



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, June 8, 2009, 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 Bob Best
- Councilwoman Jennifer Ator
- Councilman Daniel Espino
- Councilman George V. Lob

Also Present:

- City Manager James R. Borgmann
- Assistant City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Police Captain Jon Kahn
- Finance Director William Alonso
- City Planner Richard E. Ventura
- City Clerk Magalí Valls

2. Invocation: Councilwoman Ator offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

None.

4. Open Forum:

Bus Stop Shelter

Juan Brito of 3831 N. W. 59th Avenue, Virginia Gardens, inquired about the status of the bus stop shelter by Milam's Market since nothing has been done in the last 1-1/2 year. He said that it is difficult waiting for the bus and getting wet during the rainy season.

Signs

Juan Brito stated that almost two years ago he was hired to hold signs on the sidewalk for a credit service and a travel agency. An Officer told him that he needed a permit to solicit and when he inquired about a permit he was told that it did not apply. He questioned whether or not it is illegal to stand on the sidewalk with a sign.

5. Approval of Council Minutes:

5A) 05/26/2009 – Regular Meeting

Minutes of the May 26, 2009 Regular Meeting were approved as written.

Councilman Espino moved the item. Councilman Lob seconded the motion which was carried 5-0 on voice vote.

6. Reports from Boards & Commissions:

6A) 05/21/2009 – Historic Preservation Board – Minutes

Minutes of the May 21, 2009 Historic Preservation Board meeting were received for information without comment.

6B) 05/26/2009 – Ecology Board – Cancellation Notice

Cancellation Notice of the May 26, 2009 Ecology Board meeting was received for information without comment.

6C) 06/03/2009 – Architectural Review Board – Rescheduling Notice

Rescheduling Notice of the Architectural Review Board meeting of June 3, 2009 was received for information without comment.

6D) 06/01/2009 – Zoning and Planning Board – Minutes

Minutes of the June 1, 2009 Zoning and Planning Board meeting were received for information without comment.

6E) 06/01/2009 – Board of Adjustment – Approval of Actions Taken at their Meeting of June 1, 2009 Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of June 1, 2009 were approved, subject to the 10-day appeal period.

Vice Mayor Best moved the item. Councilman Espino seconded the motion which was carried 5-0 on roll call vote.

Mayor Bain asked about the Historic Preservation Board designation process and if the property owner has any recourse as to the Board's decision.

City Attorney Seiden explained that the ordinance provides for notice to the homeowner of the intent to designate the property with all the appropriate documentation and notice of the public hearing at which time the designation is considered. If there is an objection to the designation there is an appellate process and it can be contested to the City Council. If Council upholds the designation the property owner has a right to get a writ in the court.

City Attorney Seiden stated that the owners of the property did not appear at the public hearing. He explained that often there is no objection to the designation and many are proud of the designation status.

Mayor Bain said that he followed the process and wondered what the ramifications of a property being designated historical are. It appears that the Historic Preservation Board is planning to designate a few more homes and he wants to make sure the property owners have certain rights.

To answer the Mayor's question, City Attorney Seiden responded that he does not attend the Historic Preservation Board meetings unless he is requested to because their actions are handled as a matter of course. He would attend if there is a question of an appeal or a dispute.

Mayor Bain stated that the minutes and correspondence should reflect that there is an appeal process, the same as the Board of Adjustment.

To answer Councilwoman Ator and Mayor Bain's question, City Attorney Seiden explained that the letter to the homeowner explains the process and they were provided with the entire historic designation code. The property owners were told to review the Code of Ordinance Section and call the City if they had any questions.

City Attorney Seiden clarified that the real limitation for a designated property is that the property owner must acquire a Certificate of Appropriateness from the Historic Preservation Board for any renovations or construction to the home. As long as the historic nature of the property is maintained, the Board generally grants the certificate, which is a pre-condition of acquiring a building permit. There have been cases where historic properties have been repaired or renovated based on the approval of the Board and the Building Official. Sometimes it is impossible to acquire the same materials to maintain the historic nature and they do it to the best of their ability. If the certificate is denied they also have the right to appeal.

Mayor Bain was concerned that the homeowners might not understand all their options regarding the process.

City Attorney Seiden explained that designated properties could be eligible to apply for grants for renovation. He added that the last appeal to Council for a historic designation was by the City itself for the designation of the Golf Course.

City Manager Borgmann stated that it might be helpful for the City Clerk to provide copies of the entire package that was sent to the property owner in order to understand the process.

7. Public Hearings:

Council sat as the Board of Appeals at 7:12 p.m.

