



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, February 11, 2008, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:00 p.m.

The following were present:

Mayor Billy Bain
Vice Mayor Paul C. Dotson
Councilman Bob Best
Councilman Xavier Garcia (*)
Councilman Rob Youngs (**arrived at 7:07 p.m.)

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police H. Randall Dilling
City Clerk Magalí Valls

2. Invocation: Councilman Garcia offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

None.

4. Open Forum:

Charles B. Stafford Golf Tournament

Police Officer Jeff Clark introduced Cecelia Stafford, widow of Police Officer Charles Stafford who was killed in the line of duty in 1991, and her daughter. He said that last year the Fraternal Order of Police joined with Cecelia Stafford to organize a golf tournament with the proceeds to help the Concerns of Police Survivors (COPS) organization. The organization is open to all police officers in the United States and they provide counseling, support, summer camp and activities for the children of police officers killed in the line of duty.

Officer Clark stated that the COPS organization had done so much for Cecelia and her family over the years that they decided to help the organization that has grown over the last seventeen years from thirty-three to more than two hundred children involved in the camp program.

Officer Clark explained that last year’s golf tournament was successful with more than one-hundred golfers, raising more than \$12,000 for the Fraternal Order of Police and the COPS organization. They would like to have a better golf tournament this year with more sponsors, golfers and donations. The overhead cost is approximately \$29.00 per player and they are asking the City for a reduction of \$10.00 per player, which would raise approximately \$1,000 for the organization. The golf tournament is scheduled for Friday, March 14th at 1:00 p.m.

City Manager Borgmann stated that the Administration could provide support and Council could authorize a reduced golf rate for special events, especially this tournament because it is in memory of Police Officer Charles Stafford.

Mayor Bain explained that Council would be discussing the request as an agenda item during the meeting.

***Councilman Youngs arrived at this time*

Investment Funds

Joe Derry of 451 Crescent Drive, Apartment 12, referred to a Wall Street Journal article titled “New hitches in market may widen credit woes”. He said that the type of credit instruments on notes that were rated highly turned out not to be that great. Mr. Derry was concerned that the City had invested funds in Colonial and Wachovia banks with collateralized certificates of deposit that might not be covered by the Federal Deposit Insurance Corporation. He asked what makes up the collateral and what is the value because it could be an interest in mortgage backed securities on unfinished, vacant condos.

City Manager Borgmann reported that last week another \$186,825.00 was released from the Local Government Investment Pool (LGIP) "B" pool and the exposure is now \$515,000, down from \$724,000.

Mayor Bain reminded everyone about the Cancer Walk that will be held on Saturday, March 1, 2008. He said that the contact person is Suzanne Conlon Wolar and more information is posted on the City's website.

5. Approval of Council Minutes: (5A and 5B approved with one motion)

5A) 01/22/2008 – Special Meeting

Minutes of the January 22, 2008 Special Meeting were approved as written.

Councilman Best moved to approve the minutes. Councilman Garcia seconded the motion, which was unanimously carried on roll call vote.

5B) 01/28/2008 – Regular Meeting

Minutes of the January 28, 2008 Regular Meeting were approved as written.

Councilman Best moved to approve the minutes. Councilman Garcia seconded the motion, which was unanimously carried on roll call vote.

6. Reports from Boards & Commissions:

6A) 01/28/2008 – Board of Appeals – Minutes

Minutes of the January 28, 2008 Board of Appeals meeting were received for information without comment.

6B) 02/05/2008 – Code Enforcement Board – Minutes

Minutes of the February 5, 2008 Code Enforcement Board meeting were received for information.

Mayor Bain referred to a case on Glendale Drive and asked the Administration to do everything possible to correct the problem in the best interest of the surrounding residents.

City Attorney Seiden stated that the Code Compliance Department tries to exhaust every avenue in finding someone responsible to do the work, which is sometimes difficult in situations when properties are being foreclosed. If there is a health or safety issue the City management can approve the work and place a lien on the property for the time and labor, which is recouped when the property is sold.

6C) 02/04/2008 – Board of Adjustment – Approval of Actions Taken at their Meeting of February 4, 2008 Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of February 4, 2008 were approved subject to the 10-day appeal period.

Councilman Garcia moved to approve the actions of the Board of Adjustment. Councilman Youngs seconded the motion, which was unanimously carried on roll call vote.

7. Public Hearings:

7A) Public Hearing – Ordinance –Second Reading – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-016, Off-Street Parking Facilities; Paving and Drainage; Lighting; Landscaping; and Minimum Number of Off-Street Parking Spaces; Off-Street Parking Requirements for Single Family Residential and Duplex Zoning Districts; by Expanding the Definition of “Total Front Yard Area”; Providing a Credit Towards the Calculation of Maximum and Minimum Front Yard Area Coverage; Establishing a Minimum Distance Between Driveway Approaches in Subsection (G) of the Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 1/28/2008 – Advertised: 1/30/2008)

City Attorney Jan K. Seiden read the ordinance by title.

Attorney Seiden stated that there were no changes to the ordinance since the first reading. The ordinance expands the definition of the front yard to make it more appropriate to use when calculating the area that can be built upon in the front yard area. It also provides a formula for using credits which provide a more pervious surface for water percolation and a provision for a minimum distance between driveway approaches.

Mayor Bain opened the public hearing to those persons wishing to speak. There were no speakers, and the public hearing was closed.

Councilman Garcia moved to approve and Councilman Best seconded the motion, which carried 5-0 on roll call vote (Ordinance No. 965-2008).

Mayor Bain asked if there were any comments regarding the Charles B. Stafford Golf Tournament because there is only one more Council meeting before the event which is scheduled for March 14th.

City Manager Borgmann stated that in discussing the matter with the Assistant City Manager, they feel it would be better for the City to provide a donation in order for the golf books to reflect an accurate picture.

Vice Mayor Dotson stated that there will be many golfers playing in the tournament and reducing the fee would reduce the amount of revenue. He said that the Golf Manager is responsible for reaching a certain target and it would not be fair to make exceptions by reducing the revenue. He would like the City to do everything possible to help fallen police officers, especially the Stafford family, and he would support the City Manager’s suggestion.

Councilman Garcia asked how the funds are split between the Fraternal Order of Police (FOP) and the COPS organization.

Police Officer Clark stated that the funds from last year’s tournament were split 50/50 between the FOP, which supports the Optimist Club sports programs and the COPS South Florida Branch.

