



## *City of Miami Springs, Florida*

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, August 10, 2009, at 7:00 p.m.

### **1. Call to Order/Roll Call**

The meeting was called to order at 7:01 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  
Chief of Police Peter G. Baan  
Finance Director William Alonso  
Golf Director Michael W. Aldridge  
City Planner Richard E. Ventura  
City Clerk Magalí Valls  
Deputy City Clerk Suzanne S. Hitaffer

### **2. Invocation:** Councilman George V. Lob.

**Salute to the Flag:** The audience participated.

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City Planner Ventura announced that there are sign up sheets in the back of the Council Chambers for those persons who would like further information related to the Comprehensive Plan Amendments (Agenda items 7B, 10A and 10B). Persons who sign up should list their mailing address and the Florida Department of Community Affairs will mail updates advising of the status once the items are transmitted to Tallahassee.  
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### **3. Awards & Presentations:**

#### **3A) Certificates of Recognition to Miami Springs Senior High School Mu Alpha Theta Math Club who Placed 10<sup>th</sup> in the National Competition**

Mayor Bain presented Certificates of Recognition to the Miami Springs Senior High School Mu Alpha Theta Math Club members who placed 10<sup>th</sup> in the National Competition.

#### **3B) Status of Community Center Construction by B. W. Sprague**

Bill Sprague of B. W. Sprague distributed a booklet with the history of the Community Center project outlining what has transpired and what is expected in the future.

Mr. Sprague reported that the site was mobilized about 3-1/2 months ago, a perimeter fence was installed and the contractor moved on site. The parking lot demolition occurred and trees were removed. They have been working with the City on permits, the site was excavated and the foundation and building areas were re-compacted. From that point, footings were excavated and poured, the slab for the building was poured and they are in the process of forming the tilt-up wall panels. He explained that the contractor is signing up the subcontractors for the concrete, electrical, mechanical, the fire protection and plumbing.

The big milestone was the pouring of the slab, which was publicized in the local paper, according to Mr. Sprague. The next milestone will be on August 24<sup>th</sup> when the panels will go in the air and the building will stand in approximately four weeks. At that point, the bar joists will be placed on the roof and the building will be closed and dried in. He is very pleased with the construction, which is on schedule and within budget.

Councilman Lob asked if the demolition of the existing Recreation Center is scheduled to take place after the new building is finished.

Mr. Sprague responded that once the main building is up it does not mean it will be ready for occupancy. There will be a time span when the existing Recreation Center is closed due to demolition and the construction of the new parking lot. He explained that this was included in the plan and he would have to check the schedule to see what the timeframe is.

Mayor Bain asked about the dates for the upcoming basketball program and if they will be affected by the demolition of the existing Recreation Center.

City Manager Borgmann stated that the basketball program begins in December and ends in February or March.

Mayor Bain said that basketball is the last major program on schedule for the year and he would like to be able to keep it in place.

Mr. Sprague explained that he had been working very closely with the contractor and Assistant City Manager Gorland so that the programming is not affected. The contractor wanted to begin standing walls earlier than August 24<sup>th</sup>, but due to the Summer Camp and the beginning of school this was delayed a few days. He clarified that a certificate of occupancy could not be obtained until the parking lot is finished.

Councilman Espino asked about the safety measures that would be taken when the walls go up.

City Manager Borgmann said that as a precautionary measure all activity at the recreation facility would cease when a particular section on the northwest corner goes up. They are concerned with the condition of the existing gymnasium should it collapse.

Mr. Sprague added that the panels could be placed on a Saturday when there is less activity in the building. He is also coordinating with Police Chief Baan regarding the placement of the panels along Westward Drive because the road will be closed and there will be detours around the site. He assured Council that safety is the first objective.

### **3C) Status of Curtiss Mansion, Inc. (CMI) Construction by Roy Rodríguez**

Roy Rodríguez of 564 Palmetto Drive presented aerial photos on the overhead screen showing new foundations and poured concrete walls at the Curtiss Mansion site. He reported that work is on schedule, the subcontractors were contracted, including electrical and plumbing and no delays are expected. There are a couple of concerns related to Florida Power and Light and the Miami-Dade Water and Sewer Department (WASA) that should be resolved shortly. The only other obstacle is that the drawings that were put out to bid do not include all the Building Department changes, which means there will be additional costs. The contractor is working on the changes and he was promised the proposals by the end of the month.

To answer Councilman Espino's question, Mr. Rodriguez explained that the changes involved moving the secondary means of egress and this came after the drawings were put out to bid.

### **3D) Status of Library Construction by Building Official Edwin "Skip" Reed**

Building Official Edwin "Skip" Reed reported that the project is not on schedule. The City does not have total control of the project and he has been dealing with many details of the project that were overlooked by the County's design team. Drawings were put through the Building Department more than one month ago and he is waiting for the plans for the inside of the building. The outside is finally progressing and the inside is at a standstill. He explained that the County GSA has its own rules, methods and codes.

To answer the Mayor's question, Mr. Reed stated that the plans were approved and the work could finish in October if they would proceed as planned.

Vice Mayor Best stated that when the Library representative spoke to Council last October they were quite optimistic about the project, there was no reason to believe there would be any delays.

Mr. Reed explained that the contractor is missing days of work and he has no control over this issue.

City Manager Borgmann thanked Skip Reed for his personal involvement in the project. He said that the work would not be this far along without his help.

Councilwoman Ator commented that the information Council received shows that on several occasions the work done by the contractor had failed inspection. She asked if this was common when dealing with County contractors.

Mr. Reed responded that he had never dealt with GSA to this extent, he was not sure what would happen and he is appalled. The only thing he can do is to offer guidance.

Mayor Bain suggested contacting County Commissioner Rebeca Sosa to see if she can use her influence to move the project along.

#### **4: Open Forum:**

##### **Springs River Festival**

Connie Brandenburg, Co-Chair of the 2010 Festival Committee requested and obtained approval, by consensus, to hold the Springs River Festival on April 16-17-18 next year. She also requested funding.

City Manager Borgmann informed her that \$6,000 is budgeted for consideration during the budget workshop meetings.

##### **Pool Admission**

Michael Gavila of 684 Morningside Drive said that the pool admission is too expensive. He asked to bring back memberships.

## **Accident**

Marie Mascaro of 125 Whitethorn Drive said that lanes are blocked by utility trucks or other vehicles. On June 17 she was driving down Lenape at Corydon. There was a recycling truck and she began passing, but the truck started up and ran into her. Police ruled the accident a “no fault”. World Waste Services did not return her calls. Finally she spoke with someone but her claim was denied.