Council Meeting was reconvened at 7:18 p.m.

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for May 2009 in the Amount of \$10,230.00

There was no discussion regarding this item.

Councilwoman Ator moved the item. Councilman Lob seconded the motion which was carried 5-0 on voice vote.

9. Old Business:

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

Mayor Bain **re-appointed** Mindy McNichols to the Education Advisory Board for a full 2-year term ending on May 31, 2011.

9B) Discussion Regarding the City's New Website

City Manager Borgmann stated that during the discussion on the goals and objectives, Council considered the development of a new website and was shown the work that had transpired before the election. He brought the idea back to the table so that the new Council could give direction on how they wanted to proceed and whether or not the Administration should continue on the same path or to stop and go out for a Request for Proposals (RFP).

The City Manager explained that the Information Technology (IT) Department had been very busy with the switch over to ASP, which is offsite for the mainframe, instead of purchasing a new one, which would save approximately \$75,000. This transition has been delayed another four to five weeks.

Councilman Espino commented that he would be in favor of proceeding in a new direction and with all respect to the IT Department they are limited in terms of what they can deliver. It is his contention that in order for the website to be effective and part of the marketing strategy it definitely needs to "turn the corner" and follow the route of other websites that he has seen. If this requires an RFP, then it should be done and the prices might be surprising given to today's economy.

Councilman Lob agreed with Councilman Espino. He suggested waiting to see the recommendations of the new Ad Hoc Committee and the Architectural Review Board for a continuous theme that is incorporated into the website.

City Manager Borgmann stated that themes are more graphic in nature as opposed to the information. He said that the IT Department is very good with creating the website except for the graphic content. The individuals that are currently assisting the City would provide the pretty and colorful graphics and the IT Department would show them how to link different sources of information. The website information must be easy to access and pleasing to the eye. Keeping the information up to date is the key in having the department heads or users to do this on a regular basis.

By consensus, Council directed the Administration to issue a Request for Proposals (RFP) for the City's website.

9C) Recommendation that Council Approve an Agreement for Threshold Inspection Services for the New Community Center with Pistorino & Alam Consulting Engineers, Inc., in an Amount not to Exceed \$35,000

City Manager Borgmann stated that the City ranked Pistorino & Alam Consulting Engineers, Inc. number one to be the Threshold Inspectors for the new Community Center. Their proposal had a significant number of hours per task and Project Manager Bill Sprague and Building Official Skip Reed reviewed the list and offered their opinion as to the required amount of hours, which were reduced.

City Manager Borgmann explained that the final estimate is \$30,900.00, based on \$75.00 per hour, and the breakdown is shown on the second page of his memorandum. The basic estimate was \$26,100.00 and there were two additional items regarding columns and miscellaneous structural inspections that brought the total to \$30,900.00. He requested Council authority to approve an agreement with Pistorino & Alam in an amount not to exceed \$35,000.00, which leaves a little cushion should the services go over the estimate. He will keep Council informed during the process.

Funds are available in the \$400,000 contingency fund that was set aside for the project manager and inspection services, according to Mr. Borgmann. The Link portion of the construction is approximately \$5.8MM, and they have a contingency of \$120,000 on their side.

To answer Mayor Bain's question, City Manager Borgmann clarified that the total square footage on the footprint of the building is 24,000 or 33,000 total and this is why a threshold inspector is needed for this particular job. There is also a possible occupancy content greater than 500 persons at any given time.

Mayor Bain proposed setting the total amount at \$32,000.00 and Council could approve additional funds as needed.

Vice Mayor Best moved to approve the agreement in an amount not to exceed \$32,000. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

9D) Discussion of Items from City Council Workshop Meeting of Tuesday, June 2, 2009:

9Da. Architectural Review Board or Ad Hoc Committee to Recommend Signage, Mission Statement, Tag Line, City Logo

Councilwoman Ator stated that she took the initiative and prepared a draft motion in order to expedite the process.

Councilwoman Ator moved the creation of a five person ad hoc committee for the limited purpose of developing a proposed tag line, logo and mission statement for the City of Miami Springs. The committee shall be comprised of five individuals, with one person selected by each council person. The committee shall select from its members a chairperson and shall meet as established by its chair, in conjunction with dates provided by the City Clerk. The committee shall be tasked with developing proposed tag lines, logos and mission statements and shall be requested to return to the Council with its report on or before September 1, 2009. Councilman Lob seconded the motion.

Councilman Espino asked if the ad hoc committee could be composed of more than five members.