Cecilia Stafford explained that COPS provides funds primarily for counseling for local families and transportation to the Police Memorial Service in Washington, D. C. every year. The peer support is incredible and her children have made best friends. The funding remains local in the South Florida Branch and there were 186 officers killed nationally last year. She said that they reach out to every family by attending funerals and visiting homes and that the organization had been a life saver.

Councilman Garcia recommended donating \$2,000 so that the FOP and COPS would each receive \$1,000.

Councilman Best stated that he supports Councilman Garcia’s recommendation. He encouraged people in the community to sign up for the tournament. Applications are available at the Community Policing Office and the Pro Shop at the Golf Course.

Councilman Youngs said that he would agree to support the golf tournament because the police are cherished and respond to the residents’ needs. He appreciates the fact that the Police Officers put their lives on the line to protect the community and \$2,000 would be an appropriate donation.

Mayor Bain felt that \$2,000 would be appropriate since the City did not make a contribution last year.

Councilman Garcia moved to approve a \$2,000 donation. Vice Mayor Dotson seconded the motion, which carried unanimously on roll call vote.

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for January 2008 in the Amount of \$9,850.50

There was no discussion regarding this item.

Vice Mayor Dotson moved to approve and Councilman Garcia seconded the motion, which carried unanimously on roll call vote.

9. Old Business:

9A) Appointments to Advisory Boards by the Mayor and Council Members

None.

Agenda Item 10E discussed at this time.

9B) Discussion Regarding Changes to the Miami Springs Municipal Election

9Ba) Consideration of a Charter Amendment to Move the Miami Springs Municipal Election from the First Tuesday in April to the Fourth Tuesday in April

Martin Marquez of 401 Hunting Lodge Drive stated that the Mayor and Council majority indicated at the last meeting that they received very few calls about the mandate to change the election date. He urged Council to keep the local election.

Richard Mikluscak of 208 Carlisle Drive said that early voting is a remedy for the perceived problem of Spring Break conflicting with the existing election date. He views the City Charter as the City Constitution that should not be amended unless there is an urgent circumstance. Charter amendments require a broad based support of the voting public and he has not seen a groundswell of support for this change. He strongly recommends that Council should abstain from any consideration of combining the local election with state or federal elections in order to focus on local issues.

City Manager Borgmann commented that a letter from Buzz and Kathy Fleischman was placed on the dais.

City Clerk Magalí Valls stated that Council received a copy of a report from Miami-Dade County Elections. The Board of County Commissioners met on February 5th and the County Manager wrote a lengthy memorandum on the feasibility of consolidating municipal elections. She contacted the Elections Department and they advised that the Board of County Commissioners approved a resolution accepting the report and Commissioner Sosa will be contacting each municipality to urge consolidation of elections and explaining the associated cost benefits.

Councilman Best mentioned at the last meeting that moving the early voting to an earlier date could accommodate those residents who have difficulty getting to the election polls and moving the election date to the end of April is not necessary. He agrees with comments that were made about not amending the Charter unless it is critical.

Councilman Youngs stated that he agrees with the proposal to change the election date by two weeks in order to increase the turnout and make it easier to vote. He believes that the voters should have the choice by placing the question on one of the upcoming ballots. He did not feel that this would have a negative effect on the small town character of the election. His recommendation is that Council should approve the proposal and let the people vote on the question.

To answer the Mayor and Councilman Youngs' question, City Attorney Seiden said that the County could not force the City to change the election date, although they could discourage the cities from not cooperating by raising the cost of an election to \$28,000 as opposed to \$6,000. The County would not make any demands on local governments and they recognize that the process would not aim for consolidation until 2010 because a number of elections would be required to change the charters.

Councilman Youngs said that he would like the Miami Springs election to remain independent of the November 7th election and moving the date to the fourth Tuesday in April would strengthen the argument that changes are being made to increase the voter turnout.

Vice Mayor Dotson stated that in view of the fact that the County is pushing for a municipal election day, Council should consider passing a resolution to give guidance to the County as to how Miami Springs feels about the municipal election date. He believes that the date should be in April of odd number years in order to separate the issues from the federal and state issues.

Vice Mayor Dotson said that before considering a Charter amendment, Council should decide whether or not there is a consensus on the date for a municipal election and if the City should adopt a resolution to send to the County.

Councilman Garcia stated that changing the municipal election date to November would cut expenses and increase the voter turnout. He felt that the citizens of Miami Springs are intelligent enough to separate City issues from the federal and state issues. He added that another option would be to hold the municipal election in August to coincide with the County elections in order to reduce the cost and make it convenient for the residents. He said that changing the early voting time is not sufficient to increase the voter turnout and the minimal step would be changing the date to the fourth Tuesday in April.

Councilman Garcia said that the memorandum from the County mentions the savings by consolidating municipal elections. He said that \$28,500 for holding a separate election is not a minimal amount of money in his opinion and it could be better utilized by providing more police services or funds for special events. He would agree with Vice Mayor Dotson that Council could draft a resolution to send to the County once there is an agreement on a municipal election day.

To answer Councilman Garcia's question, City Clerk Valls stated that August 22nd is the deadline for placing a Charter amendment question on the November ballot.

Councilman Best stated that \$28,500 is egregious and one day the State will finally learn how to vote because they are talking about changing the process again. He felt that combining the municipal elections would be no different than combining with the federal and state elections because the focus would be on other issues. He agrees with Vice Mayor Dotson that a resolution should be sent to the County.

Councilman Garcia explained that the County is recommending a special day for all municipalities and there is no guarantee that they will not add additional questions on the ballot.

Mayor Bain agreed that Council could send a resolution to the County letting them know that Miami Springs would like to set the municipal election date in April. He added that moving the election date to the fourth Tuesday in April would solve the problem with the Spring Break conflict and even though people can vote early or absentee, they like to be present when the results are announced at the Recreation Center on Election Day.

Mayor Bain stated that moving the election date would be a simple solution and the people should be given the choice by placing the question on the ballot. During election time more than a handful of people ask him why the election is scheduled during Spring Break.

Councilman Youngs moved to recommend a Charter amendment to move the Municipal Election from the first Tuesday in April to the fourth Tuesday in April. Councilman Garcia seconded the motion.

Councilman Garcia would like to place the question on the November ballot when the majority of the registered voters turn out.

Councilman Youngs clarified that it would be the decision of the voters and based on experience and the conflict, the proposal has enough merit to place the question on the ballot.

Councilman Best stated that he would support the decision to place the question on the ballot for the voters to make the determination, although he personally is not in favor of moving the date.

