



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS
Regular Meeting of Monday, June 14, 2010 - 7:00 p.m. – Council Chambers

AGENDA

<u>ITEM #</u>	<u>SUBJECT</u>	<u>ACTION TAKEN</u>
1.	Call to Order/Roll Call	All present. The meeting was called to order at 7:02 p.m.
2.	Invocation Salute to the Flag	Offered by Mayor Bain. The audience participated.
3.	Awards & Presentations	
3A)	Certificates of Recognition	Mayor Bain presented Certificates of Recognition to the Silver Knights Awards nominees that were present. The certificates of those who were out of town will be mailed to the School.
3B)	Certificate of Sincere Appreciation	Mayor Bain presented a Certificate of Sincere Appreciation to Nury Diaz in recognition of 29 years of dedicated service to the City in the Human Resources Department. City Manager Borgmann also presented her with an engraved glass rainbow flame on a base.
3C)	Certificate of Sincere Appreciation	Mayor Bain presented a Certificate of Sincere Appreciation to Hector Madrigal in recognition of 17 years of dedicated service to the City in the Public Works Department. City Manager Borgmann also presented him with an engraved clock.

4. **Open Forum:**

Pool Diving Board

Michael Gavila of 684 Morningside Drive was upset that the diving board was removed from the City's swimming pool. He would like it to be replaced.

Library

Martin Crossland of 900 Plover Avenue congratulated Council for being proactive over the past few years and accomplishing various projects including the Golf Course, Skate Park, Curtiss Mansion, Community Center, and Downtown improvements, although he is disappointed with the library renovation that has been ongoing for the past three years. The temporary location is small and he is an avid reader who would like the old library restored.

Anti-bullying Prevention

Kim Werner of 1016 Meadowlark Avenue asked Council to sponsor an initiative for bullying prevention. She is a state trainer and would like the High School and its feeder pattern schools to address bullying. She is sponsoring a federal grant that is due on June 18th and would like a letter of support from the City.

City Manager Borgmann placed information on the dais that explains the grant, including a letter of support from Miami Springs Senior High School P.T.A. President Ruth McNaughton.

To answer Councilwoman Ator's question, Ms. Werner stated that she is only asking for a letter of support endorsing the anti-bullying program.

5. **Approval of Council Minutes**

5A) 05/24/2010 Regular Meeting

Minutes of the May 24, 2010 Regular Meeting were **approved as written**.
Motion: Councilman Best
Second: Councilman Espino
Voice Vote: 5-0

6. Reports from Boards & Commissions

- 6A) General Employees Retirement System Minutes of the May 6, 2010 General Employees Retirement System meeting were received for information without comment.
- 6B) Police and Firefighters Retirement System Minutes of the May 6, 2010 Police and Firefighters Retirement System meeting were received for information without comment.
- 6C) Education Advisory Board Minutes of the May 18, 2010 Education Advisory Board meeting were received for information without comment.
- 6D) Architectural Review Board Minutes of the June 2, 2010 Architectural Review Board meeting were received for information without comment.
- 6E) Zoning and Planning Board Lack of a Quorum Notice of the June 7, 2010 Zoning and Planning Board meeting was received for information without comment.
- 6F) Board of Adjustment Lack of a Quorum Notice of the June 7, 2010 Board of Adjustment meeting was received for information without comment.
- 6G) Recreation Commission Cancellation Notice of the June 8, 2010 Recreation Commission meeting was received for information without comment.
- 6H) Golf and Country Club Advisory Board Cancellation Notice of the June 9, 2010 Golf and Country Club Advisory Board meeting was received for information without comment.
- 6I) Board of Parks and Parkways Cancellation Notice of the June 10, 2010 Board of Parks and Parkways meeting was received for information without comment.

7. Public Hearings: None

- 8. Consent Agenda: (All items simultaneously approved)**
- 8A) City Attorney's Invoice Council **approved** payment of the City Attorney's invoice for May 2010 in the amount of \$11,988.00.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 8B) Purchase: 2010 Dodge Charger Council **approved** the purchase of one new 2010 Dodge Charger patrol vehicle to replace totaled vehicle # 632, from Garber Chrysler Dodge Jeep, Inc., utilizing Florida Sheriffs Association Bid Award # 09-17-0908, in the amount of \$23,727.00, pursuant to §31.11 (E) (5) of the City Code.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 8C) Fireworks Displays Unlimited Council **approved** an expenditure of \$15,000 to Fireworks Displays Unlimited, LLC, for fireworks for the Fourth of July celebration.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 8D) Rental of Two Vehicles for the Police Department Council **approved** a purchase to Royal Rent-A-Car, the lowest responsible proposer, in the amount of \$19,296.00, for the monthly rental of two vehicles, for a twelve month period, pursuant to Section 31.11 (E) (2) of the City Code.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vote: 5-0
- 9. Old Business:**
- 9A) Appointments to Advisory Boards None