Councilwoman Ator responded that she proposed a five member committee because their purpose is limited. The motion provides for return of their recommendation before September 1, 2009. If Council is inclined to task the committee with additional duties, then a different motion would be in order.

Councilman Lob agreed with Councilwoman Ator that the committee would have specific tasks, but additional members with different areas of expertise would be able to present more ideas.

Councilwoman Ator reiterated that the committee would be tasked with creating a tag line, logo and mission statement in a relatively short amount of time in order to be able to move forward. The committee could be expanded later if needed. The meetings would be advertised, open to the public and she wants them to get their work done and provide suggestions.

Vice Mayor Best felt that it would be appropriate for each Council member to appoint an individual to the committee.

Mayor Bain agreed that Council should appoint five members. He agreed with Councilwoman Ator that the public could attend and offer their recommendations to the committee. He suggested that the Architectural Review Board could offer their recommendations for the mission statement.

Councilman Espino stated that many people were very excited about the creation of a revitalization committee, which is a separate issue, and they wanted to be involved in the process. He would like to offer an opportunity for those people to play a role at some point.

City Attorney Seiden explained that it would be an ad hoc committee, not a board, which means they will have a lot of leeway. The committee will act like any other board in terms of the Sunshine Law, with published meetings and rules and procedures and they can entertain any number of people from the podium as well as ask for expertise from inside or outside the community. Five board members have always worked well for the City.

City Manager Borgmann felt that five was a good number. He suggested that an alternate member could be appointed because during the summer months some members might be going on vacation and there could be more than two meetings in order to have a recommendation by September 1st.

The motion was carried 5-0 on roll call vote.

Councilwoman Ator requested the Architectural Review Board to advise on a comprehensive signage plan for the downtown area, including types and locations of signs to move traffic into the business district, assist residents and visitors visiting the downtown area, and advise location of parking. She requested that they incorporate the forthcoming tagline and/or logo into the design of the signage and that they begin work on the type and locations of signs as the ad hoc committee is working on the tagline and logo with the expectation that their ideas would be incorporated into the design as suggested by the Architectural Review Board.

Mayor Bain would also like the Architectural Review Board to make their suggestions for a tagline and/or logo.

City Attorney Seiden said that if the Architectural Review Board members wanted to make suggestions then they would have to come before the ad hoc committee. Councilwoman Ator is proposing two separate and apart functions; one for signage and one for the tagline and logo. He felt that the Architectural Review Board could designate a member to appear before the ad hoc committee to make a presentation of their suggestions.

Councilwoman Ator reiterated that her intent was to allow the process to move forward and give direction to the Board.

Vice Mayor Best commented that he is in favor of Councilwoman Ator's proposal. He recommended that the Architectural Review commence work at their next regular meeting.

Councilman Espino moved to request the Architectural Review Board to advise on a comprehensive signage plan for the downtown area, including types and locations of signs to move traffic into the business district, assist residents and visitors visiting the downtown area, and advise location of parking. Councilwoman Ator seconded the motion, which carried 5-0 on roll call vote.

Mayor Bain **appointed** Chris Montello to the Ad Hoc Committee.

Vice Mayor Best (Group I) **appointed** Bob Schwinger to the Ad Hoc Committee.

Councilwoman Ator (Group IV) **appointed** Lily Saborit to the Ad Hoc Committee.

Councilman Espino (Group II) **appointed** Jo Ellen Morgan Phillips to the Ad Hoc Committee.

Councilman Lob (Group III) **appointed** Xavier Garcia to the Ad Hoc Committee.

To answer the Mayor's question, City Attorney Seiden stated that the Ad Hoc Committee would appoint a chairperson, establish rules and procedures and times for their meetings.

Council sat as the Board of Appeals at 7:58 p.m.

The Mayor reconvened the City Council meeting at 9:30 p.m.

9Db. Establishment of Employee Parking Program

City Manager Borgmann stated that if Council wanted to pursue the establishment of an employee parking program that a motion would be in order and the Administration would work to put together a plan that would come back to Council for approval.

Mayor Bain stated that his intention was to utilize the parking along Canal Street for employee parking. He asked who the dumpster belongs to that is taking up three or four spaces behind the Farm Stores.

City Manager Borgmann stated that the Administration would determine who used the dumpster and have it removed. It might have been used for the Springs River Festival.

Councilwoman Ator asked if there was sufficient lighting in the parking lot behind the Farm Stores because she had heard comments that it was dark.

Mayor Bain was of the opinion that there was sufficient lighting in the parking lot as that is the place where he usually parks. He added that there could be exceptions to the employee parking program for business owners that work late at night.