Vice Mayor Dotson commented that not one person notified him after the last election that the election date was inconvenient for them; although this does not imply that other candidates were not approached by others. In order to avoid too many Charter amendments he would rather wait until the County makes a decision about holding a joint municipal election. He added that although he cares about the County, the people of Miami Springs and what they want is more important.

City Manager Borgmann clarified that the question changing the date of the April election would require language to extend the term for Council those additional two weeks.

City Attorney Seiden stated that normally Council makes the change effective for the next election so that it would not impact them. He would recommend making it effective for the election of 2011 so that Council could not be accused of trying to extend their terms. He asked Council to consider whether they want to place the question on the ballot for the August or November election.

The motion was unanimously carried on roll call vote.

Mayor Bain asked if there was a consensus to hold the election in November and to implement the change in 2011.

Vice Mayor Dotson was concerned what would happen if the County came up with a date that the City finds desirable.

City Attorney Seiden stated that the County might offer an alternative that comes into play, but it would not affect what the City decides to do now. Council has until August 22nd to deal with the County; obviously the motion will deal with alternative one that the City wants to have a stand alone election and there are two other alternatives, either a county date or a municipal date.

Attorney Seiden added that what the County is proposing is like a cold splash of water in the face to many municipalities. There will be many considerations, a lot of consternation and there might not be an agreement before the question to change the City Charter is placed on the ballot. He advised Council to proceed with what they want to do.

By **consensus**, Council agreed to move forward with placing the question on the November ballot.

To answer Councilman Garcia's question, Mayor Bain stated that the City should take a position that the fourth Tuesday in April should be the County municipal election date. He felt that the City should take the lead instead of following what other cities want.

Councilman Youngs moved to direct the City Attorney to draft a resolution advocating for a municipal day in the first quarter of the year in odd years, preferably the fourth Tuesday in April. Councilman Best seconded the motion.

City Attorney Seiden asked if the resolution should specify both the first quarter of the year and the fourth Tuesday in April.

Council agreed the resolution should only specify the fourth Tuesday in April.

On roll call vote the motion was unanimously carried.

9Bb) Consideration of a Charter Amendment to Move the Miami Springs Municipal Election from the First Tuesday in April to the First Tuesday in November

Councilman Garcia stated that with everything on the table, he would not support changing the Charter to move the Miami Springs Municipal Election from the first Tuesday in April to the first Tuesday in November, but it should be the decision of the people of the City of Miami Springs. He asked the City Attorney if the residents could be asked to approve one of three options on the ballot, including a municipal day, the fourth Tuesday in April or the first Tuesday in November.

City Attorney Seiden responded that there could be three questions included on the ballot, although the questions would have to be approved by the Elections Department. He said that in every election the public must be educated as to what the issues are and why the questions are on the ballot.

Councilman Youngs said that there would most likely not be a municipal date for a Charter amendment for this election cycle. The question would be whether or not to leave the date as it is or to change it to the fourth Tuesday in April and the alternative would be to add the question if the date should be changed to the first Tuesday in November.

Vice Mayor Dotson and Mayor Bain questioned why the November choice should be placed on the ballot if Council approves a resolution urging the County to establish a municipal election date on the fourth Tuesday in April.

Councilman Youngs said that the question was placed on the agenda for consideration and if there is a conflict going forward it could be adjusted. From his standpoint, he could argue for or against this item to change the date to November, but it should be discussed for its merits. He suggested putting it to a vote and to let the residents make the decision.

Vice Mayor Dotson explained that he is open to discussing any subject that is critical or important to the people, but once Council makes a resolution to the County to assign the fourth Tuesday in April as a municipal election day, it does not make sense to continue looking for another day to suggest to the residents.

Councilman Youngs said that he would recommend the move from the first to the fourth Tuesday in April; moving the date to November does not carry a strong recommendation, so he is against it. If he was in favor of both, he would have to choose one or the other and he would recommend the change to the fourth Tuesday in April. There is plenty of time between now and August 22nd to get a Charter amendment on the ballot in November. In addition, there is an alternative citizen initiative process if there are enough people to support the change.

Councilman Youngs recommended voting no on this agenda item (9Bb) changing the date to the first Tuesday in November, and inform the people that there is an alternative process for a citizen initiative.

Councilman Best moved to deny agenda item 9Bb and Vice Mayor Dotson seconded the motion.

Councilman Garcia stated that he would support a joint municipal election with other municipalities because it would increase the voter turnout and accomplish his ultimate goal of reducing the cost to the City and making it convenient for the residents of Miami Springs.

Councilman Youngs commented that there is no doubt that changing the date to November would increase the voter turnout from 30% to 60 or 70%. This is not strong enough to recommend it to the people, but someone who feels strongly about increasing the voter turnout could begin the citizen initiative process.

The motion was unanimously carried on roll call vote.

9Bc) Consideration of a Charter Amendment to Change the Qualifying Period from sixty to thirty days.

Councilman Youngs recommended voting in favor of a Charter amendment changing the qualifying period from sixty to thirty days because it would be in line with other cities and the qualifying period would begin after the first of the year. A shorter qualifying period would make it easier on the City Clerk and Administration and it would not depress the election cycle or the number of people who run for office.

Vice Mayor Dotson said that he would agree with the recommendation to shorten the qualifying period to thirty days because it has some advantages for the City Clerk that were mentioned the last time the issue was discussed. He felt that thirty days is sufficient time to qualify.

City Clerk Magalí Valls stated that the Elections Department is recommending that the qualifying period should end 60-days before the election date, instead of 45-days. The County claims that they need additional time to mail the absentee ballots.

Mayor Bain said that it would not solve the problem of shortening the qualifying period if there has to be 60-days between the end of qualifying and the election date.

Councilman Garcia explained that his recommendation to shorten the qualifying period was to give the electorate more time to become familiar with the individual candidates. He said that the qualifying period does not impact the amount of time that signs are placed.

Councilman Youngs moved to direct the City Attorney to draft a Charter amendment changing the qualifying period from 60-days to 30-days. Councilman Best seconded the motion.

Councilman Best said that changing the qualifying period would allow more time for the electorate to make a decision.

On roll call vote, the motion carried 4-1 with Mayor Bain casting the dissenting vote.

City Attorney Seiden stated that there is a problem because of the County's recommendation to allow sixty days between the end of qualifying and the election date.

Councilman Youngs said that the recommendation is not on the agenda. Council voted for 9Bc, which does not change the end of the qualifying period.

City Attorney Seiden explained that the end of the qualifying period would be part of the same provision which requires a Charter amendment.

