



**CITY OF MIAMI SPRINGS, FLORIDA**

**CITY CLERK'S SUMMARY OF COUNCIL ACTIONS**  
**Regular Meeting of Monday, June 23, 2003 - 7:00 p.m. – Council Chambers**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>SUBJECT</u></b>	<b><u>ACTION TAKEN</u></b>
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1)	<b><u>CALL TO ORDER/ROLL CALL</u></b>	All present.
2)	<b><u>INVOCATION</u></b>	Offered by Councilman Pacheco.
	<b><u>SALUTE TO THE FLAG</u></b>	The audience participated.
3)	<b><u>AWARDS &amp; PRESENTATIONS</u></b>	
3A)	Recreation Award	Councilman Pacheco presented an award from Blessed Trinity School to the Recreation Department in recognition of outstanding effort and dedication. Parks and Recreation Director Alan Ricke received the award on behalf of the Recreation Center.
3B)	Senior High School Overcrowding: Presentation by the Chairperson of the Education Advisory Board	Mindy McNichols, Chairperson of the Education Advisory Board reported the actions that are underway to alleviate the overcrowding at the Senior High School.
3C)	Certificate of Appreciation	Council presented a Certificate of Appreciation to Cheryl Mulet in recognition of her service to the community as a member of the Education Advisory Board.
3D)	Officer of the Month Award	Police Chief H. Randall Dilling presented the May 2003 Officer of the Month Award to Officer

Charles D. Schubert and Officer Charlene M. Navarro.

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Agenda Item 9G discussed at this time

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**4) OPEN FORUM:**

River Cities Gazette Article

River Cities Gazette Writer Wally Clark of 3760 N. E. 16<sup>th</sup> Terrace, Pompano Beach referred to an anonymous letter printed on the River Cities Gazette the previous week which contained lies and accusations and had the name withheld. He urged Council to look out for the ethics and morals of the City and to denounce every ugly lie and rumor.

River Cities Gazette Article/  
City Manager

Former Councilwoman Helen Gannon of 219 Miami Springs Avenue referred to the anonymous letter published in the River Cities Gazette, which in her opinion is trash. She asked Council not to publish any more ads in the River Cities Gazette. She also expressed appreciation for City Manager Maria V. Davis.

River Cities Gazette Article/  
City Manager

Bob Calvert of 101 South Drive said that City Manager Maria V. Davis is the greatest and her leaving Miami Springs is going to be a big loss. He added that the anonymous letter printed in the River Cities Gazette is trash and that the policy of the paper should be that all letters contain a signature and telephone number.

4) River Cities Gazette

Maria Diaz of 620 Plover Avenue expressed her disapproval about the unsigned letter published in the River Cities Gazette. She praised City Manager Maria V. Davis for her dedication and wished her well in her new job. Ms. Diaz urged Council to set up a committee to review City Manager applicants and not rush into choosing a City Manager that does not represent all the residents. She suggested that

consideration be given to someone that speaks Spanish and this will enable the majority of the residents to voice their opinions.

Channel 18 Bulletin Board

Former Councilwoman Marcia Fulton of 700 Swan Avenue stated that Cable Access Channel broadcasts information regarding the City meetings but they do not put the time the Council meetings are aired. She would like to have the dates and times listed on the Bulletin Board on Channel 18.

City Web Site

Former Councilwoman Marcia Fulton of 700 Swan Avenue stated that residents are having difficulty accessing the agendas on the City's Web site. She was informed that the Council agendas could be accessed through the City Clerk's page.

City Manager

Former Councilwoman Marcia Fulton of 700 Swan Avenue stated that she is not unhappy with the change in the City Manager's position. She wished Ms. Davis well in her new position as City Manager in the City of South Miami.

Public Services Director

Former Councilwoman Marcia Fulton of 700 Swan Avenue stated that the City had hired a Public Services Director who was also an engineer and that the idea was to avoid paying engineering fees to Post, Buckley, Schuh & Jernigan, Inc.

4) Public Services Director (Cont.)

She added that the employee left the employment of the City and that Denise Yoezle was hired and she is in the process of getting her credentials. She suggested that the City should look at this position and that of the Assistant Public Services Director during the upcoming budget process since Council approved a higher salary range for the Assistant position and did not decrease the salary for the Public Services Director.

