



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, April 12, 2010, 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 George V. Lob
Councilwoman Jennifer Ator*
Councilman Bob Best
Councilman Dan Espino

*Arrived at 7:03 p.m.

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Finance Director William Alonso
Grant Writer/Public Information Specialist Carol A. Foster
City Clerk Magalí Valls

2. Invocation: Councilman Best offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

(Agenda Item 3A was presented before 3B)

3A) Police Presentation on Westward Drive Lane Closure

Chief of Police Peter G. Baan stated that approximately two months ago the Police Department received direction to look into the possibility of conducting a traffic study in the business district on Westward Drive. The purpose of the study is to determine the impact of narrowing the traffic lanes down to one lane and increasing the size of the sidewalk. Subsequently, a design was presented to Council.

Chief Baan explained that the purpose of his presentation was to confirm if Council still wanted to follow through with the test. In his opinion, they can duplicate the design of narrowing down the street, but it would be difficult to duplicate the appearance of curbs and plants with the barricades and cones. He felt that it would look more like a construction zone than a revitalized area.

Chief Baan stated that the project is scheduled to begin on May 16th, which is one month away, and the Department would like to begin advertising and planning for the test study.

To answer Councilwoman Ator's question, Chief Baan clarified that the original plan was to conduct the study for three days, although adjustments can be made.

Councilman Espino brought his concern to the City Manager. He communicated with other cities that had gone through streetscape project trials, as well as certain design builders who conducted those trials. In each of the municipalities they experienced some problems that should be avoided. The study will provide a structural understanding of what ultimately will be achieved; it will not provide an overall visual interpretation of the ultimate project.

Councilman Espino explained that his concern is based upon comments from residents who are beginning to hear complaints from certain people who are looking to stop any and all change, even though it is only a preliminary phase of the process. He felt that the study would provide a better understanding by using planter boxes with reflective stripes that could be used at other park locations. The City of Coral Gables has done a similar project with great success and he would like to lessen the negative effects of barricades and cones.

City Manager Borgmann stated that it would be easy to place the barricades, but they would give the appearance of a construction zone rather than the aesthetic value that the planter boxes and curbing would bring to the area. His recommendation would be to determine what it would cost to do a demonstration for one or two blocks. Four by four posts could be installed in place of a curb and they could be filled in with a material that would give the appearance of a sidewalk with planters, etc.

City Manager Borgmann was concerned that the proposed project would not show the results that Council is looking for. He would like to make the changes in a more aesthetically pleasing manner so that people would be able to see exactly what the end result would be.

Councilman Best stated that Council is looking to see if the plan will function; they are not looking

for aesthetics.

Councilman Espino was of the opinion that both function and appearance are important because there will be different elements, including landscaping, trees, light fixtures, etc. when the project is designed.

City Manager Borgmann reiterated his recommendation for a demonstration project for one or two blocks, with the rest of the project using the barricades and cones. He added that the Request for Qualifications (RFQ) for the Downtown Revitalization consultant would be coming in soon and the firm or individual that is selected could be tasked with developing a plan. It is possible that other firms could help that are not involved with the RFQ.

Councilwoman Ator said that she originally suggested the plan based upon her desire to have wider sidewalks; she specifically suggested the planter boxes based upon her vision. She understands the concerns and agrees that the planters are a good idea for a couple of blocks. She said that when advertising the project, she would like to have renderings of what the plan looks like and hold the trial for one week.

Mayor Bain suggested that the Administration could bring back information regarding the pricing of the planter boxes for the trial period of one week on the same dates in May.

Chief of Police Baan did not feel that two weeks would be enough time to advertise the project.

Mayor Bain asked to begin advertising now and to schedule an agenda item for the meeting of April 26th for Council to make a decision about the details of the project.

3B) Proclamation – Suzie Gavila Day – April 12, 2010

Mayor Bain presented a proclamation to Suzie Gavila recognizing her contributions to the community and for thirty-five years of employment at Variety Children’s Hospital.

4. Open Forum:

Skateboarding

Nery Owens of 332 Payne Drive circulated pictures of skateboarders in the roadway in front of her house. She has called the Police Department and by the time the officers arrive the skateboarders have left the area. She suggested that “No Skateboarding” signs be installed and that the Community Policing Department should hold seminars at the Middle and High Schools to inform students that it is against the law to skateboard in the road. Ms. Owens urged the City Council to take action to resolve this problem.

Census

Lily Saborit Abello of 117 Palmetto Drive spoke about the U. S. Census and the concern that only 51% of Miami Springs' households had responded. A Census representative asked her to help with an event to promote census awareness with the help of the Woman's Club, Optimist Club, and Rotary Club. The responses increased to 55%. She urged everyone to complete and return their census form.

Senate Bill 6

Todd Stiff of 1255 Dove Avenue would like the City to issue a resolution in regard to Senate Bill 6. He said that the bill was rushed through the House and the Governor has until Friday, April 16th to sign it.