City Attorney Seiden said that Ms. Mascaro should contact her insurance company and they may contact the County insurance company. City Manager Borgmann offered to call the County representative.

## **Community Center**

Martin Crossland of 900 Plover Avenue stated that there was a change order of \$85,000 for changing water pipes for the Community Center. The Fire Department requires 8-inch pipes and the plans were drawn with 6-inch pipes. He asked who was responsible for this costly mistake.

Mayor Bain said that the Administration would have a report sent to him.

## **Swales**

Martin Crossland of 900 Plover Avenue said that Plover Avenue swales are sinking below the level of the street and it floods when it rains. He asked what can be done to solve the problem.

City Manager Borgmann explained the function of the swales.

### **5. Approval of Council Minutes: *(Simultaneously approved)***

#### **5A) 06/22/2009 – Regular Meeting**

Minutes of the June 22, 2009 Regular Meeting were approved as written.

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

#### **5B) 07/08/2009 – Special Meeting**

Minutes of the July 8, 2009 Special Meeting were approved as written.

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

**5C) 07/08/2009 – Workshop Meeting**

Minutes of the July 8, 2009 Workshop Meeting were approved as written.

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

**5D) 07/30/2009 – Special Meeting**

Minutes of the July 30, 2009 Special Meeting were approved as written.

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

**6. Reports from Boards & Commissions:**

**6A) 05/07/2009 – General Employees' Retirement System – Minutes**

Minutes of the May 7, 2009 General Employees' Retirement System were received for information without comment.

**6B) 05/07/2009 – Police Officers and Firefighters' Retirement System – Minutes**

Minutes of the May 7, 2009 Police Officers and Firefighters' Retirement System were received for information without comment.

**6C) 06/04/2009 – General Employees' Retirement System – Minutes**

Minutes of the June 4, 2009 General Employees' Retirement System were received for information without comment.

**6D) 06/04/2009 - Police Officers and Firefighters' Retirement System – Minutes**

Minutes of the June 4, 2009 Police Officers and Firefighters' Retirement System were received for information without comment.

**6E) 06/11/2009 – Board of Parks and Parkways – Minutes**

Minutes of the June 11, 2009 Board of Parks and Parkways meeting were received for information without comment.

**6F) 06/17/2009 – Architectural Review Board – Minutes**

Minutes of the June 17, 2009 Architectural Review Board were received for information without comment.

**6G) 06/25/2009 – Code Review Board – Cancellation Notice**

Cancellation Notice of the June 25, 2009 Code Review Board meeting was received for information without comment.

**6H) 06/29/2009 – Ad-Hoc Committee – Minutes**

Minutes of the June 29, 2009 Ad-Hoc Committee meeting were received for information without comment.

**6I) 07/06/2009 – Ad-Hoc Committee – Minutes**

Minutes of the July 6, 2009 Ad-Hoc Committee meeting were received for information without comment.

**6J) 07/13/2009 – Ad-Hoc Committee – Minutes**

Minutes of the July 13, 2009 Ad-Hoc Committee meeting were received for information without comment.

**6K) 07/20/2009 – Ad-Hoc Committee – Minutes**

Minutes of the July 20, 2009 Ad-Hoc Committee meeting were received for information without comment.

**6L) 07/27/2009 – Ad-Hoc Committee – Minutes**

Minutes of the July 27, 2009 Ad-Hoc Committee meeting were received for information without comment.

**6M) 08/04/2009 – Code Enforcement Board – Cancellation Notice**

Cancellation Notice of the August 4, 2009 Code Enforcement Board meeting was received for information without comment.

**6N) 08/18/2009 – Education Advisory Board – Cancellation Notice**

Cancellation Notice of the August 18, 2009 Education Advisory Board was received for information without comment.

**6O) 08/03/2009 – Memorial Committee – Minutes**

Minutes of the August 3, 2009 Memorial Committee meeting were received for information.

**6P) 08/03/2009 – Zoning and Planning Board – Minutes**

Minutes of the August 3, 2009 Zoning and Planning Board meeting were received for information without comment.

**6Q) 08/03/2009 – Board of Adjustment – Approval of Actions Taken at their Meeting of August 3, 2009, Subject to the 10-day Appeal Period**

Actions taken by the Board of Adjustment at their meeting of August 3, 2009 were approved subject to the 10-day appeal period.

**Vice Mayor Best moved to approve. Councilman Lob seconded the motion, which carried unanimously on roll call vote.**

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Mayor Bain had hoped that the Memorial Committee would have made a decision on a memorial plaque for Dr. Charles James.

City Attorney Seiden said that the Memorial Committee would meet next month when a decision will be made about the location, size and wording for the plaque.

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**7. Public Hearings:**

**7A) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 113-04, Business Taxes-Schedule of Fees, by Providing a Five (5%) Percent Increase in the Cost of All City Business Taxes; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 6/22/2009 – Advertised: 7/30/2009)**

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

Attorney Seiden stated that this ordinance was a topic at the July 30, 2009 Special Council meeting and since it needed four affirmative votes it was tabled and republished for another second reading.

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

**Councilman Lob moved to adopt the ordinance. Councilman Espino seconded the motion which was carried 4-1 on roll call vote with the Mayor casting the dissenting vote (Ordinance No. 979-2009).**

**7B) Public Hearing – Resolution – A Resolution of the City Council of Miami Springs Approving the Transmission of the Capital Improvements Element and Corresponding Comprehensive Plan Amendments for the City of Miami Springs Comprehensive Plan to the Department of Community Affairs in Accordance with Florida Statutes Section 163.3177 and 163.3187; Expressing the Intent of the City Council to Amend the Comprehensive Plan in Accordance with the Proposed Capital Improvements Element and the Comments, Recommendations and Approval of the Department of Community Affairs; Effective Date (Advertised: 7/31/2009)**

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

Mayor Bain opened the public hearing. There were no speakers and the public hearing was closed.

City Planner Richard E. Ventura stated that this is a new requirement of Florida Statute Section 163.3177. The Capital Improvements Element (CIE) amendments can be expedited and processed with one public hearing. The CIE annual amendments must reflect planned capital projects and projected revenues to support level of service standards.

City Planner Ventura explained that the previous Council authorized the Mellgren Planning Group to draft the water supply plan related amendments at the meeting on April 14, 2008. Staff has reviewed the documents and recommends transmittal to the Department of Community Affairs (DCA). Once it is transmitted DCA has a timeframe of 45-days for returning their recommendations, objections and comments. Based on those comments, the Mellgren Group would make necessary revisions and it would come back to Council for review and once the adoption is final it would be retransmitted to the DCA. Staff recommends approval of the CIE as drafted.