Golf and Country Club

Former Councilwoman Marcia Fulton of 700 Swan Avenue said that it is her understanding that the Food and Beverage operation at the Country Club is not working. She believes that the Rhodes Brothers were not given enough time to turn the operation around even though they were going in

the right direction. She asked Council to look at the management model and to consider doing something different, without bringing back the Consultant that was paid double the amount that Council authorized.

Financial Reports

Former Councilwoman Marcia Fulton of 700 Swan Avenue stated that Council must get accurate financial numbers on a timely basis from the Finance Department. She was of the opinion that Council is making decisions based on incorrect information and that if Council is not getting accurate information, then they should consider someone else for the position of Finance Director.

City Manager

Jean Tucker of 141 Hibiscus Drive thanked City Manager Maria V. Davis for leaving behind a legacy that she should be proud of. She said that it is not Council's position to criticize, humiliate, and disrespect other members of the City Administration. She referred to negative comments made by the City Council, which were printed in the local newspaper, which she felt should have been left unsaid.

4) River Cities Gazette

Dona Kelley of 830 Swan Avenue said that the River Cities Gazette is the main source of the local news and issues, and that they have a responsibility to the citizens of Miami Springs, which was severely compromised by publication of a disgusting letter. She believes that Council should take action in the form of a resolution condemning the publication and requesting that the Editor of the Gazette be the conscientious press that the City deserves.

5) APPROVAL OF COUNCIL MINUTES

5A) 05/15/2003 Town Hall Meeting

Minutes of the May 15, 2003 Town Hall Meeting were **approved as written.**  
**Motion:** Councilman Pacheco  
**Second:** Councilman Youngs  
**Vote:** 5-0

5B) 05/19/2003 Workshop Meeting

Minutes of the May 19, 2003 Workshop Meeting were **approved as written.**  
**Motion:** Councilman Caudle  
**Second:** Councilman Pacheco  
**Vote:** 5-0

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**6) REPORTS FROM BOARDS & COMMISSIONS**

- 6A) Education Advisory Board Minutes of the May 21, 2003 Education Advisory Board meeting were received for information without comment.
- 6B) Code Review Board Minutes of the May 22, 2003 Code Review Board meeting were received for information without comment.
- 6C) Board of Parks and Parkways Minutes of the June 12, 2003 Board of Parks and Parkways meeting were received for information without comment.
- 6D) Historic Preservation Board Cancellation Notice of the June 19, 2003 Historic Preservation Board meeting was received for information without comment.
- 6E) Ecology Board Cancellation Notice of the June 24, 2003 meeting was received for information without comment.

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**7) PUBLIC HEARINGS:**

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- 7A) Second Reading – Ordinance:  
Amending §31.11 (C) (1)
- On second reading, Council **adopted** an ordinance amending §31.11 (C) (1) - Delegation of Purchasing Authority, by providing for the involvement and assistance of the City Purchasing Agent in authorized City Manager purchases and by adjusting the purchase authorization amount provided for lower level purchases. (**Ord. No. 898-2003**)  
**Motion:** Councilman Caudle  
**Second:** Vice Mayor Elza  
**Vice Mayor Elza:** “aye”  
**Councilman Caudle:** “aye”  
**Councilman Pacheco:** “aye”  
**Councilman Youngs:** “aye”  
**Mayor Bain:** “no”  
**Vote:** 4-1
- 7B) Second Reading – Ordinance:  
Florida Power & Light Franchise
- Council **tabled** an ordinance granting a franchise to Florida Power & Light Company. Ordinance to

be considered at the July Special Meeting.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Caudle  
**Vote:** 5-0

**8)                    CONSENT AGENDA:                    (All items simultaneously approved)**

8A)                    Change Order No. 1 to  
Purchase Order No. 022712

Council **approved** Change Order No. 1 to Purchase Order No. 022712 for removal of trees and clearing of shrubs on the North Royal Poinciana Boulevard Bike Path, in an amount not to exceed \$25,000.00.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Pacheco  
**Vote:** 5-0

8B)                    Fourth of July Fireworks

Council **approved** a contract for the Fourth of July Fireworks with Firepower Displays Unlimited, in the amount of \$10,000.00, utilizing City of Homestead Bid # 200105.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Pacheco  
**Vote:** 5-0

**9)                    OLD BUSINESS:**

9A)                    Appointment to the  
Historic Preservation Board

Vice Mayor Elza (Group I) **deferred** his appointment to the Historic Preservation Board.