Pelican Playhouse Update

Ralph Wakefield of 255 Springs Avenue spoke about the Rebeca Sosa Theater in the new Community Center and a postponement of the Grand Opening of the Pelican Playhouse. He said that the additional two weeks would allow the equipment to be delivered and time to train people to use the new equipment. He added that they now have a new 15' x 15' screen.

Pelican Playhouse Update

Nancy Jones of 255 Springs Avenue stated that the Pelican Playhouse received the 501-C-3 status. The new screen was donated by University Baptist Church and it replaced the smaller 6' x 8' screen. She reported that Target has a grant for arts in the schools that they will be applying for.

Pelican Playhouse

Kevin Hicks of 25 Corydon Drive has been developing the website for the Pelican Playhouse where one can receive information on the upcoming plays and recitals and general information about the programs. Tickets will be sold on-line at www.pelicanplayhouse.org beginning next week and the site will also have links to certain restaurants.

5. Approval of Council Minutes:

5A) 03/22/2010 – Regular Meeting

Minutes of the March 22, 2010 City Council Regular Meeting were approved as written.

Councilman Best moved the item. Vice Mayor Lob seconded the motion, which carried 5-0 on voice vote.

6. Reports from Boards & Commissions:

6A) 03/16/2010 – Education Advisory Board – Minutes

Minutes of the March 16, 2010 Education Advisory Board meeting were received for information.

Councilwoman Ator commented that the Education Advisory Board minutes included recommendations for Council and she asked how this is normally handled.

City Attorney Seiden stated that the Council Liaison or the Board Chair could bring the recommendations to Council. The Clerk can also provide excerpts of the recommendations that can be scheduled as an agenda item for a future meeting.

6B) 03/23/2010 – Ecology Board – Minutes

Minutes of the March 23, 2010 Ecology Board meeting were received for information without comment.

6C) 03/25/2010 – Code Review Board – Cancellation Notice

Cancellation Notice of the March 25, 2010 Code Review Board meeting was received for information without comment.

6D) 04/05/2010 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the April 5, 2010 Zoning and Planning Board meeting was received for information without comment.

6E) 04/07/2010 – Architectural Review Board – Cancellation Notice

Cancellation Notice of the April 7, 2010 Architectural Review Board meeting was received for information without comment.

6F) 04/14/2010 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the April 14, 2010 Golf and Country Club Advisory Board meeting was received for information without comment.

6G) 04/05/2010 – Board of Adjustment – Approval of Actions Taken at their Meeting of April 5, 2010, Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of April 5, 2010 were approved, subject

to the ten-day appeal period.

Councilman Espino moved for approval. Vice Mayor Lob seconded the motion, which carried unanimously on roll call vote.

7. Public Hearings:

None.

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for March 2010 in the Amount of \$11,873.75

There was no discussion regarding this item.

Councilwoman Ator moved to approve. Vice Mayor Lob seconded the motion, which was unanimously carried on roll call vote.

9. Old Business:

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

Mayor Bain **appointed** Michael Dominguez to the Golf and Country Club Advisory Board for a full 2-year term ending on July 31, 2011.

Councilwoman Ator **re-appointed** Amy Klose to the Ecology Board for a 3-year term ending on April 30, 2013.

Vice Mayor Lob **re-appointed** Ariana Fajardo to the Board of Adjustment/Zoning and Planning Board for a 3-year term ending on April 30, 2013.

9B) Approval of Additional Donation to the Springs River Festival Committee

City Manager Borgmann clarified that the Festival Committee thought that the increase was far greater than it actually was.

Mr. Borgmann said that the records show that last year's cost for police was \$10,457.00 and this year the estimate is \$11,822.00, or an increase of \$1,365.00. The Public Works Department was paid \$5,005.00 last year and the City gives an annual donation of \$6,000, which is included in the current budget. There is \$5,300 remaining in the budget for special events should Council decide to allocate funds from that account.

Denise Frederick of 3867 East 2nd Avenue, Hialeah, Chairwoman of the 2010 Springs River Festival thanked Council for their consideration of the request for additional funding. It was brought to her attention by the City Manager that after the transfer of the Water and Sewer System to Miami-Dade County, there is no access to the water supply through the back alleyway.

Ms. Frederick explained that State law requires that all food vendors must have access to water for sanitation purposes and they were able to find cable ramps to run water from the other side of Canal Street, which was estimated to cost \$1,400, but it actually ended up costing \$666.00 for eighteen ramps. She also is acquiring a bid should the City want to purchase the ramps.

To answer Vice Mayor Lob's question, City Manager Borgmann clarified that the ramps could also be used to cover electrical cables.

Vice Mayor Lob asked if it would be possible for the committee to come back to Council after the event once the expenses and revenues are determined.

Councilman Espino explained that was his consideration as well. He knows that the Festival gives donations to various organizations and if there is money left over at the end perhaps the committee could purchase some of the ramps.

Councilwoman Ator knows that organizing the event is a lot of work and they do a great job. She will miss the event because she will be out of town.

Councilman Best proposed covering the \$666.00 for the rental of the water ramps, which is a new requirement, and after the event is over, Council could examine the additional request for funding.

