



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, September 10, 2007, at 7:00 p.m.

1. Call to Order/Roll Call

The following were present:

Mayor Billy Bain
Vice Mayor Bob Best
Councilman Paul C. Dotson
Councilman Zavier Garcia
Councilman Rob Youngs

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Police Captain Peter G. Baan
Former Finance Director William Alonso
Public Works Director Robert T. Williams
Golf Director Michael W. Aldridge
City Planner Richard E. Ventura
City Clerk Magalí Valls

2. Invocation: Mayor Bain offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Certificate of Special Recognition to Joel B. Watts

Joel B. Watts was not present.

3B) Certificate of Recognition to Douglas Ramos

Mayor Bain presented a Certificate of Recognition to Douglas Ramos, a Miami Springs resident who participated in the Southern Zone Age Group Championships Swimming Competition from July 31 to August 4, 2007, and is currently ranked in the top ten in the country for the 200 meter breast stroke in the 13-14 age group.

4. Open Forum:

Steel Gymnasium

Dona Kelley of 830 Swan Avenue stated that if the proposed steel building is true to the picture in the Gazette, it is the ugliest building she has ever seen and she is grateful that she does not live across from the Recreation Center.

City Manager Borgmann assured Ms. Kelley that the plans are for a very attractive building that would not have a negative impact on the neighborhood.

Grants to Community Organizations

Dona Kelley stated that if there is going to be a program for grants to community organizations, funds should be budgeted, there should be clear qualification criteria and a list that should be rotated among various organizations. Otherwise, the best thing to do would be to deny all requests because most are not the responsibility of city government.

5. Approval of Council Minutes:

5A) 08/20/2007 – Workshop Meeting

Minutes of the August 20, 2007 Workshop Meeting were approved as written.

Vice Mayor Best moved to approve the minutes. Councilman Garcia seconded the motion, which carried 5-0 on roll call vote.

6. Reports from Boards & Commissions:

6A) 09/05/2007 – Architectural Review Board – Cancellation Notice

Cancellation Notice of the September 5, 2007 Architectural Review Board meeting was received for information without comment.

6B) 09/04/2007 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the September 4, 2007 Zoning and Planning Board meeting was received for information without comment.

6C) 09/18/2007 – Education Advisory Board – Rescheduling Notice

Rescheduling Notice of the September 18, 2007 Education Advisory Board meeting was received for information without comment.

6D) 08/29/2007 – Board of Appeals – Minutes

Minutes of the August 29, 2007 Board of Appeals meeting were received for information without comment.

6E) 09/11/2007 – Recreation Commission – Cancellation Notice

Cancellation Notice of the September 11, 2007 Recreation Commission meeting was received for information without comment.

6F) 09/12/2007 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the September 12, 2007 Golf and Country Club Advisory Board meeting was received for information without comment.

6G) 09/04/2007 – Board of Adjustment – Approval of Actions Taken at their Meeting of September 4, 2007, Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of September 4, 2007 were approved subject to the 10-day appeal period.

Councilman Youngs moved the item. Councilman Dotson seconded the motion which carried unanimously on roll call vote.

Council agreed to hear the appeal of two cases at the next Council meeting of September 24, 2007.

7. Public Hearings:

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

The Mayor reconvened the City Council meeting at 7:37 p.m.

7A) PUBLIC HEARING – Resolution – A Resolution of the City Council of the City of Miami Springs Tentatively Approving Fiscal Year 2007-2008 Budget; Confirming Date, Time and Place of Final Public Hearing

City Attorney Jan K. Seiden read the resolution in its entirety.

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

City Manager Borgmann stated that Council would find a revised memorandum on the dais. The liability insurance is going down approximately \$120,000, which changes the total General Fund expenditures to \$12,514,384 and the difference was put into the reserves.

Former Finance Director Alonso explained that the Florida League of Cities reduced the liability insurance by 22%, which is calculated to be \$120,000. At the last meeting, the General Fund reserve balance was increasing by \$115,000 and the additional \$120,000 means that \$235,000 will be added to the reserve.

City Manager Borgmann reviewed the main budgetary highlights for the proposed FY 2007-2008 budget, including all of the issues that were addressed during the workshop meetings and the changes that Council requested as follows:

- Millage reduction to 6.3000, which is lower than the 6.4423 required under the new tax reform law. This would be the lowest millage in the City since 1992.
- Total General Fund expenditures are \$12,514,834 which is approximately \$613,656 (4.7%) less than the \$13,128,040 in the original adopted budget for FY 2006-2007. Approximately 65% of the total general fund budget is for salaries and benefits.
- The proposed budget maintains current levels of services to the residents.
- Increases fund balance reserves by \$235,885.
- Maintains Hurricane Contingency at \$500,000.