9B)                    Appointment to the Golf and  
Country Club Advisory Board

Vice Mayor Elza (Group I) **appointed** Dr. Charles James to the Golf and Country Club Advisory Board for an unexpired term ending on July 31, 2003.

9C)                    Appointment to the  
Code Review Board

Councilman Pacheco (Group III) **deferred** his appointment to the Code Review Board.

9D)                    Appointment to the  
Civil Service Board

Councilman Caudle (Group II) **deferred** his appointment to the Civil Service Board.

9E)                    Interlocal Agreement:  
Public School Facility Planning

Council **approved** a supplemental agreement to the Interlocal Agreement for Public School Facility

Planning in Miami-Dade County.

**Motion:** Councilman Caudle  
**Second:** Councilman Youngs  
**Vote:** 5-0

9F) Tree Ordinance

Council **considered** the recommendation of the Board of Parks and Parkways to revise the City's Tree Ordinance. Council **directed** the City Attorney to make the necessary changes to the ordinance.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Pacheco  
**Vote:** 5-0

9G) Annexation Lobbyist

Council **considered** hiring a lobbyist to assist the City with the annexation process.

Motion to **defer** the selection until the second reading of the annexation ordinance in July and that the two firms that made the presentations tonight (Steel Hector and Davis and Meridian International Group) should be a part of the meeting.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Pacheco  
*Motion and second withdrawn*

Motion to hire a lobbyist to assist the City on an "as needed" basis to represent the City in the annexation process and that the decision to hire one of the two candidates would be made at the meeting when Council approves the annexation ordinance on second reading.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Youngs  
*Motion and second withdrawn*

Motion to employ a lobbyist to assist with the annexation process.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Youngs  
**Vice Mayor Elza:** "aye"  
**Councilman Caudle:** "aye"  
**Councilman Pacheco:** "no"  
**Councilman Youngs:** "aye"  
**Mayor Bain:** "no"  
**Vote:** 3-2

Vice Mayor Elza moved that Council consider hiring one of the two candidates for a lobbyist at the meeting when Council considers the second reading of the annexation ordinance.

Councilman Youngs could not second the motion because he is not close to deciding who to consider for the lobbyist position. He suggested leaving the door open to consider other candidates.

9G) Annexation Lobbyist (Cont.)

Vice Mayor Elza amended his motion as suggested by Councilman Youngs.

The City Attorney stated that a motion is not really needed.

Vice Mayor Elza suggested a cut-off date for submitting proposals for the lobbyist job. The City Attorney suggested July 1<sup>st</sup>. Council agreed.

**10. NEW BUSINESS:**

10A) Village of Virginia Gardens  
Interlocal Agreement

Council **approved** an Interlocal Agreement between the Village of Virginia Gardens and the City of Miami Springs pertaining to the collection of sewer fees for customers residing in the Village of Virginia Gardens.

**Motion:** Councilman Pacheco

**Second:** Councilman Caudle

**Vote:** 5-0

10B) Downtown Committee

Council **deferred** discussion of this item.

**Motion:** Vice Mayor Elza

**Second:** Councilman Pacheco

**Vice Mayor Elza:** "aye"

**Councilman Caudle:** "absent at roll call"

**Councilman Pacheco:** "aye"

**Councilman Youngs:** "aye"

**Mayor Bain:** "aye"

**Vote:** 4-0

10C) First Reading – Ordinance:  
Annexation

On first reading, Council **approved** an ordinance initiating and requesting a boundary change, by annexation, for the City of Miami Springs, of certain identified and specified contiguous and adjacent unincorporated areas of Miami-Dade

County, with the understanding that the area covered will extend as far as possible in all directions.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Caudle  
**Vote:** 5-0

10C) First Reading – Ordinance:  
Annexation (Continued)

Council **voted to exclude** the FEC Parcel pending the addition of the correct legal description.