Councilman Youngs suggested scheduling another agenda item to consider whether or not to end the qualifying period 60-days before the election. Council passed a motion to shorten the qualifying period to 30-days.

City Attorney Seiden read the response from the Elections Department advising the City Clerk that they have no objection to conducting the City's election on the fourth Tuesday in April and the estimated cost would be \$28,500. There is no objection to conducting the election on the first Tuesday of November; the time frame provides a savings of approximately \$22,000. They will need for the qualifying period to end not less than 60-days prior to the election days and currently there are 45-days.

City Attorney Seiden explained that the County runs all the elections, which is good because the City does not have the ability to monitor elections. This request is a ministerial requirement and the City would be changing the period from 105 to 90 days to extend the election period for two weeks for administrative purposes of the County.

Mayor Bain suggested that Council could make a decision to allow the extra time for the County and finalize the matter.

City Attorney Seiden agreed with Mayor Bain that Council could make a decision, he would draft the resolution and Council could always have second thoughts.

Councilman Youngs stated that he would not agree because it does not represent a formal policy change by the Supervisor of Elections and they have accommodated the City with the 45-day time frame for many years. He would like to ask for clarification.

Councilman Best said that people have told him that there are more pressing issues to consider besides the election, but Council has not effectively had these types of discussions before the last couple of meetings and he welcomes the opportunity. He would like everyone to understand that the discussions have a purpose.

Councilman Garcia moved to draft a resolution for a Charter amendment changing the end of the qualifying period to 60-days before the election, as directed by the Elections Department. Vice Mayor Dotson seconded the motion, which carried unanimously on roll call vote.

(Mayor Bain called for a five-minute recess)

9C) Report on Fees and Charges for Variance Applications and Activities as Requested by Council at their Meeting of January 28, 2008

City Manager Borgmann stated that at the last meeting Council passed an ordinance allowing a rate change for permits and other building and zoning charges to a resolution format and Council requested additional information showing what other cities charge. The Mayor had questioned whether or not the \$350.00 Zoning and Planning application fee was adequate and information was provided on the fees charged in other municipal areas. In addition, the City Planner provided information from the cities of Doral, Florida City, and Pinecrest.

City Manager Borgmann said that the City of Doral charges as much as \$1,500 for a site plan review, whereas Florida City charges a lesser amount based on the square footage and whether it is a residential or commercial project. He added that Pinecrest charges \$1,900, which is similar to Doral.

City Attorney Seiden explained that it is difficult to tell whether or not the fees charged by other cities include some of the items that the City of Miami Springs receives a deposit for in advance of a site plan review.

City Manager Borgmann said that the City Planner verified that they are additional costs that are not included in the deposit.

Mayor Bain suggested bringing back the resolution with a new fee recommendation. The City Manager clarified that the City Planner's recommendation is \$1,000.

City Manager Borgmann stated that in discussions with the Building Official and other municipalities it seems there are great discrepancies in some of the City's permit fees, and rather than calculating square footage, other cities are looking at a percentage of the total cost of the project.

City Manager Borgmann explained that there was a recent situation where the permit fee for a new home was incorrectly calculated. The incorrect fee was \$22,000 based on the value of the construction and it was corrected by calculating \$0.60 per square foot, reducing the fee to \$3,933.00, which is way below what other municipalities charge. He said that on a percentage basis, the recommendation would be 1-1/2% and the permit fee in this particular situation would have been approximately \$11,500.

To answer Councilman Garcia's question, City Manager Borgmann stated that data is being collected that will be provided to Council in order to see how the fee compares with other cities.

Mayor Bain stated that he would like the fee to be fair for residential construction; the \$350.00 fee is too low for a commercial site plan review. The recommendation to charge a percentage on the value of new construction is another matter that Council will have to evaluate.

City Manager Borgmann said that the City's permit fees are too low, which creates a strain on the ability to run a government. He explained that permit fees are really service fees and the individual who needs a permit should be charged instead of increasing taxes.

Mayor Bain stated that he understands recreation is subsidized, but the building permit fees should cover the cost of operating the department.

Councilman Garcia said that the main priority is maintaining or improving the quality and level of service to the residents. He does not want to keep supplementing the operation of the departments from the General Fund.

City Manager Borgmann reiterated that the outcome of the recent vote on January 29th puts the City in a different world. He explained that changes to the fee structures must be considered and residents will have to pay a fee to utilize various services.

Councilman Garcia said that he has heard positive feedback on the service in the Building Department over the last few years, which is difficult to compare with other cities.

Mayor Bain stated that providing a service is the same as running a business and people should pay for the work based on the competitive price.

Councilman Garcia reiterated that the City provides services and people should pay for the service they receive, which has not been taken into consideration by previous elected officials.

Vice Mayor Dotson stated that it is important to be fair to the residents and the City should get paid for services. He mentioned that he received a call about a situation where a contractor was being charged \$2,400 for resurfacing a condominium parking lot, which was based on 16,000 square feet at fifteen cents per square foot. He felt that the fee was too high for this type of work.

City Attorney Seiden explained that the Building Official is trying to gradually update the codes to be more in line with what they are across the county. He suggested that Assistant City Manager Gorland could ask the Building Official to provide the information about the permit fee.

Assistant City Manager Gorland stated that he would definitely get the information.

Vice Mayor Dotson said that there are a lot of wild stories flying around the City.

City Manager Borgmann explained that if the contractor was doing an overlay, they would also have to restripe, install curb stops and bring the parking lot up to a new Code level.

City Attorney Seiden recalled that the repaving work required drainage and new grease stops in the drains because many of the condominiums have outfall lines into the canal, which are no longer permitted.

City Manager Borgmann stated that a permit fee also covers the cost of the inspections in order to make sure the work is done properly.

Vice Mayor Dotson explained that there is no problem if that is the cost level for Miami Springs, but he would not want to charge an excessive fee just because other cities are charging those amounts.

Council **agreed** that a \$1,000 fee would be appropriate to charge for Zoning and Planning Board application fees.

City Attorney Seiden stated that a resolution will be scheduled for approval with the change from \$350.00 to \$1,000 together with other changes that are recommended to the fee schedule.

Councilman Youngs would like the fees to be calculated so that the charges for permits and inspections are related to the actual cost of providing the service. He said that he would like to see a good faith estimate of the cost for particular services within the department and that the fees should not be raised just to be in line with what other cities are charging.