City Attorney Seiden explained that Florida Statute Section 163.3177 requires different elements to be put into the Plan within the continuity of the comprehensive planning process. The CIE is a new element and Florida Statute Section 163.3187 outlines the process by which any comprehensive plan is amended. Council should understand that this is the first step in the process. The consultants prepared the document and adoption of the resolution means that it was reviewed by Council and approved for transmittal to DCA. He said that it would most likely come back to Council again for some revisions or inclusions and resubmitted to DCA for final approval.

Mayor Bain asked why the Community Center and Curtiss Mansion were not included as capital improvements.

City Manager Borgmann stated that the projects the Mayor mentioned had already commenced. He said that it is important to note that the Capital Improvements Element and its schedule must be updated annually to reflect planned capital projects and projected revenues to support level of service standards.

City Attorney Seiden explained that the Capital Improvements Element does not address projects like the Community Center or Curtiss Mansion. It addresses systems such as water, traffic, and infrastructure, not buildings.

Councilwoman Ator said that open recreation spaces are identified by the number of acres. She asked if there are any projects on the horizon that would add any additional space that would qualify.

City Manager Borgmann responded that all recreational space had been counted toward the total number of acres. The City is currently land locked, although annexation could provide more open space.

City Attorney Seiden explained that they are goal oriented planning functions that will be addressed over a number of years; there are many communities in the State of Florida and it is not applicable in the same way to each one. For example, it would be more applicable to the City of Weston because they are a developing community, whereas, Miami Springs is fully developed. The Evaluation and Appraisal Report review process is done every seven years and adjustments are made as they apply to the City. The City tries to achieve the goals and there are reasons if they are not met.

Vice Mayor Best commented that the Level of Service (LOS) mentioned in the report is 2 acres for every 1,000 people, which would mean roughly 28 acres for the City of Miami Springs.

Councilman Espino agreed with the City Attorney that these are guiding principles and goals, objectives and policies that are not mandates, which the City tries to accomplish.

To answer the Mayor's question, City Attorney Seiden explained that the Comprehensive Plan is made up of many elements and this is a new element that is required by the State.

Mayor Bain expressed his concern that Miami Springs is trying to develop the N. W. 36<sup>th</sup> Street corridor and the process has taken five years, while other cities have not had this problem.

**Vice Mayor Best moved to adopt the resolution. Councilman Lob seconded the motion which was carried 5-0 on roll call vote (Resolution No. 2009-3453).**

**8. Consent Agenda:** *(Approved with one motion)*

**8A) Approval of the City Attorney's Invoice for July 2009 in the Amount of \$8,965.00**

City Manager Borgmann explained that the invoice is for the entire month of July.

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

**8B) Recommendation that Council Approve an Expenditure of \$4,565.00, to Advanced Data Solutions, Inc., to Purchase Services to Convert the Police Department's Microfilmed Records to Digital Media, Utilizing Florida State Contract # 973-351-06-1, Pursuant to Section 31.11 (E) (5) of the City Code, to be Paid from the Law Enforcement Trust Fund**

City Manager Borgmann read the title of the award explaining that Council must approve all Law Enforcement Trust Fund expenditures regardless of the amount.

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

**8C) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$19,200.00 to C. R. DeLongchamp, as provided in Section 31.11 (E) (6) (g) of the City Code, Pursuant to the Contract Renewal Option for an Additional Twelve-Month Period for Rent of Space at 274 Westward Drive for the Community Policing Office, to be Paid from the Law Enforcement Trust Fund**

City Manager Borgmann read the title of the award.

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

(Agenda Items 10A, 10B and 10D were considered before 9A)

**9. Old Business:**

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

No appointments were made.

Vice Mayor Best advised that his appointee to the Architectural Review Board, Rafael Alpízar, is resigning.

**9B) Presentation by Southeast Design Associates, Inc., of Final Canal Street Linear Park Project Plans and an Updated Total Cost Estimate to Completion**

City Manager Borgmann stated that City Planner Ventura and representatives from Southeast Design would make the presentation.

City Planner Ventura presented a site plan review of the Linear Park on the overhead projector. The original presentation and cost estimate dated August 2006 was envisioned to be \$1.633MM, which was recommended to break down in phases as follows:

Phase I: Pedestrian pathway and landscaping, Phase II  
Phase II: Fishing pier/boat launch and supporting infrastructure  
Phase III: Picnic area and supporting infrastructure

The supporting infrastructure for the remaining two phases consists of lighting, signage, bike racks, trash receptacles, bathroom facilities, etc. The original cost estimate prepared by Bermello-Ajamil & Partners, Inc. was broken down as follows: Phase I – 538,682; Phase II - \$547,254; Phase III - \$547,254, for a total of \$1,633,190. However, Southeast Design Associates, Inc. has completed an update of construction costs dated August 4, 2009, in the amount of \$2,966,660, according to Mr. Ventura.

The City Planner reported that cash in hand to help mitigate the cost, includes a cash matching grant from the Florida Recreation Development Assistant Program (FRDAP) of \$135,611 that was to be applied to Phase I. The Planning Office originally requested a grant award of \$200,000 with a \$200,000 match from FRDAP, which was reduced to \$135,611. Last September the City submitted an additional grant application for Phase II and was recently notified that due to revenue shortfalls at the state level there would be no funding for FRDAP projects this year.

City Planner Ventura explained that the purpose of this presentation is for Council review and determination if the City should continue with the project.

Councilman Espino asked if it would be possible to obtain a breakdown of current price estimates compared with three years ago.

City Planner Ventura said that he could provide a comparison based on the two estimates.

To answer Councilman Lob's question, the City Planner explained that the design had changed to some degree and the architect has prepared construction plans that would be bid ready. There is another problem with breaking the project into phases and the availability of grant monies because the construction costs will further inflate.

Mayor Bain asked how much had been spent on the project to date and City Planner Ventura responded that the amount is \$134,860.

Mayor Bain asked if the project had been put out to bid or if the total costs were just estimates.

City Planner Ventura clarified that they were only estimates. He would recommend putting it out to bid for the total project instead of phases.

Mayor Bain stated that he would prefer to put the project out to bid first before considering the project, with the condition of holding the price firm for a certain amount of time.