City Manager Borgmann explained that there could be set hours for the employee parking and after a certain time the employees could move their vehicles closer to the business.

By consensus, Council agreed to pursue the implementation of an employee parking program limited to Canal Street.

9Dc. Application for City Funding for Events on the Circle

City Manager Borgmann stated that there was discussion regarding funding for events on the Circle and whether or not there should be a system in place for next Fiscal Year. He said that funding could be set aside, and the Administration could work to come up with certain criteria and an application form that could be submitted to Council for approval.

Councilman Espino explained that his intention was for Staff to make a recommendation to Council and it might only apply during the commercial revitalizations effort, which would be a short term investment in the hope of long term gains.

Mayor Bain stated that he would only be inclined to offer assistance for police services, not sponsoring an entire event.

City Manager Borgmann said that Council could set a limit for a maximum grant. Normally an event involves Police or Public Works service for clean-up. There is always a clean-up deposit for special events and if the area is left clean the deposit is returned.

Councilwoman Ator stated that she would like the Administration to come back with a proposal.

Council directed the Administration to prepare a proposal for City funding for events on the Circle.

Mayor Bain would also like to appropriate funds in the budget for a luncheon for City employees, which has been sponsored by Grace Bain for the last six years. She normally spends \$1,400 to \$2,000 and this amount could be set aside in the budget so that the lunch could be continued in the future. In addition, there could be funds allocated for the Respect for Law Dinner, not to exceed \$2,000.

Councilman Lob mentioned that the Optimist Club normally provides hot dogs and hamburgers for the Fourth of July festivities and they would be able to feed more people if the City were to contribute funding, similar to what Virginia Gardens does for their residents. He asked to consider this request during the budget process.

Mayor Bain knows that the intent was to develop criteria and an application for funding events on the Circle, and he would like to take care of the employees first.

Councilman Lob asked if there was any further discussion regarding the items listed on the second page of the City Manager's memorandum.

City Manager Borgmann explained that the Administration had begun working on the remaining

items because they did not involve policy. There was discussion regarding the Circle and the traffic flow and there seemed to be a consensus that Council wanted to wait and see what plan the County brings back. One matter involved contacting the County regarding a safe walkway for people to access the Circle.

Staff has begun working on the clean-up of the existing parking lots and they will check to see if there is sufficient lighting, according to Mr. Borgmann. Three additional locations were identified for the placement of parking signage around the Circle and Staff will contract the Miami-Dade Expressway Authority to see if better signage could be placed along the major expressways.

10. New Business: *(Agenda Item 10A was considered before 8A)*

10A) Site Plan Review – Case # 02-ZP-09 – 4355 N. W. 36th Street – Zoning: Airport Highway Marine Business District (AHMBD) – Lot Size: 4 Acres – Installation of a New Ground Sign at the Airbus Facility

City Planner Richard E. Ventura stated that this is a site plan review for Zoning and Planning Board Case # 02-ZP-09, 4355 N. W. 36th Street, which is the Airbus Facility. The zoning is the Airport Highway Marine Business District (AHMBD) and the lot size is four acres. The Applicant is requesting approval of the proposed site plan for the placement of a ground sign at a business.

The proposed site plan was presented and approved by the Zoning and Planning Board on June 1, 2009, according to Mr. Ventura. The proposal is to install an approximate 10' x 6' monument sign at the corner of Sheridan Drive and N. W. 36th Street and will have a five-foot setback from the property line.

City Planner Ventura stated that Code Section 150-161 *Signs* (E) states that any sign allowed in the AHMBD must have the approval of both the Zoning and Planning Board and the City Council before a sign permit is issued. As in previous sign cases in the AHMBD, this is intended at a business site in a business/commercial district and there is no adjacent residential development. A color photo survey indicates the sign will have minimal visual impact along what is recognized as a commercial/business corridor. Staff therefore recommends approval of the proposed site plan for the installation of the ground sign at the Airbus facility.

Vice Mayor Best moved the item. Councilman Espino seconded the motion which was carried 5-0 on roll call vote.

10B) Request to Update Purchasing Procedures

City Manager Borgmann stated that currently purchases up to \$5,000 require at least three verbal quotes, purchases from \$5,001 to \$10,000 require three written quotes, and purchases exceeding \$10,000 require a sealed bid or Request for Proposal process along with Council approval. This recommendation does not change the City Manager's spending limit of \$10,000. This is a recommendation to increase the amount requiring a sealed bid to \$25,000, with written quotes for any purchases below that amount.