9D) Report on Eldron Drive Police Activities and Code Compliance Statistics

Chief of Police H. Randall Dilling stated that he compiled a list of all police activity in the Eldron Drive district. He noted higher statistics on the first page for the calendar year 2007, including thirty-six vehicle burglaries, thirty-four loud music disturbances, fifty-two miscellaneous disturbances, seven simple assaults and other crimes totaling 1,700.

City Attorney Seiden explained that there was a previous discussion about a nuisance abatement board or an administrative proceeding. He said that the statistics are good, but they need to be site specific so that the owners can be put on notice to tighten security and if there is no improvement then the City can take action.

Councilman Garcia stated that he drives through the Eldron alley in route to his office and it would be very difficult to pinpoint a particular address because people congregate in the area and there are massive dwellings and traffic in and out of the alley.

Assistant City Manager Gorland explained that the H.T.E. files for code violations are by address or folio number, not by grid, and it would be a massive print out that requires a lot of time. He said that a work order would be executed by H.T.E. to determine a better way to get the information.

Councilman Garcia mentioned that there are no lights in some areas, and there is illegal parking and multiple code violations in the alley.

Attorney Seiden said the problem is more crime related than use related. The only way the City can administratively go after someone to cause them to better maintain their property is to have evidence that they are in control of the situation and have the ability to remedy it. If this cannot be established, that avenue of resolution is blocked and the other way of handling the problem is to deal with it as a police issue.

Councilman Garcia stated that windows are broken and no one seems to care about the property because it is a very transient area. He suggested asking the owners to correct the problems of poor lighting, garbage and other nuisances regardless of whether or not they are causing a crime or cannot be supported with paper work. He asked to consider a community effort to clean up the area before proceeding with force.

City Attorney Seiden said that the City Administration could contact every building owner to request that a meeting be held with Police and Code Compliance and he would also attend. It would be a friendly message to let them know there is a problem that needs to be corrected with their cooperation.

Mayor Bain stated that there is one particular condominium and the police calls could be centralized to one particular address.

Chief Dilling advised Council that a search could be done by address or street.

Mayor Bain suggested a search by address to see which property has the highest number of police calls in order to be able to deal with each one individually on a priority basis. He does not want to group all properties together because some are good owners and people causing the crime might be coming from other areas.

Councilman Garcia stated that it would be interesting to know how many criminal activities occur in other areas of the city by people living in the Eldron Drive neighborhood.

Vice Mayor Dotson asked if the hotel has excessive police calls beyond fifteen.

Chief Dilling said that the next two agenda items would address excessive police calls. He explained that a fair percentage of the total calls are related to the hotel.

Councilman Garcia mentioned that the Comprehensive Plan changes would help to resolve the problem in the long run by attracting new development in the area. Police and Code Enforcement efforts are not enough because it is a transient area with overnight rentals and the use of the property is a big issue.

Councilman Best stated that it might be useful to discuss the problem with the surrounding residents.

Councilman Garcia said that the residents want to clean up the area so that it will be a safe neighborhood.

Attorney Seiden reiterated that more detailed records are necessary before the City can take action.

Vice Mayor Dotson encouraged the Administration to get the detailed records and do whatever enforcement is possible. He stated that Council has been working on the zoning and Comprehensive Land Use Plan that will hopefully solve the problem, but in the meantime action should be taken in order to make it a safer place. He suggested that the motel could be the first priority and he likes the City Attorney's idea of having a gathering of people who are interested in helping.

Mayor Bain was concerned that a joint meeting might cause dissension between property owners. He said that by dealing with each one individually, there might be a common opinion as to what the problem is so it can be addressed.

City Attorney Seiden guaranteed that better records with more specificity would dictate the process.

Councilman Garcia asked if there is a staffing issue or if the Code Compliance Department is short staffed with only two officers. He asked to consider if the budget should include funds for another person in that area for the next year in order to maintain the quality of service.

Councilman Best stated that there are glaring violations of the Code that are neighborhood driven. He suggested a meeting with the top complainants as a starting point in order to have a plan that is manageable.

City Manager Borgmann said that Code Compliance cases deal with individual property addresses, which is a lengthy process. The Administration could work on the information and come back with a plan. They could consider the highest violators and sit down with a group in an effort to get the property owners to initiate their own clean up of the area.

Chief of Police Dilling stated that there are areas of concern in all metropolitan areas and the only way to address the concerns is to concentrate resources into them. There are eleven grids in the City and there are never eleven Police Officers patrolling on any shift to be able to put one in each grid, which is the only way of successfully addressing a problem area.

Mayor Bain would be in favor of more enforcement and manpower in that area if that is what it takes to clean the place up. There are two vacant police positions that could be funded if necessary.

City Manager Borgmann suggested that a special trash pick up could be scheduled for a certain date. The problem has been that the trash accumulates on the private property, the City cannot remove it and it becomes a code issue.

Councilman Garcia mentioned that property owners that do not live on alleys put out their bulk trash along the street between pickups, which is unsightly and perhaps there could be a 24-hour rule for the placement of trash.

City Attorney Seiden said that it would be very difficult to enforce the placement of trash because people want to put it out for pick up at their convenience.

Councilman Garcia felt that people would cooperate if they are asked to follow a rule for the placement of trash, even if there is no fine involved.

Councilman Youngs asked how the 1,700 calls in this grid for 2007 compared with the number of calls citywide and if this grid is out of proportion to other grids and the Chief of Police responded that there are approximately 20,000 calls citywide; this is the highest grid in the City and a close tie with the Abraham Tract.

Councilman Youngs stated that he would like to see the numbers because it would involve spending taxpayer dollars on police resources.

Councilman Garcia emphasized that the area has been a problem for many years and it is ignored because it is away from the residential areas. He would like to see the item on future agendas with an update even if there is nothing proposed. He stressed that Council should be proactive because it has been a blighted area for many years.

**Councilman Garcia left at 10:10 p.m.*

9E) Tennis Court Resurfacing Change Order - \$950.00

City Manager Borgmann stated that normally change orders come back for Council approval, but in this case, the work had to be done while the company was making the repairs to the tennis courts. He explained that this is notification of a \$950.00 change order to Accurate Tennis Courts, Inc. for additional work and the cost is still within the budgeted amount that Council had originally considered.

10. New Business:

10A) First Reading – Ordinance – An Ordinance of the City Council of The City of Miami Springs Amending Code of Ordinance Section 54-06, Tree Removal Standards; by Clarifying Tree Exemptions from Mitigation Activities; Adding Mango and Avocado Trees to the Exempted Tree List; Providing a Tree Removal Requirement for Dead or Effectively Destroyed Trees; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

City Attorney Jan K. Seiden read the ordinance by title.