Councilman Espino referred to the Curtiss Mansion project that was bid for the main project and one added alternate with a provision for holding the alternate open for six months depending on available funding. This allows completion of the project with one contractor instead of re-bidding the second phase.

Mayor Bain emphasized that he would like to know the price before proceeding any further in order to understand how the project will be funded.

City Manager Borgmann added that Council must decide what they want included in the project. The seawall is a very large component of the project with the engineering, design and development. The question might be whether or not to change the scope of work. The original idea for the project was part of Downtown revitalization to redevelop the three block stretch further south with the focus on using the water, similar to what was done between the bridges. The concept was for additional restaurants to come in that would offer outdoor dining.

City Manager Borgmann said that if the seawall is the largest expense and it is not needed to achieve the other improvements and beautify the area, then perhaps it could be eliminated.

Mayor Bain suggested that the item could be placed on the agenda for the next meeting and in the interim perhaps the design team might be able to recommend changes that would decrease the cost.

Councilman Espino agreed with Mayor Bain that he would like to see what could be cut from the project in order to make the project happen at a reduced cost.

Architect Manuel Perez-Vichot of 1056 Hunting Lodge Drive introduced the Civil Engineer for the project. He offered to make a brief PowerPoint presentation to give Council an idea of what the project involves.

Mr. Perez-Vichot explained that the cost of the seawall is approximately \$800,000. He suggested that the project could be done in phases and put out to bid with a base bid and alternate add-ons. There was originally a contingency amount of \$400,000 that was quite conservative and based on an estimate.

Mr. Perez-Vichot stated that the Miami-River was intended to drain the Everglades for agricultural purposes. The waterway has a very rich history going back to the Seminole Indians and it was used commercially until the dam was built at N. W. 36<sup>th</sup> Street. The current use is an unimproved canal bank with some activities like fishing and feeding the ducks.

The PowerPoint outlined the following:

- Project Background
- Current area use
- Project Objectives – commercial revitalization, congregation area, canoe launch, 3 gazebos, fishing pier and a children’s playground
- Design Objectives
- Existing Conditions

Mr. Perez-Vichot stated that because the canal bank is very narrow it is important to provide a seawall that will maximize the width. The overall site plan was displayed with a congregation area for special events at the east end, the fishing pier, canoe launch, playground, and gazebos.

To answer Councilman Espino’s question, Mr. Perez-Vichot said that there should not be a problem with the proposed round-about because the street has enough width to accommodate emergency vehicles. There would be removable bollards that could be placed to keep traffic away during special events.

Councilman Espino wondered if eliminating the round-about would reduce the cost of the project. He likes the project and would like to see it come to fruition by figuring ways to reduce the scope of work.

Mr. Perez-Vichot stated that the picnic shelter would include the infrastructure for future restroom facilities. The congregation area has an entry sign and the entire design is Pueblo style. The objective of the entire project is to provide a place for residents to congregate and socialize. There are proposed benches, lighting and seating areas.

Mayor Bain suggested holding a Special Meeting to review the proposals. The most important factor is the cost of the project and to find out if there are less expensive alternatives. The project would not go forward with an estimate of \$2.5MM.

Vice Mayor Best commented that the cost estimate had increased dramatically over the last three years. He said that \$135,000 had been spent so far and grants would only provide enough funding for one-fourth of the project. He said that more research is definitely needed.

Councilwoman Ator agrees that Council needs a definite price. She wants to know what Council will be considering if the item is scheduled for another meeting.

Mayor Bain explained that one consideration would be whether or not the project should be done in phases and he would like ideas that are less extravagant so that the work is possible to fund.

Councilwoman Ator asked when the proposed project is expected to come back to Council.

City Manager Borgmann responded that Staff would schedule a meeting with Southeast Design to go over the cost elements and to determine what reductions could be made in order to bring back a reasonable plan that is affordable, within 30-days.

Councilman Lob commented that the seawall is going to be the highest cost element in the project.

City Manager Borgmann said that without the seawall the area would almost be useless because anyone could easily slip into the water.

Councilman Lob stated that Canal Street is very wide and accommodates the crowd during the River Cities Festivals. The proposed plan looks like it reduces the width of the street significantly.

City Manager Borgmann explained that Canal Street is the historical location of the festival and this will have to be considered when deciding if changes should be made.

### **9C) Discussion Regarding the Condition and Maintenance of the City's Dog Park**

Cecile Houry of 1101 Swan Avenue stated that she was following up on a letter she sent to Council in June restating her request for improving the Dog Park. She would like to know how to proceed to get things done.

Ernest Culp of 1000 Hunting Lodge Drive stated that he also supports the improvement of the Dog Park. The new restroom facility is always locked and he would like to know how this can be resolved. He said that approximately twenty to forty residents visit the Dog Park daily and that funds could go toward extra benches and a bathroom facility.

City Manager Borgmann provided the history of how the park was created and how funds were raised. The backup documentation included excerpts of past meetings and a 2008 memorandum from Assistant City Manager Gorland delineating the various responsibilities of each department.

City Manager Borgmann explained that trees that were planted years ago died apparently as a result of excess dog urine. New fast growing trees are recommended for planting around the outside of the perimeter of the park. Palms are also suggested for the grassy area between the fences of the baseball park and the Dog Park. Inexpensive picnic tables and plastic chairs were used at this location since there is minimal supervision. Perhaps when annexation occurs, the City might be able to provide better supervision

City Manager Borgmann noted that although Dr. Tom Campbell was instrumental in getting the park on its feet and formed a 501-C-3 foundation to support the operations of the park, a second group has formed. Assistant City Manager Gorland has been the City's point as the acting Recreation Director. He has worked with the new committee to host fundraisers and resolve issues such as fleas and empty glove/bag dispensers.

At this point, the focus should be on the long term viability of the park, according to Mr. Borgmann. If Council desires to upgrade the park, staff would be willing to get an estimate of the cost of such improvements. It would be prudent for staff to meet with the users of the park to get specific input on improvements, including trees, tables, chairs, and other amenities.

To answer Councilman Espino's question, Assistant City Manager Gorland responded that the second group that formed is not really organized as a 501-C-3.

Ms. Houry stated that she goes to the park everyday, she speaks with many people and is not aware of any organized group.

To answer Mayor Bain's question, Assistant City Manager Gorland clarified that funds that were raised previously were given to Dr. Campbell and the tax exempt organization.

Councilman Lob said that he visits the park and speaks with many people. The board was created but they stopped meeting after the park opened.