**Motion:** Councilman Pacheco  
**Second:** Vice Mayor Elza  
**Vote:** 5-0

10D) Transportation Tax Proceeds

Council **considered** various proposed uses for the People’s Transportation Tax proceeds. Council **directed** the Administration to submit the 5-year plan by June 30, 2003.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Pacheco  
**Vice Mayor Elza:** “aye”  
**Councilman Caudle:** “absent at roll call”  
**Councilman Pacheco:** “aye”  
**Councilman Youngs:** “aye”  
**Mayor Bain:** “aye”  
**Vote:** 4-0

10E) Municipal Transit Plan

Council **approved** an award to the Corradino Group to develop the Miami Springs Municipal Transit Plan, in an amount not to exceed \$20,000, utilizing Hialeah Contract # K94-045.

**Motion:** Vice Mayor Elza  
**Second:** Councilman Youngs  
**Vice Mayor Elza:** “aye”  
**Councilman Caudle:** “absent at roll call”  
**Councilman Pacheco:** “aye”  
**Councilman Youngs:** “aye”  
**Mayor Bain:** “aye”  
**Vote:** 4-0

10F) Waiver of Plat for Property at  
Thrush and Ludlam

Council **approved** a Waiver of Plat for the property located at Thrush and Ludlam.

**Motion:** Councilman Pacheco  
**Second:** Councilman Caudle  
**Vote:** 5-0

- 10G) Construction Management Services:  
Hook Square/Canal Street Council **approved** an award to Post, Buckley, Schuh & Jernigan, Inc. for construction management services for the Hook Square/Canal Street Streetscape project in the amount of \$25,504.  
**Motion:** Councilman Youngs  
**Second:** Councilman Caudle  
**Vote:** 5-0
- 10H) Selection of Interim City Manager and Permanent City Manager Council **discussed** the selection of an Interim City Manager and a permanent City Manager.
- Motion to honor the City Manager's request to be released on July 7, 2003.  
**Motion:** Vice Mayor Elza  
**Second:** Councilman Pacheco  
**Vote:** 5-0
- Motion to **appoint** Assistant City Manager/Building Official Michael A. Sprovero as Interim City Manager, with a salary of \$95,000 and no change in benefits, effective July 7, 2003.  
**Motion:** Councilman Pacheco  
**Second:** Councilman Caudle  
**Vote:** 5-0
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- 11) GOLF COURSE ITEMS:**
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- 11A) Professional Marketing Services:  
Food and Beverage Operation Council **tabled** until July an award for professional marketing services for the Golf Course Food and Beverage operation to The Conroy Martinez Group.
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- By consensus, Council **scheduled** a Special Meeting for Wednesday, July 23, 2003 at 7:00 p.m. to discuss all Golf Course related matters and the financial statements.  
**Motion:** Councilman Pacheco  
**Second:** Councilman Caudle  
**(Consensus)**
- 11B) Financial Statements: May 2003 Council **tabled** review of the May 2003 Golf Course financial statements.

**12) OTHER BUSINESS:** None

**13) REPORTS & RECOMMENDATIONS:**

**13A) City Attorney** None

**13B) City Manager** None

**13C) City Council**

Thank You

Vice Mayor Elza thanked City Manager Maria V. Davis for all her contributions to the City. He was impressed with her accomplishments when she was Public Services Director and other actions that have saved the City a lot of money over the last five years.

Thank You

Councilman Pacheco thanked City Manager Maria V. Davis for her contributions to the City.

River Cities Gazette

Councilman Pacheco requested an agenda item for the first meeting in August to discuss advertising in the River Cities Gazette.

Thank You

Councilman Youngs stated that he appreciates the heart and spirit that City Manager Maria V. Davis has for the City. He pointed out that she dealt with very tough issues, and her contributions might not be appreciated at this time, but the City will benefit from her accomplishments over the years.

**13C) Annexation**

Councilman Youngs requested that Council designate a representative to start working on annexation.

Motion to **appoint** Councilman Youngs as the City's representative in the annexation process.

**Motion:** Vice Mayor Elza

**Second:** Councilman Caudle

**No Vote:** 5-0

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City Manager

Mayor Bain wished City Manager Maria V. Davis good luck in her new job as City Manager of the City of South Miami. He added that he appreciated her support from the day he was elected.

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**ADJOURN**

Meeting adjourned at 12:35 a.m. (Tue.6/24/03)