Nery Owens of 332 Payne Drive thanked Council for their consideration of adding mango and avocado trees to the exempted tree list. She complimented the Board of Parks and Parkways and Arborist Tom Nash.

Attorney Seiden stated that he drafted the ordinance based on the minutes of the Board of Parks and Parkways and he spoke personally with Chairman Eric Richey and Arborist Tom Nash to clarify some items.

Attorney Seiden clarified that non-specimen or nuisance trees are specifically exempted from the permit, relocation, replacement and mitigation requirements of the Ordinance. He added a provision within the category for the removal of specimen or non-specimen mango and avocado trees that are severely damaged by storms, pruning or old age.

Attorney Seiden read the following language that was added in subsection (C):

“All of the aforesaid trees listed in division (B) of this section which are dead or effectively destroyed, shall be removed by the property owner, without any permit, relocation, replacement or mitigation requirement, so as to protect adjacent properties from damage that may be caused by the dead or effectively destroyed trees.”

To answer Vice Mayor Dotson’s question, City Attorney Seiden clarified that the ordinance would only exempt damaged mango and avocado trees.

Councilman Best moved to approve the ordinance and Councilman Youngs seconded the motion, which carried 4-0 on roll call vote.

10B) Resolution – A Resolution of the City Council of the City of Miami Springs Establishing the Number of Police Service Calls Available to Business Entities Within the City During Any Fiscal Year; Providing for Longevity; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

City Attorney Seiden stated that this is a requirement of Chapter 118 dealing with excess police services in the City and the ordinance was put into effect in the early 1990's. The last resolution passed establishing the number of police calls was in 1993. The Code mandates that the City establish by resolution the average number of police services available to be used during any fiscal year period.

City Attorney Seiden said that prior resolutions dealt mainly with false alarm calls, although the ordinance clearly states that it deals with excess police services. Section 1 establishes fifteen calls per fiscal year. Most importantly it will comply with the criteria of Chapter 118 dealing with contingent call factors such as negligent careless persons, sick or injured people on the premises, bomb threats, mischief, fires, rescues, lack of security, etc., which do not result from the nature of the business, lack of security or improper management.

City Attorney Seiden explained that a business will not be penalized if it is an extra jurisdictional call. Section 3 of the resolution says that Council is determining the legitimate number of police calls that are to be considered are beyond the control and prevention of the management of the business entity and shall not count against the fifteen permitted police service calls during any fiscal year.

Section 4 provides that every police service call to the business premises in excess of the fifteen calls shall be charged a fee that will be established in the next resolution.

Chief of Police Dilling commented that the 1993 resolution raised the number from ten to fifteen calls, which is very generous. The Police Department sends out courtesy notices for false alarms with the tenth call, the fifteen call and then a fee is charged beginning with the sixteenth call. He realized that the calls should not just apply to burglar alarms; they should be for anything that is preventable and controllable by the business.

Councilman Youngs moved to adopt the resolution and Councilman Best seconded the motion.

Attorney Seiden stated that the ordinance provides that if someone disagrees with the charges they have the right to appeal to Council.

To answer Councilman Youngs' question, Chief of Police Dilling clarified that the property at 656 Minola Drive is a half-way house for juveniles with excessive calls. He said that a change in ownership in June 2007 caused the dramatic change.

Councilman Youngs would like to make sure that the ordinance provides for lien rights if the fees remain unpaid.

City Attorney Seiden explained that the ordinance had not been changed since 1993, and it would not be fair to enforce it without first notifying the public.

Mayor Bain stated that the operation at 656 Minola Drive might call for an investigation and the City might have leverage to revoke the occupational license.

City Manager Borgmann said that the Administration would first check to see how the operation is licensed because group homes have the right to be in any area.

Attorney Seiden clarified that the operation has the right to be at that location if they are good citizens and if not, the City could begin the process to remove their license.

The motion carried 4-0 on roll call vote (Resolution No. 2008-3388).

10C) Resolution – A Resolution of the City Council of the City of Miami Springs Establishing the “User Charge” for Police Service Calls in Excess of the Number of Calls Permitted for Business Entities Within the City During any Fiscal Year; Increase in Amount of “User Charge” from Prior Resolution; Providing for Longevity; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

City Attorney Seiden explained that the number of excessive police calls has been established and the ordinance also requires the establishment of user charge per call based upon the approximate amount of police calls for the fiscal year for all businesses in the City. In 1993, the established amount was \$165.87 and the new proposed amount is \$182.52, which would be charged per call after the fifteen permitted calls.

Chief of Police Dilling stated that the charge is based on the cost per hour for putting a police officer on the street multiplied by three because there are always two officers that respond to a call and the third hour is for administrative charges. The fee can be changed at any time by resolution.

To answer Vice Mayor Dotson’s question, Chief Dilling clarified that other businesses exceed the fifteen calls due to faulty burglar alarms. He said that the fee is a motivation to fix the alarms; the business owner is not penalized for actual break-ins that set the alarm off.

Councilman Youngs moved to adopt the resolution and Councilman Best seconded the motion.

To answer Councilman Youngs' previous question, Attorney Seiden clarified that Section 118-14 (b) states that all delinquent fees for excessive police services are hereby made a lien on the lands benefited by the excess police service of the City. The provision deals with penalties, reasonable attorney fees and shall be collected the same way as other municipal taxes.

City Attorney Seiden stated that there is a provision in Section 118-16 that clarifies the Mayor's question. It states that the failure to pay any excess police service user fee is declared to be unlawful; in addition, continued failure to pay is deemed a public nuisance and may be abated as provided by law, which is another ground for removal of the license.

The motion carried 4-0 on roll call vote (Resolution No. 2008-3389).

10D) Approval of Eight Budget Transfers Within Departments According to Section 9.04 (1) of the City Charter – Appropriation Amendments

City Manager James R. Borgmann stated that according to Section 9.04 (1) of the City Charter, Council is being asked to approve eight budget transfers within departments. He explained that Interim Finance Director Alicia Gonzalez was not able to be present to answer questions because her mother had another heart attack.

Vice Mayor Dotson asked if the Senior Center purchase orders for fiscal year 2007 were being utilized to cover expenditures in 2008.

City Manager Borgmann explained that the purchase orders for the Senior Center Department were transferred from the prior year to cover the shortfall in the catering cost for Fiscal Year 2008.

Vice Mayor Dotson stated that the sub-contract with the caterer was amended effective July 1, 2007. He asked why the purchase orders were not opened at that time.