City Manager Borgmann said that some groups are very active about a cause and after time they begin to phase out and the next generation does not have the same interest. The responsibility falls back on the City to keep the park safe and secure. The original representation was that the organization would exist in perpetuity and continue to raise funds, which is not the case.

Ms. Houry stated that many people are very interested and passionate about the park, but it is difficult because most people have a full-time job and a family. She said that she heard of Dr. Campbell, but she has never met any of the official committee members.

Laura Pilgrim of 650 Nightingale Avenue thinks that the first group with Dr. Campbell worked very hard to organize the park, but unfortunately some have passed on or moved to other areas. There was no transition from one group to the next, although some people have tried to make that happen. She would be in favor of forming another group or a Board of Directors because there are some concerns that need to be addressed.

Mayor Bain suggested that the users of the Dog Park should make a prioritized list of what is most important and bring it to Council during the budget process. He added that the restroom could have a combination lock or code to allow people who visit the park to use the facility.

Councilman Espino suggested that Ms. Houry, Ms. Pilgrim and Mr. Culp could become the point persons on a new committee.

Mr. Culp expressed his interest in forming a new committee since Dr. Campbell is no longer involved.

City Manager Borgmann suggested that the new committee could look into taking over the existing 501-C-3 from Dr. Campbell.

Mayor Bain asked the Administration to contact Dr. Campbell about the organization. He understands the residents' interest in improving the park because it is a beautiful place, but the improvements must be affordable.

City Manager Borgmann expressed his concern about dogs that were abandoned at the park. He said that the Caring for the Strays organization is assisting the City and taking care of the dogs. He added that this problem, as well as not being able to leave the bathrooms open comes down to one point and that is having supervision.

Mayor Bain said that in his opinion, once an organization is formed, there could be a sign-up sheet and the members could have access to a combination lock for the restroom.

## **10. New Business:**

**10A) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Approving and Adopting the City's Water Supply Facilities Work Plan and Corresponding Comprehensive Plan Amendments for the City of Miami Springs Comprehensive Plan; Authorizing the Amendment of the City Comprehensive Plan in Accordance with the Water Supply Facilities Work Plan and Corresponding Comprehensive Plan Amendments; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (Advertised 7/31/2009)**

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

Attorney Seiden stated that although it is the first reading of the ordinance it requires a public hearing.

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

**Councilwoman Ator moved to adopt the ordinance on first reading. Vice Mayor Best seconded the motion which was carried 5-0 on roll call vote.**

**10B) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Approving and Adopting the Revised Text Amendments for the City of Miami Springs Comprehensive Plan; Authorizing the Amendment of the City Comprehensive Plan in Accordance with the Adopted Text Amendments; Authorizing the Transmittal of the Revised Text Amendments to the Department of Community Affairs in Accordance with Sections 163.3187 and 163.3191, Florida Statutes; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date (Advertised 7/31/2009)**

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

Attorney Seiden stated that this is a first reading and a public hearing is required.

Mayor Bain opened the public hearing. There were no speakers and the public hearing was closed.

City Attorney Seiden clarified that this is the ordinance adopting the text amendments related to N. W. 36<sup>th</sup> Street.

**Councilman Lob moved to adopt the ordinance. Vice Mayor Best seconded the motion.**

City Attorney Seiden explained that the memorandum in the back up documentation is incorrect because it indicates that there is an increase in the maximum allowable floor area ratios (FAR) in the Airport Golf and Abraham Districts. He clarified that the FAR will increase in the 36<sup>th</sup> Street area and the Abraham Tract and the Airport Golf will remain at 1.0 FAR.

**The motion was unanimously carried on roll call vote.**

City Planner Ventura stated that the process officially began on August 27, 2007 and there has been correspondence back and forth between the City and DCA, during which time they requested a traffic analysis of the impact on the 36<sup>th</sup> Street Corridor based on the proposed amendments. He said that the traffic report that was prepared by David Plummer and Associates will be transmitted along with the revised text amendment package to DCA for their analysis, especially through the prism of Senate Bill 360. In his opinion, this bill could help the City based on the new list of transportation concurrency exception areas.

Councilman Espino clarified that Senate Bill 360 does have a negative effect regarding not being able to charge mitigation fees for development. It should help in terms of allowing the text amendments to proceed forward.

City Attorney Seiden reported that Senate Bill 360 is being challenged by larger cities in Miami-Dade County. There are many interpretations of the Bill and any changes will be brought to Council as items become relevant to the City.

**10C) First Reading – Ordinance –An Ordinance of the City Council of the City of Miami Springs Enacting New Article III and Code of Ordinance Section 31-29, Procedures for Protesting Sealed Competitive Selections; By Specifying Intent; Acknowledging Selection and Award Procedures; Providing a Process to Initiate Protests of Selections and Awards; Delineating Required Contents of Written Protest; Requiring of a Notice of Filing of Protest; Providing for a Stay of Selection and Award; Establishing City Manager Review; Conducting of Protest Meeting; Rendering of Protest Meeting Decision; Providing for Appeal to City Council; Describing City Council Appeal Hearing Process; Establishing Exclusive Method of Protest and Appeal; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date**

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

Attorney Seiden stated that as part of the modifications to the purchasing ordinance and the experience with various construction projects in the City, the Administration discussed providing an appeal process. In past years, the City has never been this involved in construction and never had these types of situations because most purchasing was for products.

Without an appeal process in place, the City would be held to a different standard over which there is no control, according to Attorney Seiden. He reviewed a number of different processes and ordinances from different municipalities in developing this ordinance. It addresses all the processes and issues such as the selection, the award, the ability to protest, the language of the protest, notification to the successful bidder, a stay and City Manager review.

Attorney Seiden said that hopefully the appeal can be worked out verbally, but if that is not possible it would go to a formal hearing and a decision is rendered. If someone is not satisfied with the decision rendered by the Manager they can appeal to Council or a higher court if necessary.

**Vice Mayor Best moved to adopt the ordinance on first reading. Councilman Espino seconded the motion which was carried 5-0 on roll call vote.**

**10D) Site Plan Approval – Zoning and Planning Board Case # 04-ZP-09 – Warren Sands, 4801 N. W. 36<sup>th</sup> Street, Zoning: AHMBD; Airport, Highway, Marine Business District, Lot Size: 19,170 Square Feet – Applicant is Requesting Approval per Code Section 150-161 Signs (E): For the Placement of Ground and Identification Signs at a Business**

City Planner Ventura displayed a PowerPoint presentation on the overhead projector. He explained that the location at 4801 N. W. 36<sup>th</sup> Street is the former Exotic Toy Car Rental facility and now it is the new Valero Gas Station. Zoning is in the Airport, Highway, Marine Business District, specifically the 36<sup>th</sup> Street District. The Applicant is requesting approval per Code Section 150-161 Signs (E) for the placement of a ground identification sign.