Finance Director William Alonso stated that a survey was conducted of various cities and what threshold they are using for Request for Proposals (RFP's). The City has been using a \$10,000 figure for the last fifteen to twenty years, which used to cover large purchases. \$10,000 does not cover as much today; issuing an RFP or sealed bid is a time consuming effort and the Administration is trying to streamline the process in order to increase efficiency and reduce costs.

To answer the Mayor's question, City Manager Borgmann explained that it would be difficult to estimate the savings for each bid process or proposal that is eliminated. There is one person in charge of RFP's, RFQ's and other types of purchasing and it is a cumbersome process to prepare and send out the specifications. Increasing the threshold amount would be a way to avoid adding Staff because the person in charge has more work than can be handled within a reasonable time.

Mayor Bain asked how many sealed bids are normally sent out within the fiscal year.

Finance Director Alonso responded that in the past two years there had not been that many sealed bids, but there has been an increase with the new constructions projects, such as the Curtiss Mansion and the Community Center.

Councilman Espino stated that there are upcoming projects like the City's website and signage that will exceed \$10,000. He asked if requiring an RFP or RFQ for some of the lower costing projects could make them more expensive.

City Manager Borgmann responded that sometimes companies do not respond to bids for lower cost projects, although they might submit three written or verbal quotes; any purchase over \$10,000 would still come to Council for final approval.

Finance Director Alonso clarified that three verbal quotes would be required from \$1,000 to \$10,000, three written quotes would be required from \$10,000 to \$25,000 and any purchase over \$25,000 would require a sealed bid. Any purchase over \$10,000 would come to Council for approval.

To answer the Mayor's question, Mr. Alonso responded that Council will still have control because they will consider every purchase over \$10,000.

Mayor Bain stated that he would like a cost analysis based on the number of sealed bids for the past two years of how much it cost with the \$10,000 limit. He would be inclined to increase the amount from \$10,000 to \$15,000.

Finance Director Alonso offered to provide a cost analysis for the next meeting for all the RFP's issued between \$10,000 and \$25,000 and what the savings would be.

Councilwoman Ator explained that she knew of people who work in the private sector that considered work in the public sector and decided against it because of the sealed bid requirements. She understands the Mayor's concern, but she would like to continue with written quotes over \$5,000 up to \$25,000 because of the burden that a bid puts upon a vendor.

Councilman Espino asked if the survey reflects what amount each City's Commission or Council must approve. The City's would be set at \$10,000, although the threshold for bids would be set at \$25,000.

Finance Director Alonso stated that most cities go by the amount that is set for the City's Manager purchasing authority. Many times vendors will not respond to an RFP for less than \$15,000 because it is not worth their time.

Mayor Bain commented that the City of Hialeah functions at \$15,000 and they are the model in his mind for getting projects done. He understands what the Administration is requesting, but he would like to see additional documentation. He added that there are other issues that keep contractors from working in the City.

To answer Councilman Lob's question, Mr. Alonso explained that in the case of the RFP for the City's website, the Information Technology Staff and the Manager will have to spend time to create the bid specifications, incorporate them into a document, advertise and accept the bids, which is a lengthy process. Normally, the response time is 30-days and many times it involves a pre-bid meeting with questions that must be answered in an amendment that goes out to all vendors.

Councilman Espino explained that there were many requirements in the Curtiss Mansion bid spreadsheet and if the vendor failed to meet one they were considered non-responsive.

Councilman Lob asked how the cost of a project is determined and whether or not it falls under \$25,000.

City Manager Borgmann said that calls could be made to a couple of vendors in order to estimate the cost of a project. The bid process is very cumbersome, while larger cities have more staff and Miami Springs only has one person.

Vice Mayor Best commented that the Administration is trying to reduce the workload and get the job done at the same time.

Councilman Lob agreed with Mayor Bain that he would like to know how many bids were processed during the last two years.

Councilwoman Ator stated that her understanding of the purpose for competitive sealed bids is that they are meant for very large projects and anything under \$25,000 is not a large project.

Vice Mayor Best explained that Council will have final authority for approving any purchase over \$10,000 and this request is only a procedural element that the City Manager wants to implement.

Finance Director Alonso said that under the current system a purchase of a vehicle for \$18,000 would require a sealed bid that would take 30-60 days and the Administration is recommending three written bids that would be presented to Council for approval.

City Manager Borgmann added that many times the City can piggy-back off a State or County bid, which reduces the process for the purchase of vehicles. Without this process, it would require sealed bids.