- 9B) Resolution No. 2010-3481 Council **adopted** a resolution amending the current Schedule of Charges for the use of City recreation facilities and related services.
Motion: Councilwoman Ator
Second: Councilman Best
Vote: 5-0
- 9C) Recommendations from the Board of Parks and Parkways: Tree Protection Ordinance Council **reviewed** the information received and asked the Administration to send the list of tropical fruit trees to the Board of Parks and Parkways for further discussion and recommendations.
- 9D) Update on Rotary Bus Grant Council **agreed** to accept a bus to be donated to the City by the Rotary Club through the Florida Department of Transportation (this action allows the Rotary Club to complete the application with FDOT).
Motion: Vice Mayor Lob
Second: Councilwoman Ator
Vote: 5-0
- Agenda Item 10G discussed at this time*
- 9E) Employee Compensation Matters Council **approved** the recommendations of the Administration regarding employee compensation and other matters. The City Attorney is to draft the appropriate ordinances.
Motion: Councilwoman Ator
Second: Vice Mayor Lob
Vice Mayor Lob: “aye”
Councilman Best: “aye”
Councilman Espino: “no”
Councilwoman Ator: “aye”
Mayor Bain: “aye”
Vote: 4-1

10. New Business:

- 10A) RFQ # 08-09/10 Council **awarded** RFQ # 08-09/10 to LaRue Planning and Management Services, Inc. of Ft. Myers, the lowest proposer, in the amount of \$23,600, for preparation and completion of the Evaluation and Appraisal Report (EAR), pursuant to Section 31.11 (E) (2) of the City Code.
Motion: Councilman Espino
Second: Vice Mayor Lob
Vote: 5-0
- 10B) "Take Stock in Children" Council **directed** the Administration to move forward with this program.
Motion: Vice Mayor Lob
Second: Councilwoman Ator
Vote: 5-0
- 10C) Pelican Playhouse Agreement Council **approved** the contract and authorized the Administration to sign the contract with the Pelican Playhouse.
Motion: Vice Mayor Lob
Second: Councilman Best
Vote: 5-0

Mayor Bain called for a 5 minute recess at 8:58 p.m.

- 10D) Downtown Improvements Coordinator Ranking Council **ranked** the companies and requested that the first four ranked companies make a 5-minute presentation at the June 28th meeting at 7:30 p.m. (time certain). The companies are: 1) Calvin, Giordano & Assoc. 2) Osterholt Consulting, Inc. 3) Land Design Innovations and 4) Redevelopment Management Associates.

10E) First Reading – Ordinance No.
990-2010

On first reading, Council **approved** an ordinance amending Section 34-15, Holidays and Compensatory Leave, and Section 34-16, Leave; by repealing the provisions relating to holidays and annual leave credit for regularly scheduled part-time employees contained in Code Sections 34-15(B)(2) and 34-16(A)(3); clarifying the language relating to longevity leave contained in Code Section 34-16(B).

Motion: Councilman Best

Second: Councilman Espino

Vote: 5-0

10F) Budget Directions

Council **directed** the Administration to start preparing the budget with the roll back rate.

Agenda Item 10G was discussed after Agenda Item 9D.

10G) All Angels Academy
Basketball Court

Council **approved** a donation of \$6,000 with the condition that All Angels will return to the City any amount that they are able to raise.

Motion: Councilman Espino

Second: Councilman Best

Vote: 5-0

10H) Use the City's Recreation Department
Bus for a Field Trip for 50 Kids

By consensus, Council **approved** the use of the City's Recreation Department bus for a field trip for 50 kids on Sunday, June 26, 2010.

11. **Other Business:**

None

12. Reports & Recommendations:

12A) City Attorney

Annexation Application

City Attorney Seiden stated that the City Manager sent out a copy of an e-mail asking the question of what the County would require of the City and Virginia Gardens to amend the annexation application. The response from Mr. Fernandez was that they would require a resolution, which he will prepare with Council's approval, removing the FEC rail yard from the application.

Pension Resolution

City Attorney Seiden said that Pension Board Attorney Steve Cypen mentioned that one of the Retirement Board ordinances might not be valid.

City Manager Borgmann stated that the current pension ordinance for the General Employees states that the maximum contribution for the employee shall be 5%. It further states that the maximum contribution for the City shall not exceed 10%. An ordinance must be submitted to Council either changing the City or the employees' contributions or the combination thereof should the total contribution exceed 15%.

City Attorney Seiden explained that the Pension Attorney referred to a constitutional provision. It seemed that he was saying that the City would have to change their contribution, rather than the employees' contribution. He will contact Attorney Cypen to determine how to make the ordinance acceptable.

12B) City Manager

12B) Skate Park

City Manager Borgmann apologized for not having the skate park materials done in time. He said that it would be scheduled for the June 28, 2010 Regular Meeting. There are two proposed locations up for discussion. He asked Council if they wanted to distribute door hangers to the surrounding residents. Council agreed.

Fourth of July Concert

City Manager Borgmann reported that Lily Saborit approached him regarding a concert at the Circle on Sunday, July 4th from 6:00 to 10:00 p.m. The fireworks begin at 9:00 p.m. and she was asking if there was any interest on the City's part to contribute police or public works services that would cost approximately \$1,000.