The proposed site plan was originally presented to the Board of Adjustment at their meeting of August 10, 2009 and the variance request was for an oversize face of the ground sign. The Board approved the variance. The aerial will measure 18' x 7' and the bottom will remain open. The modified proposal immediately went to the Zoning and Planning Board and it was unanimously approved.

The original site plan for the new Valero gas station was approved by the Zoning and Planning Board at their May 2009 Zoning and Planning Board, according to Mr. Ventura. The proposed site plan for this proposal is the installation of a 30-foot ground sign on the corner of Minola Drive and also logo signage along the eaves of the structure that provides cover for the gasoline pumps. There is no issue with the logo and the Valero graphic along the eaves. The total sign surface area for the sign at the corner is proposed to be 126 square feet, which was originally proposed at 210 square feet before it was reduced. Section 151.161 (A) limits sign surface area to 30 square feet for each acre or portion thereof, of land occupied by the development. The total lot size is 19,170 square feet, or 0.44 acre and the total sign surface area would be limited to 13.2 square feet in order to meet code.

City Planner Ventura surveyed other service stations along 36<sup>th</sup> Street. The Citgo station at 5687 N. W. 36<sup>th</sup> Street has a total ground sign surface area of approximately 81 square feet on a lot of 16,880 square feet. The Shell station at 5309 has a ground sign with an elevation of 20-feet and a total sign surface area of 116-feet on a lot of 19,413 square feet. The Chevron Station at 4501 has an elevation of 28 feet and a total sign surface area of approximately 77 square feet on a lot of 15,694 square feet. The Valero sign would be larger than existing signs along N. W. 36<sup>th</sup> Street.

City Planner Ventura explained that gasoline service station signs can be considered unique in that the primary focus of their signage is on pricing. Another factor is that this is a new business coming in on 36<sup>th</sup> Street to replace a much older business. The sign does meet the maximum height allowed per code of 30-feet and a color survey photo that was provided shows the visual impact that the sign would have along various points on 36<sup>th</sup> Street. One photo shows that it will have minimal visual impact along what is recognized as a business/commercial corridor.

Staff recommends approval of the modified site plan for the installation of ground and identification signage for 4801 N. W. 36<sup>th</sup> Street, being 30-feet high in elevation and total signage not to exceed 126 square feet.

The City Planner responded to the City Manager's questions regarding the size of the open space at the bottom of the sign in regard to visibility safety for cars entering 36<sup>th</sup> Street.

Vice Mayor Best asked if the City Planner's research found that the other service stations along 36<sup>th</sup> Street had been granted variances.

City Planner Ventura explained that he could not produce any documentation to prove that the other stations had received variance approval given the time that had passed.

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

**10E) Recommendation to Award Bid # 08-08/09 for Construction of New Drainage Structures on Hunting Lodge Drive (Basin 35) to the Lowest Bidder Meeting Qualifications, Florida Engineering & Development Corp., in the Amount of \$336,221.10, Per Section 33.11 (E) (1) of the City Code**

City Manager Borgmann read the title of the award. He stated that this project is number eight of eight projects in the 1995 Stormwater Master Plan that was prepared by Post, Buckley, Schuh & Jernigan.

The study was prepared prior to the floods of 1999 and 2000 when the water table was high, which added to the problem. The flood waters of 1991 had no place to go because the County stopped pumping from the wells under Miami Springs and the water table rose approximately four feet.

City Manager Borgmann reported that projects one through four were completed. Projects five, six and seven are locations that continue to be monitored and the water has been draining within twenty four hours. Project number eight is most expensive with an original estimate of \$800,000+. Two grants were received over the past years; one is currently \$120,000 from the South Florida Water Management District and the most recent is \$250,000 that will be applied to this project. The grants are a 50/50 match and the design costs of approximately \$100,000 can be included.

City Manager Borgmann stated that the total project is approximately \$436,000 and out of the \$370,000 in grant funds, \$218,000 can be utilized. The City was advised to come up with an additional project in order to be able to use the balance of the funds. There are funds available in the City's Stormwater utility fund, which has a balance of approximately \$800,000. He explained that the Administration will come back with a design for another project if necessary, or the funds can be used to purchase equipment to clean the drains.

To answer Vice Mayor Best's question, City Manager Borgmann explained that the other two areas on the list of projects are small sections on Heron and the other on Shadow Way by the west end of Dove Avenue. He felt that it would be a waste of funds to do these two projects. The mitigating factors of past floods was due to an artificial condition that was created because they were not pumping from the wells in the City and the other was caused by South Florida Water Management in regard to opening the flood gates. Since the ground water has remained low and there is an excess capacity for rain, the other three projects do not qualify.

Councilman Lob asked about the negative comments that were made in regard to Florida Engineering and Development Corp. regarding complaints due to site conditions.

City Manager Borgmann stated that although the comments show there were a few complaints and a struggle due to site conditions, they indicate that the job was overall satisfactory. He said that sometimes there are unforeseen field conditions that were not recorded. He looked at the overall comment that they performed the work satisfactory as it pertained to meeting deadlines and milestones and although they did have some problems, apparently they were able to resolve them to the satisfaction of the contractor.

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

**10F) Approval of Contract with the State of Florida to Receive a Grant of \$250,000 Towards the Emergency Shelter Aspect of the New Community Center**

City Manager Borgmann stated that through the efforts of the City's lobbyist, The Wren Group, the City received a \$250,000 grant, specifically through the State Emergency Division, towards the additional cost to bring the Community Center to a category five status, which can serve as an after event shelter.

City Manager Borgmann explained that City Attorney Seiden reviewed the contract document, it was found to be suitable and Staff requests formal Council approval to authorize the execution of the document.

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

**10G) Discussion Regarding Trees Surrounding Prince Field**

Edda Cimino of 6030 N. W. 40 Street, Virginia Gardens, a member of the Miami Springs Senior Center and the Virginia Gardens Beautification Committee said that many people are very angry about the tree removal on Ludlam Drive. She said the issue is that the contractor who is working on Ludlam has offered to cut down the pine trees around Prince Field for a reduced rate of \$10,000 and the senior citizens are dismayed. She urged Council not to approve the removal of the trees and to talk to seniors to see how they feel. The trees provide shade and beauty and there is no issue of polluting a canal.