To answer Councilman Espino's question, Ms. Frederick responded that the ramps are estimated to cost \$639.00 per three-feet and there is a company that rents them for \$10.00 per three-feet. The ramp must cross the entire distance of Canal Street with the exception of ten-feet on either side.

Lions Club member Wade Smith of 260 Lawn Way explained that in past years, the water was brought down to the corner of Canal Street and Curtiss Parkway and shared with all the vendors. The current plan is to bring the water across the street and then disburse it to the vendors. Without the water supply, the Lions Club will not be able to sell corn this year.

To answer Councilman Best's question, Ms. Frederick explained that all vendors placed on the south side of Canal Street would be affected. Public Works is able to install some faucets on the north side, but for the safety of everyone, the water must be run across the street under the ramps.

Councilman Best moved to approve a donation of \$666.28 to the Springs River Festival Committee to cover the rental of the cable ramps. Councilwoman Ator seconded the motion which was unanimously carried on roll call vote.

9C) Discussion of Skate Park Sites; Presentation of Surveys

Rene Aza of 792 Rio Vista Drive is not in favor of the skate park in a residential area. He said that a skate park should have a significant amount of space and it would not fit in a small, quiet community.

Kathleen Johnson of 762 Rio Vista Drive spoke once before against the skateboard park being built at the end of her street. She would like to know if the homeowner has any rights to prevent the City from taking away their peace of mind and quiet neighborhood with all the elements that a skate park will bring. She asked Council to consider their feelings and leave them alone.

Bob Shultz of 100 Sunset Way said that many sites had been considered and hopefully a decision will be made tonight. He is in favor of the skateboard park because it will take the kids off the streets. He said that there are other parks located in the vicinity of residential homes and skate boarding is a sport the same as tennis, golf, swimming, etc. Mr. Shultz feels that the Rio Vista site is the best one of the two sites being considered at this time.

Bobby Shultz, Jr. of 100 Sunset Way presented a petition with approximately 300 signatures in favor of the skateboard park at the Rio Vista site. He also has a following of 205 members on Facebook who support a skate park in the City. He asked Council to consider this when making their decision.

Michael Gavila of 684 Morningside Drive is in favor of the skateboard park at the Rio Vista location.

Clarece Depkin of 501 Nightingale Avenue just found out about the skateboard park proposal and she is not opposed to the park, but to the Rio Vista location. She realizes that the sport requires athletic ability and the kids should have an area to skate, but not in their back yard. She asked Council to consider another location.

Barbara Hobbs of 850 Hunting Lodge Drive inquired if the skateboard park could be placed in a location near more commercial businesses where parking already exists and people are encouraged to visit. She is sympathetic to the residents who do not want the activity or noise from the public park and she is also sympathetic to the skateboarders who are simply trying to find a way to legally pursue their hobby. Ms. Hobbs asked Council to work harder to find a solution to the skate park issue.

Benny Torris of 741 Albatross is in favor of the skateboard park in the center of downtown, but not in a residential area.

Jose Duarte of 1042 Quail Avenue supports the skateboard park for the youth of the community.

Cheryl Diez of 710 Rio Vista Drive is not in favor of the skateboard park in a quiet residential area because it would be noisy, lower the value of her home, destroy open green space, attract non-residents, create traffic and cause litter, sanitation and drainage problems. She felt that it would be an undue burden to place upon the residents and taxpayers and the City should pay off its debt on the

various bank loans or invest in downtown revitalization.

David Diez of 710 Rio Vista Drive is opposed to the Rio Vista site at the end of his block for the skateboard park. He is grateful for the City's parks and new Community Center and would like to keep the quiet green space at the end of his block. He was of the opinion that the existing recreational facilities are sufficient for the residents of Miami Springs.

Carlos Navarro of 620 Quail Avenue spoke in favor of the skateboard park. He said that many locations had been discussed and he does not understand the opposition because there are other recreational facilities in residential areas.

Former Councilman Zavier Garcia is in favor of the skateboard park and has confidence that the Council would find a suitable place to build it. He recalled that residents living around the new Community Center and the Dog Park were also opposed to those locations. He does not want the skate park proposal to fall by the wayside due to the location because it is a facility that would be used by the residents. He urged Council to find a suitable location.

Mayor Bain thanked everyone for their comments. He explained that Council is in a difficult situation because there has been opposition to every location that has been proposed, including Rio Vista, Peavy/Dove, Stafford Park and the tennis courts site. He would like the opportunity to prepare a preliminary design for the facility and determine what can be done to curb the noise. The proposal has been pending for three years and even though the comment was made that the City already has sufficient recreational facilities, he would like to have a skateboard park too.

Mayor Bain presented a proposal for constructing the skate park on City property adjacent to the second hole on the Golf Course behind Dr. James' property. He said that there is a nice walkway leading to the property, which is 100' x 100' in size.