Councilman Espino stated that he is less concerned about a cost analysis for a two-year period because the procurement is not uniform for any given year, except for reoccurring expenses. He agrees with Councilwoman Ator and would be in favor of three written quotes for any purchases less than \$25,000. He said that Council would approve anything over \$10,000 anyway and if the new process is not working, Council can always go back and change it. He referred to the CMI bid that was a very burdensome process that required a tremendous amount of time and work.

City Manager Borgmann added that the CMI bid was delayed because one form was left out of the first bid specifications, all bids were rejected and the project went out to bid again.

To answer Councilman Lob's question, City Manager Borgmann said that the City would still have to give specifications to the vendors.

Councilwoman Ator moved to authorize the City Attorney to draft an ordinance that changes the purchasing procedures for purchases from \$5,001 to \$25,000 requiring three written quotes and purchases in excess of \$25,000 requiring a competitive sealed bidding process. Vice Mayor Best seconded the motion which was carried 3-2 on roll call vote, with Mayor Bain and Councilman Lob casting the dissenting votes.

10C) Discussion of Budget Process and Property Values for Upcoming Year

City Manager Borgmann stated that the preliminary estimate of the property values was received from the Miami-Dade County Property Appraiser. The assessed values, including exemptions, dropped to \$992,000,000 or a 9% decrease over the prior year. The last couple of years the total was over \$1BB, which dropped last year with the inclusion of the additional \$25,000 exemption that was voted by the legislature.

City Manager Borgmann explained that moderate increases for inflation and cost of living adjustments would normally mean a 3-4% increase during an average year in order to maintain status quo with the same personnel and equipment, etc. Finance Director Alonso has estimated the number this year to be approximately \$400,000. The impact of the reduced assessed values at the current millage rate of 6.4305 gives another reduction of approximately \$600,000, which is actually a \$1MM spread for the upcoming budget year. He said that Finance Director Alonso would present three scenarios for Council's consideration.

Finance Director William Alonso calculated the rollback rate at 7.0674, which is the millage rate, multiplied by the current assessed values, which will provide the same amount of revenues as the prior year. Under normal circumstances the rollback rate should go down from the current rate, but this is not the case this year because the assessed values went down.

Finance Director Alonso clarified that the City is currently facing a \$1MM revenue shortfall. The first scenario is to maintain the current millage rate at 6.4305 and use the \$900,000 that is in the Hurricane Fund to balance the Fiscal Year 2009-2010 budget.

Mayor Bain asked what balance would be left in the Hurricane Fund after taking \$900,000.

Finance Director Alonso responded that the Hurricane Fund currently has \$1.3MM and \$400,000 of this amount is set aside for the BFI litigation, which leaves \$900,000 that should have been transferred to the General Fund for expenses that were paid for Hurricanes Katrina and Wilma. The balance was \$600,000 last year and another \$300,000 was received this year. The Federal Emergency Management Agency (FEMA) is conducting their final audit and there could be additional monies.

The purpose of the Hurricane Fund is to account for revenues and expenditures when there is a hurricane and the balance should have been zero and any additional funds from FEMA will go back to the General Fund, according to Mr. Alonso.

Finance Director Alonso explained that the second scenario is to maintain the current millage rate of 6.4305 and implement expenditure reductions of approximately \$1MM. In order to achieve a reduction of this magnitude personnel reductions will be required resulting in some services being reduced or totally eliminated. Scenario three is a hybrid of the first two using part of the \$900,000 and increasing the millage to somewhere between the current rate and the new rollback rate and the difference in the \$900,000 would be added to the fund balance.

The Administration is recommending the first scenario that maintains the millage rate at the current level thus effectively providing residents with a tax reduction. The other two scenarios are being presented to provide alternatives for discussion, according to Mr. Alonso. Part of the budget assumptions under the first scenario is that there will be no cost of living increases budgeted unless Council decides otherwise. There is also an assumption that the new Community Center will be operational on June 1, 2010.

To answer Vice Mayor Best's question, Finance Director Alonso explained that the first scenario would offer residents a tax deduction because legally if the City were to adopt the rollback rate, this would not raise taxes. The tax reduction that the residents voted for will not be achieved by using the rollback rate.

City Manager Borgmann stated that the tax reduction would be based on the assessed value of each individual property.

To answer the Mayor's question, Mr. Alonso responded that adopting the rollback rate would make up \$600,000 and there would still be a shortfall of \$400,000.

Councilwoman Ator asked if there were funds budgeted in the Hurricane Fund last year.