City Manager Borgmann stated that as part of the recreation master plan in 2006, it was noted that the pines should be removed. There is a thatch condition from needles and parking space is needed in the swale for the new community center. Paved angle parking could be installed. The estimate for the removal of the trees by the Ludlam Drive contractor is less than \$10,000 and the Administration is requesting permission to solicit other quotes. He has authority to approve the bid, but wants Council to authorize the removal.

Vice Mayor Best feels that it is ecologically right to be removing the trees on Ludlam, even though people are very passionate about the trees. The trees around Prince Field are not an ecological issue and they have not affected the grass in the baseball outfields. He will speak with Superintendent Sandy Pell about the issue.

Councilman Espino stated that the pine trees are not causing a chronic condition in the playing fields, although there are nicer varieties of shade trees. He suggested getting input from the surrounding residents.

Councilwoman Ator would like to first have a plan for planting new trees before removing the pines. She would like to be able to plant more mature trees that will not take ten years to provide shade.

City Manager Borgmann explained that the intent was never to entirely pave the swale around the field. He was offered a price to have the trees removed at a reduced rate that is \$15,000 less than three years ago and he felt that it was his responsibility to inform Council.

Councilwoman Ator reiterated her concern regarding tree replacement within a short time after tree removal.

City Manager Borgmann stated that he would come back with a plan to remove the trees, a parking design and new landscaping.

Councilman Lob suggested that the City could piggyback on the county's tree purchase.

City Manager Borgmann assured Council that the City had a contract for trees and many vendors are offering discounts.

#### **10H) Discussion Regarding Orsi Springs Condominium LLC; 611-615 Forrest Drive**

City Manager Borgmann stated that the City Attorney had been dealing with the attorneys for the property owner and would present the information.

City Attorney Jan K. Seiden stated that Council received a copy of his memorandum and back-up documentation from the attorneys who represent the property owner of this location. A proposal was brought to the City a number of months ago for a use of the property that is similar to the current use. The property has been an apartment/condo use since it was constructed a few years ago.

The City changed the zoning from an R-3C District and put it into the Airport District, according to Attorney Seiden. The Code does not differentiate between apartment and condo use as the requirements are the same. He explained that this project does not involve construction, but there could be minor renovations. The proposal is to change the use to a rehabilitation type facility, and there will be very strict rules and regulations. The group has been successful in other locales and government jurisdictions and the rules show that they are a "no nonsense" group with zero tolerance.

Attorney Seiden stated that the new owners will rent apartments to rehabilitating drug or alcohol users. The occupants will be living on their own, the same as any apartment tenant. A number of cases were researched and the bottom line is that the City can control the use, but it cannot control the users. The provisions and legal arguments that were made are that controlling the use of a property, based upon dislike of the users, will violate state and federal law in regard to the Fair Housing Acts. These acts now consider disabilities that include drug and alcohol related problems.

The proposal is to get approval from the City to operate; there are no city requirements, according to Attorney Seiden. This is a legal non-conforming use by virtue of the City taking the property out of a district where it was appropriate and placing it in a district where it is not appropriate. The current Airport Highway Marine District does not provide, nor permit, multi-family residential structures; it is allowed because it has always been there.

Attorney Seiden explained that it would do more damage to add the use in the Airport District because it is now prohibited. At this point, it comes down to legislation of the new user type group. He does not believe that the City would be successful in denying or prohibiting this use, and taking action to prohibit it could result in the filing of a lawsuit in the state or federal courts based on the Fair Housing Act. The City of Miami Beach has permitted this use and has had no problem.

Council is being advised of the situation so that a final decision can be made, based on the Administration's opinion. He and the City Manager do not believe that it will cause a detriment, problem or impediment to the City and denying the use could be difficult to defend in discrimination based lawsuit.

City Manager Borgmann clarified that he does not like the idea, but the legalities appear to be on the side of the Applicant. He personally sees this case to be similar to the Aladdin Hotel because hotels are allowed in the area and the question was who was going to be using the hotel and for what purpose, which cannot be legislated. The only recourse is to prove that illegal activity is taking place at the location and appropriate action is taken at that time.

City Manager Borgmann explained that the City has a zero tolerance policy for drug and alcohol use on the job, which is now recognized as a disability. The City works with the employee that has a problem, tries to get that person help and they are subjected to random drug testing.

City Attorney Seiden said that there are a number of references in the Florida Statutes to congregate and adult living facilities and the City cannot prohibit the use of these facilities. There have been a number of situations with these facilities over the years and the City has been quite tolerant because there is nothing that can be done.

Vice Mayor Best stated that we live in society with abusive and behavioral issues and there are agencies to address this. It would be legally foolish to deny this use or introduce legislation to change usage in the District.

To answer the Mayor's question, City Attorney Seiden responded that limiting the distance between congregate and adult living facilities is being challenged.

**Vice Mayor Best moved to approve the use of the facility per the City Attorney's recommendation. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.**

## **11. Other Business:**

### **11A) Presentation of the Fiscal Year 2008/2009 Third Quarter Budget Status Report (Unaudited)**

This item was **tabled** until the next meeting.

### **11B) Presentation of the Golf Course (Unaudited) Financials for the Third Quarter Fiscal Year 2008/2009, Period Ending June 30, 2009**

This item was **tabled** until the next meeting.

## **12. Reports & Recommendations:**

### **12A) City Attorney**

No report.

### **12B) City Manager**

#### **Ludlam Trees**

City Manager Borgmann reported that he had been in contact with the Director of Miami-Dade County Public Works regarding larger trees for Ludlam from Swan Avenue north to North Royal Poinciana Boulevard on the canal side. The County is also considering planting additional trees for the City swales on the east side of Ludlam. He determined that there are approximately thirty-five locations where it is possible to plant trees along the entire stretch of Ludlam from North Royal to Lafayette Drive.

## **Dade League of Cities Dinner**

City Manager Borgmann congratulated the City for hosting the Miami-Dade County League of Cities monthly meeting on Thursday, August 6<sup>th</sup>. He received many compliments about the Country Club facility and it made him proud to be part of the leadership of Miami Springs.

Mayor Bain added that many people were interested in the restoration of the Curtiss Mansion and the construction of the Community Center. He said that 126 people were in attendance.

Councilman Espino received compliments about the centralized location of the City.

## **Ducks**

City Manager Borgmann said that in light of a letter to the editor of the River Cities Gazette and telephone calls to the City, he wanted to report that the City has not taken out a contract to have ducks removed and the rumors are absolutely false.