Councilman Espino explained that if Council does vote tonight, it would not be to proceed forward with a particular skateboard park. There is nothing definite to consider, only the selection of a location and for Council to give direction to the Administration to move forward. Regardless of the location, he would like to consider the residents' concerns, whether it is in a forum or workshop meeting, and try to maximize the solutions for them. His preferred location was Peavy/Dove Park, but the County will not accept it.

Councilman Espino stated that the park is only a concept and everyone has different ideas of what it would be like. There are modern materials to shield the view and the noise generated from the park, as well as landscaping to enhance the area.

Councilman Espino thanked everyone for their comments and concerns. The ultimate location that is selected will be based on the concerns of everyone.

Councilman Best said that after hearing all the comments for the last three years, there is one thing that is paramount and that is whether or not the skateboard park is worthwhile for the City of Miami Springs. In his opinion it is, for the simple reason that Council has been petitioned for the last two years on the issue and there are at least 300 signatures that are in favor of it.

Councilman Best would not want to discount the concerns of the neighbors who have invested in their homes and expect a peaceful existence in the City. It is his intention to move forward and find a location that is adequate. His thought has always been that once annexation goes through, the skate park could be built there. He has received comments from people who oppose the park and their wishes should be respected. He knows the sport is becoming more popular, it is worthwhile and it should be accepted in a positive manner in the right location.

Vice Mayor Lob felt that Council is listening to everyone's concerns. He knows there are enough people interested in the park for Council to consider the issue. People complain about kids skating in the street and in the business area and they need a location that is safe. He agreed with Mayor Bain that Council had not had the opportunity to show what can be done to mitigate the various issues, including noise, parking, etc. He understands that no one wants a skate park in their back yard, but given the amount of people who have shown an interest, he would like the chance to show what the City can provide before the concept is shut down.

Councilwoman Ator agreed with Vice Mayor Lob. She added that as a former member of the Recreation Commission she initially supported the Rio Vista Drive site, although it is very narrow. The survey of this site shows that it is almost 500-feet long and 60-feet wide. She knows that the ideal size is 100 x 100', but it has been stated that it is not necessary because there are other options. She felt that it would be a more productive discussion if there was some idea of how the skate park would look and function.

Councilwoman Ator appreciated the Mayor's ingenuity for proposing the property behind Dr. James' office, but her concern about that location is that it is close to N. W. 36th Street and the younger kids might not be safe in that area. She likes the safety of the Peavy/Dove location and considers the Rio Vista location an extension of that park.

Seth Levy stated that size-wise the Rio Vista location is suitable for the skateboard park. He evaluated the various locations with the City Manager and came to the conclusion that Rio Vista would be the best for the reason that it is most accessible to public transportation and located close to the Community Center. The Ludlam/North Royal location would be feasible, but there is no access to public transportation. He is not familiar with the new location proposed by Mayor Bain.

Mr. Levy said that he had reviewed the minutes of previous Council meetings to familiarize himself with the residents' concerns. He distributed information regarding "Skateboarding: Myths vs. Facts".

Mr. Levy said that it has been proven that the most common concern is noise and the sound is 60 to 70 decibels, which is almost inaudible. A tennis court, traffic on the Circle or the train would generate more noise than the average skateboard park.

Mr. Levy added that another issue is liability and there is zero liability for public skateboard parks in the State of Florida, according to the Statutes. Most skateboard injuries happen on the streets and a park would take the kids off the street. He said that statistics show that playing soccer is more dangerous. Skateboarders are stereotyped as kids who do drugs, but the average skateboarder does

not because they inhibit the ability to properly skateboard.

Councilman Best stated that he would like to consider additional locations, as well as the possibility of building a skate park in the annexed area.

Councilman Espino said that he was never in favor of building the skate park in a heavily commercialized area, although there might be viable locations, but they may not be safe for the kids. The new site proposed by the Mayor might require some work on behalf of the Administration to determine the feasibility.

To answer Councilman Espino's question, Mr. Levy explained that other cities have lessened the visual impact of skateboard parks by building a high wall that traps the noise. The wall could be incorporated into the design of the park as another obstacle. Most parks incorporate landscaping to lessen the visual impact.

Councilwoman Ator reiterated that she likes the Rio Vista location and is prepared to move forward, especially because the survey indicates that the size is more than sufficient. It is hard to evaluate the space without a better idea of the design.

City Manager Borgmann said that the Rio Vista survey shows the property crossing the street into the tennis courts at the Saratoga Springs Apartments. Documents show that part of the asphalt driveway on the house furthest north on Rio Vista Drive was within the City's property. If the survey is correct, the line is way out to the road and all that land may not be available. There is a dedicated alleyway that goes through the asphalt that is 16-feet wide.

Councilman Espino would like to pick the best location based on the information at hand. He is intrigued by the Golf Course location and would like to move quickly to determine if it is feasible.

Councilman Best and Vice Mayor Lob would also like to look at the property proposed by the Mayor.

Council directed the Administration to look at the new area on the Golf Course adjacent to Dr. James' property proposed by Mayor Bain. Also, to further investigate the Rio Vista site and the new survey compared to the zoning map on file.