Finance Director Alonso reiterated that the Hurricane Fund should have a zero balance; any hurricanes that occur this year would be accounted for in that fund and once FEMA reimburses the City the funds go to the General Fund to cover expenses. Normally FEMA pays 75% of hurricane expenditures and the State pays 12.5%, while the City pays the remaining 12.5%.

Finance Director Alonso explained that expenses were incurred during Wilma and Katrina and the City received 87.5% and 12.5% was transferred from the General Fund to the Hurricane Fund. Subsequently, FEMA said that instead of 87.5% they were going to pay 100% of the expenses and this is the reason for the \$900,000 that was left in the Hurricane Fund, while it actually belongs in the General Fund.

Councilman Espino said that considering what most government entities throughout the Country are doing it would be an appropriate time to look at the budget. Representative Fresen recommended checking each line item to see where reductions can be made. The budget should be a hybrid as outlined in scenario three in some shape or form. In his opinion, Council should look to see where reductions can be made before considering the \$900,000 that could be saved for a "rainy day".

Councilwoman Ator commented that the \$900,000 would still be moved from the Hurricane Fund into a contingency.

Councilman Espino said that the \$900,000 would ensure that services are not diminished and Council could still find ways to trim costs without considering the \$900,000.

Councilman Lob agreed with Councilman Espino that the \$900,000 should not be considered when working to balance the budget and Council should review each line item to see where reductions can be made. Funds that are received on a one-time basis should not be used for budgetary items if this can be avoided. Annexation should be forthcoming and there could be additional revenues in the upcoming years.

City Manager Borgmann reported that the budget “kick-off” meeting was held with Department Heads and each department has two weeks to submit their budget recommendations to the Finance Director.

City Manager Borgmann stated that during the annexation process it was often mentioned that Miami Springs has the highest rate, which was a disadvantage for people to support annexation by Miami Springs. In the past, Council worked every year to reduce the millage rate and now the rollback rate is going in the opposite direction. He agreed with Councilman Lob that one time sources of revenue should not be budgeted. On the other hand, annexation is a 99% possibility and that could generate surplus revenue for years to come.

Mayor Bain commented that he would not consider annexation when preparing the budget. He would be in favor of scenario two to begin with and put scenario three into play as needed after considering each line item and making reductions. He explained that the rollback rate of 7.0674 would generate the same revenue and this would be a start, with a goal of reducing it to 6.4305.

City Manager Borgmann explained that once the tentative millage rate is set it cannot be increased, although it can be reduced and it is important not to set it too low.

Councilman Espino stated that he understands the City Manager’s position. He would like to come up from an “anemic” position and set the millage rate as low as possible before considering the \$900,000.

Mayor Bain felt that the budget should be approached in the same manner as previous years, considering that the \$900,000 could help to balance the budget, and begin with the rollback rate of 7.0674 with the idea of cutting back \$400,000.

Councilwoman Ator stated that she would support the Mayor’s recommendation, although she would like to keep the millage rate at 6.4305.

Mayor Bain added that the residents will see the reduction in their tax bill even though it seems they are paying more based on the millage rate.

City Attorney Seiden clarified that the law provides for reducing the tentative millage rate once it is set but it cannot go up.

By consensus, Council directed the Administration to start preparing the budget with the roll back rate of 7.0674.

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

Annexation

City Attorney Seiden reported that he was not able to reach Medley Town Attorney Mel Wolfe who was out of town and he will call him on Tuesday, June 9th.

12B) City Manager

Community Center

City Manager Borgmann reported that asbestos and lead paint assessments are being conducted on the old Recreation Building and since there is no lead paint there will be no additional costs incurred for abatement prior to demolition. He is awaiting the asbestos report and hopefully if there is asbestos it can be dealt with easily.

City Manager Borgmann explained that as part of the Community Center construction, the Miami-Dade County Fire Department and Water and Sewer Department are requiring a new 8-inch line down Apache Street to connect with the existing 6-inch line off Westward Drive that was not included in the original cost estimate. The estimate for the new line is \$85,000 and the County suggested utilizing monies that were set aside for upgrading the water system, but looking at the agreement it does not qualify because the funds were for the commercial area. This is a requirement to increase the fire flow for the residential area. A change order may be required that will be addressed shortly.

Swales

City Manager Borgmann stated that he received comments from Council regarding photographs and questions that were received from a resident regarding the swales. He distributed information regarding the swales areas that are designed to let water pond for 24 to 36 hours as a filtration device for run-off before it goes into the ground water. He urged Council to contact him with any questions.