## **Bomb Scare**

City Manager Borgmann complimented Police Chief Baan regarding a bomb scare at Stafford Park due to a briefcase that had been discarded. The Miami Springs Police responded and called the Metro Bomb Squad who x-rayed the briefcase. Since it looked suspicious they decided to blow it up and the Police Officers informed the neighbors about the explosion. Even though it was a false alarm, it was a great drill.

## **Budget Workshops**

City Manager Borgmann reminded everyone of the upcoming budget workshops on Monday, August 17<sup>th</sup> and Monday, August 31<sup>st</sup> at 7:00 p.m. He urged Council to contact the Administration ahead of time if they have any questions about the proposed budget.

## **Vaccination Program**

City Manager Borgmann thanked Commissioner Sosa for hosting a “Back to School” vaccination program for the kids on Tuesday, August 11<sup>th</sup> from 10:00 to 2:00 at the Country Club.

## **Luau Pool Party**

City Manager Borgmann complimented the Recreation Staff for a very successful end of the summer Luau pool party.

Assistant City Manager Gorland stated that Programs Supervisor Patti Bradley and Staff did a great job. The event was well attended from kids to senior citizens, hamburgers and hotdogs were served and everyone enjoyed dancing.

## **After School Program**

Assistant City Manager Ronald K. Gorland announced that registration is open for the after school care program for grades K-8 and anyone interested should call the Recreation Center. Homework study is provided by qualified staff.

## **12C) City Council**

### **Luau Pool Party**

Councilwoman Ator attended the end of the summer Luau pool party and complimented Staff for a great job.

### **Flu Shots**

Councilwoman Ator asked the Administration to contact Commissioner Sosa to ask if flu shots will be offered in the fall. She said that if they are planning to offer the shots that it should be well publicized since it is expected to be a big year for the flu.

The City Manager offered to get the necessary information from the County as Commissioner Sosa had sponsored this event in the past.

### **Recreation Survey Results**

Councilwoman Ator requested a copy of the Recreation survey results that was discussed when she was a member of the Recreation Commission. She said that the information is important to have when planning the budget and discussing future programs.

### **E-mail server**

Councilwoman Ator reported that she had not received e-mail for three weeks and now they are being forwarded to her personal e-mail account. She knows that updating the City website had been discussed, but it is more important to make sure the City's technology is working. She would like an update at the next meeting on plans for updating the information technology and the timeline for completion.

City Manager Borgmann responded that plans for updated technology would be presented as part of the budget workshop meetings.

## **Commercial Recycling**

Councilwoman Ator stated that she was not present at the last meeting when Council discussed commercial recycling. She understands that the County requires commercial recycling, although there is not a specific program and the City asked the County to enforce their regulations. As a City, she feels there is an obligation to look at the options for starting a commercial recycling program, which could be scheduled for a future agenda.

City Manager Borgmann was informed by County representatives that the County does not have a commercial recycling program.

Mayor Bain commented that private waste companies provide commercial recycling services for the businesses.

Councilwoman Ator clarified that she was suggesting the City should help facilitate a program for commercial recycling.

## **Pelican Playhouse**

Vice Mayor Best announced that the Pelican Playhouse is performing in the Summer Showcase on Saturday, August 15<sup>th</sup> at 7:30 p.m. and Sunday, August 16<sup>th</sup> at 2:00 p.m.

## **Florida League of Cities Annual Conference**

Vice Mayor Best reported that he and Councilman Espino would be attending the Florida League of Cities 83<sup>rd</sup> Annual Conference on Thursday, August 13<sup>th</sup> through Saturday, August 15<sup>th</sup>. He hopes to meet interesting people and return with good ideas for the City.

## **Former Councilman Paul Dotson**

Vice Mayor Best asked everyone to remember former Councilman Paul Dotson in their prayers. His sisters had failed surgeries, he is undergoing a second cataract surgery and his brother was diagnosed with level four lung cancer.

## **Commendation**

Councilman Lob commended the parents and teachers who dedicate their time to the Miami Springs Senior High School math students, which involves a tremendous amount of time. They have helped introduce Miami Springs into the education world.

## **Optimist Club Volunteers**

Councilman Lob reported that volunteers are needed to help clean the Optimist Club on Saturday, August 15<sup>th</sup>.

### **Optimist Club Golf Tournament**

Councilman Lob announced that the Optimist Club is planning a golf tournament for October 17, 2009. He hopes that citizens will participate because all organizations need help raising funds, including the Lions Club.

### **Ad Hoc Committee**

Councilman Espino complimented the Ad Hoc Committee members who are doing tremendous work and rapidly moving forward to develop a logo and tagline for the City.

### **Senior Report**

Councilman Espino stated that he presented the Council report to the senior citizens and informed them of the ongoing capital projects, the Police grant, the resurrection of the Crime Watch program and several other topics. He offered to provide a copy of the report for Council.

### **Miami-Dade County League of Cities Meeting**

Councilman Espino said that the Miami-Dade County League of Cities meeting at the Country Club on Thursday, August 6<sup>th</sup> was fantastic. The Miami-Dade Planners Technical Committee held a meeting at the Country Club the following day and they are considering holding their regular meetings there.

### **Florida League of Cities Annual Conference**

Councilman Espino reported that he would be attending the Florida League of Cities Annual Conference this week in Orlando. Many important issues and topics will be discussed during the sessions, including technology, economic development, green policies, etc. and he will gather as much information as possible.

### **Movie Night**

Councilman Espino announced that Blessed Trinity would be holding a Movie Night on Saturday, August 29<sup>th</sup> at 7:00 p.m. in the Parrish Hall.

### **Miami-Dade County League of Cities Dinner**

Mayor Bain said that the Miami-Dade County League of Cities dinner at the Country Club was a nice event that allowed people from the entire county to see Miami Springs and the progress being made. He received many compliments and is proud to be the Mayor.

## **Compliment**

Mayor Bain complimented the Recreation Pool Staff for the perfect condition of the pool for the autism pool party that was held with the Miami Heat, Blue Cross Blue Shield and The American Red Cross.

## **Luau Pool Party**

Mayor Bain laughed about almost being thrown in the water at the Luau Pool Party.

## **13. Adjourn.**

There being no further business to be discussed the meeting was adjourned at 10:20 p.m.

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Billy Bain  
Mayor

## **ATTEST:**

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Magalí Valls, CMC  
City Clerk

Approved as written during meeting of: 8/24/2009.

Transcription assistance provided by S. Hitaffer