Option, Flashback IR Camera w/cables | | | | | |
| ECCN No: EAR99 | HS Tariff No: 852580 | | | | |
| MVD-CRASH-BAT | EACH | 14.00 | 150.00 | 150.00 | 2,100.00 |
| Collision Sensor (Triggers DVR for recording when involved in crash) | | | | | |
| ECCN No: EAR99 | HS Tariff No: 9031808080 | | | | |
| MVD-MGD-W153C2C | EACH | 14.00 | 95.00 | 0.00 | 0.00 |
| Mag Mount antenna with 15' cables (RF-195 & RG-174) (SMA/SMA) | | | | | |
| ECCN No: 7A994 | HS Tariff No: 8529109000 | | | | |
| /EMA STD YR 1 | EACH | 14.00 | | 0.00 | 0.00 |
| Sales EMA Standard Yr 1 | | | | | |
| ECCN No: | HS Tariff No: | | | | |
| /EMA STD YR 2 | EACH | 14.00 | | 0.00 | 0.00 |
| Sales EMA Standard Yr 2 | | | | | |
| ECCN No: | HS Tariff No: | | | | |
| /INSTALLATION | EACH | 14.00 | | 360.00 | 5,040.00 |
| Performed By Emergency Vehicle | | | | | |
| ECCN No: | HS Tariff No: | | | | |
| MV-VLP-LPH | EACH | 25.00 | 25.00 | 25.00 | 625.00 |
| Microphone, lapel, HD, 40" | | | | | |
| ECCN No: 5A991(B) | HS Tariff No: 851800 | | | | |

Please call to discuss existing DEP2730 server storage requirements.

**Signing below is in lieu of a formal P.O.**
**Your signature will authorize acceptance of both pricing and product:**

**Sign:**_____ **Date:**_____

**** QUOTATION IS VALID FOR 60 DAYS ****

Delivery: 60 Days or Less ARO

| | |
|---|---|
| Subtotal: | 75,735.00 |
| Shipping and Handling: | 0.00 |
| Sales Tax: | 0.00 |
| **Order Total:** | **75,735.00** |

"These commodities, technology or software were exported from the United States in accordance with the Export Administration Regulations. Diversion contrary to U.S. law is prohibited."

# City of Miami Gardens
# Agenda Cover Memo

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **Council Meeting Date:** | *March 10, 2010* | | **Item Type:** *(Enter X in box)* | **Resolution** | **Ordinance** | | **Other** | |
| | | | | X | | | | |
| **Fiscal Impact:** *(Enter X in box)* | Yes | No | **Ordinance Reading:** *(Enter X in box)* | | **1st Reading** | | **2nd Reading** | |
| | | | | | | | | |
| | | X | **Public Hearing:** *(Enter X in box)* | | **Yes** | **No** | **Yes** | **No** |
| | | | | | | X | | |
| **Funding Source:** | N/A | | **Advertising Requirement:** *(Enter X in box)* | | **Yes** | | **No** | |
| | | | | | | | X | |
| **Contract/P.O. Required:** *(Enter X in box)* | Yes | No | **RFP/RFQ/Bid #:** | | | | | |
| | | X | | | | | | |
| **Sponsor Name** | **Mayor Shirley Gibson** | | **Department:** | | ***City Council*** | | | |

## Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE UNITED STATES CONGRESS TO ADOPT ECONOMIC DEVELOPMENT LEGISLATION TO ASSIST HAITI IN REBUILDING, BY CREATING A PROGRAM THAT INCLUDES LONG-TERM COMMITMENTS TO PURCHASE PRODUCTS FROM HAITI; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK PROVIDING FOR INSTRUCTIONS TO THE CITY'S FEDERAL LOBBYIST; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

## Staff Summary:

Approximately eight weeks ago, a 7.0 magnitude earthquake that resulted in the death of several thousand people struck Haiti. Two years ago during the hurricane season, Haiti was hit with four deadly storms. Located 710 miles from South Florida, this small country in the Caribbean is the poorest country in the Western Hemisphere. Prior to the natural disasters that have hit the country, Haiti's per capita gross domestic product was forty percent lower than that of the next poorest country, Nicaragua.