9D) Field Restroom Openings Recommendation

Assistant City Manager Ronald K. Gorland stated that he and Parks and Recreation Director Omar Luna are recommending that if Council decides to have any of the field restrooms open that they continue the current policy of supervising them with Recreation Department personnel. They further recommend not altering the current and long-standing policy that restroom facilities are available only during organized events.

Assistant City Manager Gorland explained that the recommendation includes all field restrooms,

including the Senior Center restrooms. The new Community Center restrooms will be available during all Prince Field/Tot-lot operating hours. The cost of opening and cleaning the Senior Center restrooms is not worth the risk or cost.

Parks and Recreation Director Omar Luna provided a cost analysis under various scenarios, according to Mr. Gorland. He agrees with the Administration not to open the Prince Field restrooms at the Senior Center, although he has provided a cost analysis of what it would cost to keep them open.

Vice Mayor Lob is glad that the new restrooms at the Community Center are available. He asked what can be done for the citizens when the Community Center is closed on a holiday.

Assistant City Manager Gorland clarified that the Community Center is open for more hours than the Prince Field Tot-lot. He has taken his daughter to the Tot-lot on numerous occasions and never experienced a situation that could not be handled by crossing the street to the Recreation Center. He added that there had been problems when the Senior Center bathrooms were left open for the public.

Vice Mayor Lob stated that the policy would be fine as long as the Community Center restrooms are available.

Councilwoman Ator suggested posting signs informing the public that the restroom facilities are located across the street at the Community Center. She asked about the operating hours of the Tot-lot and the Community Center on holidays and weekends.

Assistant City Manager Gorland thought that the Community Center and the Tot-lot would be open until 7:00 p.m. on Sunday, but he would check to verify this information.

Council **agreed** with the recommendation presented by the Administration.

10. New Business:

10A) Approval of Budget Transfers Within Departments

City Manager Borgmann stated that Section 9.04 of the City Charter states that upon request of the City Manager, City Council by a 3/5th vote may at any time transfer any part of the unencumbered appropriation balance between general classifications of expenditures within a department. He explained that the requested transfers extend back to the beginning of the fiscal year.

Councilwoman Ator moved to approve. Vice Mayor Lob seconded the motion.

To answer Mayor Bain's question, City Manager Borgmann clarified that \$50,000 is being transferred out of the CITT fund into the General Fund to pay for street light repairs.

The motion carried 5-0 on roll call vote.

10B) Recommendation that Council Approve Change Orders No. 6 and 7 to Link Construction for the New Community Center in the Amount of \$50,995.55

City Manager Borgmann stated that this is a recommendation for Council approval of Change Orders No. 6 and 7 to Link Construction for the new Community Center in the amount of \$50,995.55. Council approved the changes in concept when Mr. Sprague appeared before Council, but a formal recommendation is needed so that the Finance Department can release the funds.

Vice Mayor Lob moved the item. Councilman Espino seconded the motion, which was unanimously carried on roll call vote.

10C) Approval of Ground Lease Agreement with Clear Wireless, LLC

City Attorney Jan K. Seiden stated that Council is aware of the communication antenna in the Hook Square area that has a number of co-locators and the proposed agreement is for another co-locator wishing to connect to the pole.

City Attorney Seiden explained that there are two facets to co-location and getting to the pole is a function of dealing with Sprint and as a result, the City receives additional revenue. The ground lease agreement is controlled by the City because there is an equipment cabinet that must be placed on City property. The agreement with Clear Wireless, LLC is the basic form that has been used for everybody that has co-located to date and the City will receive an additional \$6,000 per year for this particular agreement. They agree to name the City as an additional insured and they have met the bond requirement to protect the City in case they move without removing the equipment cabinet.

City Attorney Seiden stated that the Finance Director reviewed and approved the agreement and he is requesting authorization for the City Manager to execute the agreement.

To answer Councilman Best's question, City Attorney Seiden explained that the City would receive \$6,000 plus an additional \$5,000 that will increase over time. He added that approximately one-year from now the original ten-year lease on the tower will expire and Sprint has two 5-year renewal options.

Vice Mayor Lob moved the item. Councilman Best seconded the motion, which was carried unanimously on roll call vote.

10D) Request for Council Approval of Interlocal Agreement with the Village of Virginia Gardens to Provide Shuttle Bus Service

City Manager Borgmann stated that during the past year the City had been communicating with the Village of Virginia Gardens regarding entering into an Interlocal Agreement to extend the shuttle service into the Village. In return, the City of Miami Springs will receive their 20% share of CITT funds that are designated for transit, which is approximately \$14,000 per year.

The Village of Virginia Gardens has agreed in concept, through the Interlocal Agreement, to give the City \$14,000 per year in return for an additional stop and a circulating pattern through their community that passes by a couple of their bus stops, according to Mr. Borgmann. The additional stop should fit into the schedule because the route is normally finished in forty-five minutes as opposed to an hour. The City would have to adjust the times for the stops once the shuttle leaves Virginia Gardens and new brochures and route maps would be developed.