City Manager Borgmann said that he would have to research the matter in order to provide clarification. He explained that a new purchase order was not opened because the contract overlaps two fiscal years.

Councilman Youngs moved to approve the budget transfers and Vice Mayor Dotson seconded the motion, which carried 4-0 on roll call vote.

10E) Appointment to the Historic Preservation Board by Vice Mayor Dotson (Group 2) for a Full 3-Year Term Ending on February 28, 2011

Vice Mayor Dotson **re-appointed** Yvonne Shonberger for a full 3-year term ending on February 28, 2011.

(Agenda Item 10F considered after 9B)

10F) Consideration of Tennis Court Operation Outsourcing Proposal

City Manager Borgmann stated that in light of the tax reform and even before the January 29th referendum, the Administration had been looking for new ways to approach City operations and the major areas of concern for increasing revenue to meet the costs in the recreation field. The situation at the tennis court is an opportunity to see if there is a different operating model by changing to a contractor who is not a City employee who would operate the venue on the City's behalf within the guides of a contract.

City Manager Borgmann said that Assistant City Manager Gorland and the City Attorney had worked very hard to develop a contractual arrangement that is agreeable to the City and the prospected contractor. He said that the proposal was not put out to bid because it had been done in the past and there is not a lot of interest in a small facility. He explained that the City was approached by a local resident, and the timing was perfect.

Assistant City Manager Ronald K. Gorland stated that he and the City Attorney had spent a lot of time with Manny Fabian negotiating the contract and making the recommendation to outsource the tennis and racquetball program.

Assistant City Manager Gorland stated that the recommendation is to approve a contract between the City and Manny Fabian, Match Point Enterprises, LLC, to operate a tennis/racquetball program on the City's courts.

The City's only qualified tennis/racquetball instructor, Joel Watts, departed the Parks and Recreation Department a few months ago, according to Mr. Gorland. He explained that the program was costly with almost no revenue and since there is a strong need for the City to reduce costs, a hold was placed on filling the position with a qualified professional while looking at alternatives. Additionally, it was determined that the courts were in such bad physical shape that Council agreed they needed to be resurfaced.

Assistant City Manager Gorland stated that all activities are being reviewed for alternatives for the purpose of cost reduction. Current spending on the tennis/racquetball program is in excess of \$100,000 annually for salaries, services, and supplies, which is offset by less than \$6,000 in average annual revenue the last five years, not including the periodic cost of resurfacing, or an annual cost of \$94,000 annually.

Assistant City Manager Gorland explained that consideration was given to alternatives ranging from opening the courts daily with minimal supervision to trying to redevelop a very active program. However, this would mean a program driven by a tennis professional with a passion for rebuilding the program, supported by significant expenditures.

The Assistant City Manager said that during the pursuit of alternatives, the City was approached by Manny Fabian, a long-time resident and family man who is well known to the tennis players and Staff. He did extensive local research leading to this proposal, which has developed further in the last few months in numerous discussions with the Administration and City Attorney.

Mr. Fabian is willing to take the risk of rebuilding the tennis/racquetball program and be profitable in doing so within the terms of the proposed contract, according to Mr. Gorland. Mr. Fabian also talked to many tennis contractors within the Miami-Dade/Broward area regarding this opportunity and he is highly recommended by former City employees Joel Watts and Marty Frady.

Assistant City Manager Gorland felt that the opportunity will be a win-win situation for both the City and Mr. Fabian because his plans include round robins, challenge ladders, tournaments, youth clinics, adult clinics, private and group lessons. His tennis background and membership in the United States Professional Tennis Association well support this level of activity.

Assistant City Manager Gorland stated that the direct benefit of the arrangement with Mr. Fabian would be to reduce approximately \$74,000 in net costs the first year and approximately \$94,000 annually in future years. The \$20,000 difference between the first year and subsequent years is an incentive/subsidy to be paid to Match Point representing the minimum cost of a part-time employee if the City were to open and close the courts and monitor them during heavy use. Indirect benefits include the opportunity to rebuild the tennis/racquetball program through a professional in the field. Additionally, with the continued pressures to reduce costs, the outsourcing business model will be used more actively in the future.

Assistant City Manager Gorland said that based on past experience, the model could work if the right people are involved. The contract can be adjusted based on how well or not well the operation goes and it was developed to give both parties an opportunity for success.

Councilman Youngs stated that Match Point would be paid \$5,000 per quarter for the first year, plus the tennis memberships on a monthly pro rata basis.

Assistant City Manager Gorland clarified that there are very few memberships, approximately seven or eight and Mr. Fabian should get the membership funds from those for operating the tennis courts. The \$6,000 revenue the City was receiving included all sources of revenue from the courts.

To answer Councilman Youngs' question, City Attorney Seiden clarified that page three of the contract outlines the duties and responsibilities of the City, including the payment of utility services. The contract was designed to keep Match Point as an independent contractor.

Vice Mayor Dotson commented that one of the major criteria used by the Internal Revenue Service to determine whether or not someone is an employee or an independent contractor is whether the City supervises the person or tells them how to do the job. He said that he is very impressed by Mr. Fabian's background and the City is fortunate to have the opportunity to contract for his services.

Vice Mayor Dotson said that the contract specifies the hours of operation which will be for eight hours a day, seven days a week. He said that some citizens play on holidays or in the evenings and complain if they do not have access to the courts. He asked if it would be possible to open the courts in the morning with no supervision.

Mr. Fabian stated that this issue was addressed and they tried to allow some flexibility in the language of the contract. The courts are currently open from 9:00 a.m. to 9:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday. Since this will be run as a business with a community service flavor, it will behoove him to have the courts open when there is a demand. There is no intention of changing the hours unless the people who use the facility request a change.

Mr. Fabian explained that a few individuals who play early in the morning have personal keys to open the facility, which would not be a problem, or he will make the courts available to them early in the morning. Most municipalities staff their facilities during prime time and this is currently 5:00 p.m. to 9:00 p.m. and Saturday mornings.

Vice Mayor Dotson stated that some people have keys to the courts because they play early and another citizen might drive by and see them playing and come back to use the courts and the gates are locked. He does not like the idea of issuing keys to certain people, but there is no major objection as long as others have access to the courts.

Assistant City Manager Gorland clarified that keys were issued to those people who have memberships.

Vice Mayor Dotson asked Mr. Fabian if people would have access to the courts on holidays or on Saturdays. Mr. Fabian answered affirmatively.

Councilman Best stated that he approved of the recommendation and it would be good for the City and the residents.