Stimulating the economy by establishing programs that offer long-term commitments would benefit the people of Haiti. The costs to produce and manufacture goods in the country would be cheaper, but still

provide jobs and an income for the working people. Providing a way for them to earn a living and be self-supportive will not only raise the state of the economy, but also their standard of living.

## Proposed Action:

Mayor Shirley Gibson is requesting that City Council urge the United States Congress to adopt economic development legislation to assist Haiti in rebuilding, by creating a program that includes long-term commitments to purchase products from Haiti.

## Attachment:

None

RESOLUTION No. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, URGING THE UNITED STATES CONGRESS TO ADOPT ECONOMIC DEVELOPMENT LEGISLATION TO ASSIST HAITI IN REBUILDING, BY CREATING A PROGRAM THAT INCLUDES LONG-TERM COMMITMENTS TO PURCHASE PRODUCTS FROM HAITI; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR INSTRUCTIONS TO THE CITY'S FEDERAL LOBBYIST; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 12, 2010, a devastating earthquake hit the Republic of Haiti, and

WHEREAS, more than three million people, a third of Haiti's population, have been affected by the earthquake, including hundreds of thousands of deaths and injuries, and

WHEREAS, the earthquake is the latest in a series of events that have impacted Haiti in recent years, including four (4) deadly storms that struck Haiti in 2008, and

WHEREAS, even before the earthquake, Haiti was the poorest country in the Western Hemisphere even though it is located only 710 miles from the Miami area, and

WHEREAS, prior to the earthquake, Haiti's per capita gross domestic product was forty percent (40%) lower than that of Nicaragua, which is the Western Hemisphere's next poorest county, and

WHEREAS, in the wake of the earthquake, Haiti is now in desperate need of economic development assistance from the United States, and

WHEREAS, Congress can help to stimulate economic development in Haiti through a program that establishes long-term commitments to purchase products from Haiti that could be produced in large job-intensive factories, and

WHEREAS, such a program would provide the incentives, stability and certainty needed to encourage businesses to establish locations in Haiti, as there would be a ready market for products made in Haiti, and

WHEREAS, such a program will create jobs for Haitian citizens that can lead to a stable economy in Haiti,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. RECOMMENDATIONS TO THE UNITED STATES CONGRESS: The City of Miami Gardens urges the United States Congress to adopt economic development legislation to assist Haiti in rebuilding by creating a program that includes long-term commitments to purchase products from Haiti that can be produced in large job-intensive factories which will attract businesses to locate in Haiti and stimulate economic growth.

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby directed to transmit a certified copy of this Resolution to the members of the Miami-Dade Congressional Delegation.

Section 4. DIRECTIONS TO THE FEDERAL LOBBYISTS FOR THE CITY OF MIAMI GARDENS: The City of Miami Gardens advocates for the legislation set forth in Section 1 above, and authorizes and directs that the 2010 Federal Legislative Package be amended to include this item.

Section 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MARCH 10, 2010.

_____
SHIRLEY GIBSON, MAYOR

ATTEST:

_____
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: MAYOR SHIRLEY GIBSON

MOVED BY:_____

**VOTE:** _____

| | | |
|---|---|---|
| Mayor Shirley Gibson | ___(Yes) | ___(No) |
| Vice Mayor Aaron Campbell, Jr. | ___(Yes) | ___(No) |
| Councilman Melvin L. Bratton | ___(Yes) | ___(No) |

| | | | |
|---|---|---|---|
| Councilman Oliver Gilbert, III | ___(Yes) | ___(No) |
| Councilwoman Barbara Watson | ___(Yes) | ___(No) |
| Councilwoman Sharon Pritchett | ___(Yes) | ___(No) |
| Councilman André Williams | ___(Yes) | ___(No) |