City Manager Borgmann recommended that Council approve the Interlocal Agreement and authorize him to move forward.

Councilman Espino asked if the Village of Virginia Gardens would have an issue with the identification that is placed on the shuttle.

City Attorney Seiden responded that it should not be an issue.

Councilwoman Ator felt that it is a good idea to bring people from Virginia Gardens to the business district in Miami Springs.

City Manager Borgmann explained that the Town of Medley had asked for a stop at their community center on River Drive for their \$7,000 share of the CITT funds. He had to deny the request because if the shuttle gets stopped by the train it would affect the schedule.

Vice Mayor Lob moved the item. Councilman Best seconded the motion, which was unanimously carried on roll call vote.

10E) Approval of Change Order # 2 for the Curtiss Mansion Restoration Project No. 02-08/09 in the Amount of \$37,044.28

City Manager Borgmann referred to the summary sheet outlining a request for approval of change order # 2 requested by CMI for the Curtiss Mansion Restoration Project in the amount of \$37,044.28. This has been approved by Roy Rodriguez, Construction Oversight Manager, who is present to answer any questions.

Councilwoman Ator moved the item. Vice Mayor Lob seconded the motion.

City Manager Borgmann acknowledged Roy Rodriguez for his involvement in the project and

saving the City a lot of money in his capacity as a member of CMI. He is always on top of every issue.

Councilman Espino gave credit to Mr. Rodriguez for moving the project forward, which would not have been possible without his efforts.

The motion was unanimously carried on roll call vote.

Councilman Best asked Mr. Rodriguez to give a brief rendering of the project moving forward.

Mr. Roy Rodriguez explained the first phase of the exterior renovation should be finished within the next month. The change order added the glazing on the paint that was not anticipated. If CMI cannot go forward with the second phase and the building has to sit for a while, he will come back with change order # 3 for the placement of sod.

Councilman Espino stated that CMI could request another extension from the contractor for the commencement of phase two pending additional funding. CMI may not know until October 2010 whether or not the funding source comes in.

10F) Discussion Regarding Website Design RFP # 02-09/10

Assistant City Manager Ronald K. Gorland stated that fourteen bid responses were received, including three “no responses” to the City’s website RFP. The design and construction quotes range between \$16,350 and \$194,250. When offsite hosting costs are included, the resulting bids range between \$19,950 and \$249,250. The Administration is advising that off-site hosting no longer be considered since the City has the ability to host its own website.

Assistant City Manager Gorland explained that all responses were reviewed to ensure they are valid. The quotes vary widely with three in excess of \$50,000 (highest over \$200,000); five between \$25,000 and \$50,000; and three less than approximately \$25,000 (the amount budgeted for the website).

At this point the Administration is seeking direction regarding how to proceed. The City Manager would normally appoint a committee of experts to review and make a recommendation of one or more to Council for their review and determination. However, due to the interest previously indicated by Council in this project, Council may want to skip the committee recommendation process and have a workshop or special meeting to review all the responses, with or without bidder presentations.

Assistant City Manager Gorland said that a third approach, with consideration to what is becoming a relatively high cost project based on the responses, Council may wish to consider the City’s almost completed “in-house” site that is currently on-line and in use. This website was recently released by Information Technology Manager Jorge Fonseca and while it is not completely finished, the Administration believes it provides enough of a view to determine if this is a more cost beneficial

way to proceed at this time.

Assistant City Manager Gorland gave credit to Mr. Fonseca for his information technology ability, although he is not a marketing expert.

Vice Mayor Lob agreed that the new website is much better than the old one, but that it still needs a lot of work.

Councilwoman Ator said that IT Manager Fonseca put together the website and he still has more work to do to keep the e-mail system up and running. She said that tasking him with the responsibility would not serve the City or its citizens in getting the information they need.

Councilman Espino felt that the current website had been good for a temporary website. From his perspective he would like the website to be remarkably different and more dynamic in terms of being able to provide additional services to the residents through the website.

City Manager Gorland explained that the website was designed and has the capability to provide the services suggested by Councilman Espino.

City Manager Borgmann said that the reason for bringing this to Council in this format was because the bids were so different and the Administration wanted to see if Council approved of the “in-house” website.

City Attorney Seiden reminded Council that they were being asked to make one decision about the process, not to discuss the RFP responses. He asked if Council wanted the City Manager to go through the normal process using a committee to narrow down the responses to whatever number Council wants or if they would like presentations made to them directly.

To answer Mayor Bain’s question, City Attorney Seiden clarified that Council could stop the process and throw out the bids if there are three votes in favor.

Mayor Bain asked how long it would take to finish the website if IT Manager Jorge Fonseca continued working on it.

Vice Mayor Lob would not want to ask the IT Manager to complete the website because it would be too much for him to do considering his other responsibilities.

Assistant City Manager Gorland said that under the circumstances with his other responsibilities that it would take another six months for the IT Manager to complete the website in-house.

Councilman Espino would like for presentations to be made to Council as opposed to forming a committee.

Councilwoman Ator stated that she would rather have a committee.