After discussion Council felt that it would not be appropriate to have a concert on July 4th. Other options are Friday, July 2nd or Monday, July 5th. The City Manager will get in touch with Ms. Saborit.

Landscaping on Ludlam

City Manager Borgmann reported that the landscaping on Ludlam Drive is almost finished. There were additional trees planted at the end of the road at Point Park.

North Royal Poinciana Lighting

City Manager Borgmann mentioned that the North Royal Poinciana lighting is almost finished.

Golf Course Irrigation System

City Manager Borgmann announced that the irrigation system installation is in process.

Apartment Golf Villas

City Manager Borgmann reported that the property north of the Parkway Inn between Curtiss Parkway and Eldron Drive, known as the Apartment Golf Villas, has a new owner, who approached the City Planner with plans for creating internal parking lots that would eliminate cars from parking along the street.

- 12B) Apartment Golf Villas (Continued) There are no plans to build anything new at this time, but the possibility exists for development in the future.
- Annexation City Manager Borgmann stated that the meeting was pushed back until September. He mentioned that Sweetwater was successful in their annexation, which includes the Dolphin Mall area.
- City Attorney Seiden explained that there must be a vote of the residents in the proposed Sweetwater annexed area. If approved, the annexation application goes to the standard process with the County.
- Summer Camp City Manager Borgmann reported that Summer Camp began today and everyone was excited.
- Newspaper Article from 1968 City Manager Borgmann referred to a news article written in 1968 that mentions annexation. Former Mayor John Cavalier, Sr. was quoted as saying that the County would probably never approve annexation to the west.
- 12C) **City Council**
- Thank You Councilman Best thanked his colleagues for the frank discussions on several issues on the agenda. His wife informed him before the meeting that half the staff was laid off where she works. This made him realize that some issues have far reaching effects that might not meet the eye.
- Fishing Tournament Vice Mayor Lob reported that the Optimist Club fishing tournament was successful and everyone had a lot of fun.

- 12C) Brownie Ceremony Councilwoman Ator announced that she was invited to attend a Brownie Troop ceremony where the girls advanced from Daisies to Brownies. The entire Troop was comprised of Miami Springs' residents, including Assistant City Manager Gorland's daughter. The ceremony was lovely and she received a lot of feedback from the residents. She gave credit to volunteers in the community who donate their time to these programs.
- Institute for Elected
 Municipal Officials (IEMO) Councilwoman Ator attended the Florida League of Cities Institute for Elected Municipal Officials this past weekend. She learned new information from the interesting speakers and is looking forward to the advanced session.
- Curtiss Mansion Councilman Espino reported that Dade Heritage Trust approved a resolution granting CMI another \$1MM for the Curtiss Mansion restoration. It advanced to the Transportation, Infrastructure and Road sub-committee who approved it without recommendation. The County Commission will take the full vote on the issue on July 8, 2010. CMI is actively reaching out to all the County Commissioners stressing the importance of the Curtiss Mansion, not only for the benefit of the City, but also for the county-wide, national implications that it has.
- Optimist Club Fishing Tournament Councilman Espino commented that the Optimist Club Fishing Tournament was great and complimented Vice Mayor Lob for his catch of a 39.6 pound dolphin. He and his wife had a good time working with the committee.
- Arbor Day Councilman Espino stated that it was a great Arbor Day celebration at the Curtiss Mansion.

- 12C) Blessed Trinity Golf Tournament Councilman Espino is trying to get the scores for the Miami Springs team that participated in the Golf Tournament in order to know if they won over Virginia Gardens.
- River Cities Charter School Councilman Espino attended the first graduation of the River Cities Charter School on June 11th. He was the guest speaker and was privileged to witness this event after five long years of hard work on behalf of the school organizers.
- Relay for Life Councilman Espino reported that the American Cancer Society Relay for Life wrap-up party will take place at 7:00 p.m. on Wednesday, June 16th at the Lions Club. He is looking forward to the next Relay for Life.
- Optimist Club Fishing Tournament Mayor Bain said that the winning boat in the fishing tournament was “No Slack”, which is his boat that was captained by his son. Vice Mayor Lob was a visitor on the vote that just happened to be by the fishing pole that caught the fish. It was the best tournament ever in spite of the rain. Fifty-one boats participated and everyone had a good time.
- “Sins of South Beach” City Manager Borgmann said that in light of the IEMO seminar attended by Vice Mayor Lob and Councilwoman Ator, he highly recommends the book “Sins of South Beach” written by former City of Miami Beach Mayor Alex Daoud. The book indicates that there were so many violations of the Sunshine Law and so many downsides of being an elected official.
- Board Adjustment/
Zoning & Planning Board City Attorney Seiden announced that there was no quorum at the June 7th Board of Adjustment and Zoning and Planning Board meetings, which were re-scheduled for June 15th in order to accommodate the applicants.
- 13. Adjourn** Meeting adjourned at 10:12 p.m.