Financial Report

City Manager Borgmann announced that a financial report would be presented at the next meeting to show how the City stands with the current budget and if any budget freezes should be imposed. Since the June 22nd Council meeting is the last meeting before the July break Council should be

prepared to offer any ideas or suggestions.

Mayor Bain proposed scheduling a meeting for mid-July before the budget process.

Council agreed to schedule a budget Workshop meeting for Wednesday, July 8, 2009 at 7:30 p.m.

Mayor Bain requested a list of proposed equipment purchases for all departments.

Florida League of Cities Annual Conference

City Manager Borgmann announced that the annual Florida League of Cities Conference is coming up in August and Council members who are interested in attending should contact the City Clerk to make arrangements.

Senior Center Renovation

City Manager Borgmann reported that the Senior Center renovation is almost completed. The tile will be installed on Tuesday, June 9th. He thanked the Optimist Club for hosting the senior citizens this week.

Summer Camp

City Manager Borgmann announced that the recreation Summer Camp program began today with 120 kids enrolled and everything went well.

Skateboard Park

Assistant City Manager Gorland reported that he visited a skateboard park in West Kendall with Noel Acosta, Bob Shultz, his son Bobby Shultz and a friend. They met with Paul Carey who is the head of design and construction for Miami-Dade County parks. The park is a 120' x 120', with a 6" concrete slab. The park is three weeks old and the cost was \$200,000 for the slab, \$267,000 for the equipment and \$200,000 for lighting, which totals approximately \$667,000. Since this is more than the City intended to spend, alternatives are being considered and they will visit a few more sites. He is consulting with the kids in the meantime regarding a location and what they want for the park.

City Manager Borgmann stated that Human Resources Director/Risk Manager Loretta Boucher was making calls to various cities that have skateboard parks to see what their experience has been. She was told by the City's insurance carrier that they will not insure a skateboard park. The good aspect of the process is that the kids are being involved, which sparks their interest and they will support the

park.

12C) City Council

Swales

Councilman Espino received a couple of complaints about the condition of the swales because of the rain.

Blessed Trinity Dinner

Councilman Espino reported that Blessed Trinity is holding a Father's Day Dinner in the Parish Hall at 6:00 p.m. on Friday, June 19th with Asian cuisine. The cost is \$7.00 for adults and \$5.00 for children.

Renaming of N. W. 36th Street

Councilman Espino announced that he is meeting with County Commissioner Rebeca Sosa on Wednesday, June 10th to discuss the possible co-naming of N. W. 36th Street. He contacted Virginia Gardens Mayor Deno who will be speaking with Commissioner Pepe Díaz this week and reporting to his Council shortly thereafter, which he hopes to do as well.

Swales

Councilwoman Ator was also contacted on the swale issue and she appreciates the response from the City Manager.

Respect for Law Dinner

Councilwoman Ator thanked Councilman Lob, the Optimist Club, Grace Bain and Patti Bradley for their work on the Respect for Law Dinner. She and her husband attended and enjoyed themselves.

Prince Field Signage

Councilwoman Ator asked about the status of the signs for Prince Field and Assistant City Manager Gorland responded that the signs were ordered and he is following up on the order. The rain has caused significant damage to the chip wood inside the tot-lot and the underlying fabric which needs repair.

Councilwoman Ator asked for an update before the next meeting.

Finance Director Alonso

Vice Mayor Best welcomed back Finance Director William Alonso.

Florida League of Cities Legislative Council

Vice Mayor Best stated that members from various municipalities statewide meet all over the state, commencing in August, September and October for two-day sessions. They adjourn in November and are ready to go forward with committee policies relative to various issues such as Home Rule Charter, Transportation, etc. This is a learning curve and a great experience that he would like to continue and it is a commitment for two or three days for three or four months.

Property Tax Assessments

Vice Mayor Best commented that property values were very high in the past and now they are below the level of concern. The values should correct one day and he does not want to be overly critical of what a property assessment means. Going into the budget process he will keep the same mentality as in the past. Considerable funding was cut last year for materials and he is sure Council will be prudent during the budget process this year. He would like to maintain the same millage rate and keep the same level of staff and services.

Skateboard Park

Councilman Lob thanked Assistant City Manager Gorland for his research on the skateboard park.

Respect for Law Dinner

Councilman Lob stated that the Respect for Law Dinner was a great event that was a lot of fun and he would like the City to be involved next year.

Representative Fresen

Councilman Espino reported that Representative Erik Fresen's birthday is Tuesday, June 9th. He asked Mayor Bain to send a card on behalf of Council.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 10:56 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 6/22/2009.

Transcription assistance provided by S. Hitaffer.