Councilman Espino said that the numbers vary so widely that Council could set a cap on the amount.

City Attorney Seiden clarified that Council should not give directions to the committee; that is not their job. He said that Council could either choose a committee or schedule the presentations. The committee could narrow down the responses and decide the number of candidates that would make presentations to Council.

Councilman Best felt that Council should let the City Manager form the committee and come back to Council.

Vice Mayor Lob explained that he would be in favor of a committee as long as they have the expertise.

Council was in agreement that they would like to hear presentations from the top five companies.

Councilman Best moved to allow the City Manager to select a committee relative to the website selection process and bring back the top five for review. Vice Mayor Lob seconded the motion.

Mayor Bain stated that he would vote in favor of the process, although he is concerned because the responses are so different.

City Attorney Seiden said that when the results are in Council could then make a further determination as to whether or not they would like presentations.

The motion was unanimously carried on roll call vote.

10G) Request for Funding for the Virginia Gardens/Miami Springs Optimist Club Fishing Tournament

City Manager Borgmann stated that he had not received a letter from the Optimist Club, although he understands it was submitted one month ago via e-mail.

The item was tabled until the next meeting.

12. Reports & Recommendations:

12A) City Attorney

Special Meeting

City Attorney Seiden reminded everyone of the Special Council meeting scheduled for Monday, April 19th for the purpose of discussing code revisions. He will be getting additional information from the City Planner and Board of Adjustment Chair Manny Perez-Vichot. He urged Council to contact him if there were any questions in advance of the meeting.

Attorney's Luncheon

City Attorney Seiden reported that he, Councilman Espino and Councilwoman Ator would be attending the Miami-Dade County League of Cities Attorney's luncheon on Wednesday, April 14, 2010.

Audit Committee

City Attorney Seiden stated that the committee met today to review the responses for the City auditing services. Presentations will be made by all four companies that responded on Wednesday, May 4th and a recommendation to Council will follow.

12B) City Manager

Executive Session

City Manager Borgmann announced that the rescheduled date for the Executive Session is Tuesday, April 13th at 6:30 p.m. in the conference room at City Hall.

Community Center

City Manager Borgmann stated that the Grand Opening/Ribbon Cutting Ceremony at the Community Center went amazingly well. The dedication of the theatre to County Commissioner Rebeca Sosa was one of the nicest things that could be done in light of all she did for the City to make it possible to construct the building.

Summer Camp Registration

City Manager Borgmann announced that the Summer Camp registration began. The process went very smoothly and 182 of the 185 slots were filled as of 7:30 this evening. The programming was expanded due to the size of the building.

Community Center Plaque

City Manager Borgmann stated that he distributed a memento plaque to Council with the inscription “Upon our Past We Built our Future”. The base of the plaque is a piece of the old gym floor and the top is a surplus piece of the new gym floor.

Post Buckley Schuh and Jernigan

City Manager Borgmann sent a letter to PBS&J regarding the Basin 35 drainage project and received a telephone call from them wanting to set up a meeting to talk. The bottom line is that the Administration does not feel that they reached a fair agreement.

City Attorney Seiden said that the City disagrees with Post Buckley. The letter received today states their position, which the City does not agree with and the City will have an opportunity to respond after reviewing the numbers with Finance Director Alonso. It must be determined what part of the services that were rendered, both from an engineering standpoint and a construction standpoint, turned out to be beneficial to the City. Once they agree with the City’s position on one section, everything else should fall into place and they will eventually see the City’s position.

Springs River Festival

City Manager Borgmann reminded everyone of the Springs River Festival this weekend beginning on Friday, April 16th.

Congratulations

City Manager Borgmann extended congratulations to City of Doral Mayor Bermudez and his wife on the birth of their daughter.

Sidewalk Repairs

City Manager Borgmann announced that sidewalk repairs would begin around the Community Center and the swimming pool facility utilizing Local Option Gas Tax and CITT funds. Grassy areas that turned to dust during the construction will be re-sodded.

Stafford Golf Tournament

City Manager Borgmann stated that the Stafford Golf Tournament was a success raising \$8,000, just short of last year due to the economy.

Parking Garage

City Manager Borgmann talked to CITT representatives and received verbal approval for the construction of the parking garage. He will meet with the director on Friday, April 16th to give him a formal proposal and map.

12C) City Council

Easter and Passover

Councilman Espino hoped that everyone had a holy Easter and Passover.

Tallahassee Trip

Councilman Espino reported that he went to Tallahassee on April 5th – April 7th to pursue some of the City's legislative priorities. Unfortunately, most of the conversation was in regard to Senate Bill 6. Legislative items on the horizon for the next session include municipal pensions. He was able to speak with a gentleman at the Historic Preservation Board with regard to the Curtiss Mansion National Landmark designation that must be approved by the state and federal government. This would enable the Curtiss Mansion to join the ranks with the Biltmore Hotel and the Freedom Tower, which is quite an honor. He met with Florida League of Cities representatives and will be joining several legislative committees and working with the Florida Redevelopment Association in a formal capacity. He appreciates the City's lobbyist Jose Fuentes for arranging most of the trip and the meetings.