Mayor Bain and Vice Mayor Dotson wished Mr. Fabian success in his venture.

Councilman Youngs thanked Mr. Fabian for his interest in the tennis operation. He said that he looks forward to his success.

Mr. Fabian said that he has a passion for tennis and enjoys working with the youth and the timing was right, which provides an opportunity for him to give back to the community. He explained that he is not motivated by money and he wants to improve the program for the community.

Councilman Garcia stated that Mr. Fabian is a perfect model resident who is willing to leave a position making more money in order to give back to the community. He thanked Mr. Fabian for his willingness to do this.

City Attorney Seiden said that by passing a motion authorizing execution of the contract, which is a one-year contract, Council would be waiving any requirement for competitive bidding in the best interest of the City. He added that the City facility is being turned over to Mr. Fabian who will be an independent contractor who is putting his money into the facility, running the operation and keeping the profits.

Vice Mayor Dotson stated that he understands the terms of the contract. He would like to keep in mind that people feel they have a right to play on the tennis courts and he hopes they will be accommodated.

Mayor Bain said that Mr. Fabian would live up to his reputation and his promises. He said that it would be an asset to have a professional who knows tennis and the ability to improve the program.

George Ceballos of 600 Curtiss Parkway asked who would be responsible if there is an injury on the tennis courts.

City Attorney Seiden explained that the contract includes a provision that the contractor provides insurance in the amount of \$1 million to the City and the City will be carried as an additional insured under the policy. In addition, there is an indemnification provision should a medical injury exceed that amount and Match Point will be responsible. If there is a liability situation created by the City because of a situation that the City is responsible for correcting, then the City will be liable.

Councilman Best moved to approve the contract and Councilman Garcia seconded the motion.

Mel Johnson of 109 South Royal Poinciana Boulevard asked if the City would be responsible for operational losses. Assistant City Manager Gorland clarified that profit and losses are Mr. Fabian's responsibility.

The motion carried 5-0 on roll call vote.

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

Seminar

City Attorney Seiden reported that he attended a free one-day seminar that was hosted by a firm that does municipal work in Miami-Dade, Broward and Monroe counties. He said that many new ideas were brought up that the City might want to implement and he will be bringing these forward on an item by item basis.

12B) City Manager

Park Restrooms

City Manager Borgmann reported that he inspected the work on the park restrooms; they have been painted inside and outside and the contractor is waiting for the plumbing fixtures. Public Works is working on the water connections and he will award a contract for the sewer connection at Dove Avenue, which is under \$10,000. The sewer connection for Stafford appears to be more than this amount and he will obtain a second price quote.

Election Results

City Manager Borgmann stated that the January 29, 2008 election results indicate that there are 7,481 registered voters in Miami Springs, with 36% Democrat, 41% Republican and 23% no party affiliation. The total turnout in the County overall was 36.6% and Miami Springs turned out 44%.

The chart shows that the Miami Springs' voters overwhelmingly supported the property tax exemption by 72% to 28% and all four precincts were within statistical reliability of each other. There were a total of 3,277 votes cast or 43% and the most voted for item was the slot machines with 3,303 votes or 44.1%. The county qualifying dates passed with 77% and electing the Property Appraiser came in at 74%.

Daddy/Daughter Dinner

City Manager Borgmann announced that the Daddy/Daughter Dinner would be held on Saturday, February 16th at 6:30 p.m. at the Country Club.

Little League Registration

City Manager Borgmann reported that Little League T-ball and softball signups are ongoing at the Recreation Center.

ABC Swim Meet

City Manager Borgmann said that an ABC swim meet was held at the municipal pool with more than 280 swimmers and that it was a revenue generating event. He said he would provide a full report.

Plaque for Bruce Felicetti

City Manager Borgmann said that a plaque would be presented to Bruce Felicetti's parents at the February 25, 2008 meeting in appreciation of his 28-1/2 years of service to the City. Bruce passed away at the age of 52, which is a real tragedy.

Dan Bradley

City Manager Borgmann reported that Dan Bradley had health problems and he wishes him the best.

12C) City Council

Valentine's Party

Councilman Best attended the Valentine's Party sponsored by the Miami Springs Historical Society at the Woman's Club on Thursday, February 7th, which was a worthwhile event.

Deer Run Project

Vice Mayor Dotson asked for a status report on the traffic calming circle for Deer Run.

City Manager Borgmann reported that he received an e-mail from the County indicating that they would be willing to review any plans. He said that the City would have to find specifications for the project and submit a design to the County.

City Attorney Seiden suggested getting the specifications from the City of Miami.

Vice Mayor Dotson asked if the County considered the crime report analysis for the area.

City Manager Borgmann responded that the crime statistics were submitted to the County and they were not considered because they were very low.

Chief of Police Dilling said that he would provide a copy of the report which shows all police activity for Deer Run. The report indicates that there were five crimes in 2006 and six crimes in 2007.

Attendance Boundary Committee

Councilman Youngs will attend an Attendance Boundary Committee (ABC) meeting on February 14th at the Miami-Dade County School Board offices and report back on what transpires. It seems that the school closing or repurposing is off the table.

Springs River Festival Ceremony

Mayor Bain said that the unveiling of the memorial plaques for the Curtiss Parkway monument would be coordinated with the opening ceremony of the Springs River Festival.

Speeding Traffic

Mayor Bain would like to take action to deter cars speeding into the City off the incoming bridge in front of Starbucks Coffee on Curtiss Parkway. He said that speed bumps or other traffic calming devices could be considered, especially with the added pedestrian traffic since Downtown is booming.

Grant Writer

Mayor Bain asked for a status report on the grants that have been applied for by Grant Writer Carol Foster.

City Manager Borgmann stated that the activities are listed in the City Manager's update. Ms. Foster has been working on pending grants and attending informative meetings prior to submitting new grants. She has also been looking for additional funds for the Community Center.

Milam's Market Bulletin Board

Mayor Bain stated that Mr. Milam is waiting for the City to take his offer for posting information on the store bulletin board.

Downtown Parking

Mayor Bain said that he would like Council to consider proposals for additional parking in the Downtown area.

Councilman Best stated that he attended the Architectural Review Board when they discussed parking in depth and the minutes would be forthcoming.

Happy Valentine's Day

Mayor Bain wished everyone a Happy Valentine's Day.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 10:55 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 2/25/2008

Transcription assistance provided by S. Hitaffer

Words ~~stricken through~~ have been deleted. Underscored words represent changes. All other words remain unchanged.