Curtiss Mansion

Councilman Espino stated that the Mansion restoration is proceeding well. Curtiss Mansion, Inc. (CMI) will be selling bricks at the Springs River Festival that can be laser etched to be placed at the Curtiss Mansion for a small donation.

Community Center

Councilman Espino thought that the Community Center Grand Opening was a phenomenal event. Link Construction presented basketballs with the City Seal, signed by the Administration and present and past Council members. He added that the building is amazing and is generating positive feedback. He knows that County Commissioner Sosa was astounded with the construction of the building and the naming of the theatre after her.

Community Center

Councilman Best echoed Councilman Espino's comments about the Community Center and what an amazing event the Grand Opening was on Thursday, April 8th. He said that the highlight of the evening was when they dropped the drape on the name of the Rebeca Sosa Theater.

Library Branch

Councilman Best reported that he read at the Library branch last week, but unfortunately there was not a great showing. He would suggest in the future that the designated readers should go to the schools. The Library Manager indicated that the schools no longer have funding to transport the children to the Library.

Springs River Festival

Councilman Best reminded everyone of the Springs River Festival this weekend.

Friends of the Theater

Councilman Best announced that the opening of the Pelican Playhouse would begin with “Friends of the Theater” on Thursday, April 29th. Performances will be held at 7:30 p.m. on Friday, April 30th and Saturday, May 1st, and 2:00 p.m. on Sunday, May 2nd. Subsequent performances will be held on Friday, May 7th, Saturday, May 8th and Sunday May 9th.

Skateboard Park

Councilman Best stated that the discussion on the skateboard park was interesting and he is glad that the opinions were brought to the table.

Sidewalks

Vice Mayor Lob thanked the Public Works Department for cleaning the downtown sidewalks. He said that the employees are doing a great job and hopefully the sidewalks could be cleaned once a year in the future.

Community Center

Vice Mayor Lob stated that the Grand Opening of the Community Center was an incredible event with approximately 1,200 people in attendance.

Summer Session

Vice Mayor Lob said that the large turn out for the summer session is a by-product of the new Community Center. There were many people in line to register for the program and it was a great response. He commends the staff for their planning of the Grand Opening of the facility.

City Manager Borgmann added that there are two Olympians who are speaking with Parks and Recreation Director Luna to see how they can help with the programming.

Library Branch

Councilwoman Ator stated the senior citizens had expressed their concerns about the temporary library location. She thanked Elderly Services Director Karen Rosson for following up with the County and they worked out a plan making it easier for the seniors to get to the temporary location and to check out books by mail.

Out of Town

Councilwoman Ator announced that she would be going out of town with her husband this weekend and is disappointed that she would miss the Springs River Festival. She knows that many organizations have great plans for the Festival and it is going to be an outstanding event.

Education Advisory Board

Councilwoman Ator stated that the Education Advisory Board requested a proclamation for the “Art for the Sky Day” event at the Middle School as well as support from the City in the “Take Stock in Children” mentoring program.

Streets and Sidewalks

Councilwoman Ator commented that the sidewalks and streets are looking much better since they were cleaned.

T-ball and Baseball

Councilwoman Ator reported that the baseball and T-ball programs are well underway. She said that she is a baseball mom and the games are very exciting. She thanked all the volunteers who are doing a great job.

T-shirt Logo

Councilwoman Ator presented two versions of the City logo in a horizontal layout.

Business Cards

Councilwoman Ator began working on the layout for the business cards based on Councilman Espino’s draft.

Rain Barrel Workshop

Councilwoman Ator stated that the rain barrel workshop is coming up. She asked how the event is being advertised and suggested some signage.

City Manager Borgmann responded that an ad would be placed in the River Cities Gazette and people who would like to attend must pre-register. He offered to see what is planned to publicize the event and what can be done to supplement it.

Springs River Festival Clean-up

Mayor Bain commended the volunteers who worked to clean up the River Cities area on Saturday, April 10th. He said that they did a good job.

Census Event

Mayor Bain reported that Lily Saborit promoted a census rally that was held at the Circle on Sunday afternoon, April 11th. He added that Lily would like to make a presentation at the April 26th Council meeting.

Handicap Ramp

Mayor Bain spoke with a gentleman in a wheelchair about a handicap ramp in front of Starbucks. He asked if one could be placed in that area.

City Manager Borgmann explained that the area was checked and there is no cut-out on that side of the street. There is also a severe ramp in front of the pharmacy building and an area should be blocked off that is handicap accessible.

Community Center

Mayor Bain thanked Parks and Recreation Director Omar Luna, the Recreation Staff and the Administration for doing a great job in coordinating the Grand Opening of the Community Center.

The Mayor said that Commissioner Sosa knew that the Community Center was being constructed, but she had no idea how great the facility was going to be. It was nice that so many residents attended the event.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:58 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 4/26/2010.

Transcription assistance provided by Suzanne S. Hitaffer.