- Provides \$100,000 for the contracting of a grant writer/lobbyist for the City.
- Provides \$100,000 in the Planning Department budget for the 36th Street Comprehensive Plan review.
- Provides \$18,000 in rent assistance to the Historical Museum.
- In order to eliminate the General Fund subsidy to the Sanitation Fund, a rate increase of \$10.00 per month will be required. There would have been a \$1.00 per month increase due to a 3% increase in dumping fees for next year so the actual additional increase needed is \$9.00 per month.
- Budget includes a 3% COLA increase for general employees and a 4% COLA increase for sworn police personnel per the negotiated contract. Merit increases have been included for all those positions that are not at the top of their respective ranges.
- Budget reductions were achieved through significant reductions in capital expenditures compared to FY 2006-2007.
- Health insurance costs are projected to increase by 10%.
- The total number of full time employees was reduced from 149 last year to 140 due to the proposed outsourcing of the greens keeper positions in the golf maintenance division and in the recreation field maintenance division. Additionally, four currently vacant positions will be “frozen” and not filled for FY 2007-2008.
- The FY 2007-2008 budget contains a new “Capital Projects Fund”. This fund will be used to budget the revenues and expenditures related to the Curtiss Mansion renovation and the recreation complex project.

Councilman Dotson said that at the Workshop meeting of August 20, 2007, there was discussion about increasing the sanitation fees \$120.00 per year, which would more than offset the tax benefit that some people will receive. A suggestion was made to increase the rate gradually beginning with \$4.00 per month the first year. Mr. Alonso had recommended reducing the millage rate to 6.1000 instead, which seemed to be a consensus because it was lowered to 6.3000.

Mayor Bain stated that his understanding was that Council decided at the workshop meeting to reduce the millage rate to 6.3000 and increase the sanitation rate by \$10.00, which could be explained to the residents.

Councilman Dotson said that discussion ensued about explaining the increase to the residents, but that he did not accept the 6.300 millage rate. He thought that the discussion would be continued at the next session.

Councilman Dotson stated that his calculations show that the benefit of a .0063 millage reduction would equal \$17.79 and the \$120.00 annual increase for sanitation would mean that a homeowner would be paying approximately \$100.00 more. He added that homes valued up to \$375,000, would realize an average reduction of approximately \$36.00.

Councilman Dotson said that the increase in the sanitation fee means that most people will have to pay more, which he cannot support. Reducing the millage rate to 6.100 would offset the \$120.00 increase and the people with homes valued more than \$400,000 will realize a substantial reduction in their taxes, but the people with homes of lesser value will not.

Councilman Youngs stated that he wanted to find a break even point in terms of fair market value of homes so that the amount of the tax reduction is greater than \$120.00. He supports the increase in the sanitation fee in order to make the enterprise fund self sufficient because it is important to the bond rating. The question is whether or not the taxes can be reduced otherwise so that the break even point will be as low as possible. He would like to calculate the break even point.

Mr. Alonso calculated the proposed 6.3000 rate and what the savings would be at different levels of taxable property values. He said that the average property is valued at \$112,917, which would be a savings of \$105.00 for the city's portion of taxes. If the assessed value is \$134,000, the savings would be \$126.00 per year. Mr. Alonso stated that the annual savings for an average home valued at \$112,000 would be \$234.74 based on the total millage for all taxing authorities.

Councilman Dotson reiterated that based on his figures, the difference between the millage rate of 6.400 and 6.300 would be \$17.79.

Mr. Alonso said that the assessed property values for 2007-2008 can only go up 3% and considering \$154,500, the new assessed value will be \$159,135, less \$25,000 for homestead exemption and the taxable value would be \$134,135. The current year millage rate of 7.500 multiplied by \$129,500 equals the 2006-2007 taxes of \$972.25. The proposed millage rate multiplied by the new assessed value for 2007-2008 equals the amount of taxes that will be paid next year.

Councilman Dotson stated that the difference between the taxes based on 6.4423 and 6.3000 mills would be the savings toward the \$120.00 sanitation increase.

Mr. Alonso calculated a \$19.00 difference between 6.4423 and 6.3000.

Further discussion ensued regarding the "break even" point in order to offset the sanitation rate increase.

Councilman Dotson said that Mr. Alonso originally said that reducing the millage to 6.1000 would make the difference in order to offset the sanitation increase.

Councilman Youngs stated that the reduction for liability insurance added \$120,000 to the cash reserves making the balance \$235,000. He asked to quantify Councilman Dotson's proposal.

Mr. Alonso said that reducing the millage rate to 6.1000 would reduce the cash reserve from \$235,000 to \$35,000, which is a reduction of \$200,000.

Councilman Youngs stated that he would not be in favor of reducing the budget by \$200,000 this year, although next year could be a different situation.

Mayor Bain said that the assessed value of his home is \$273,000, which is increasing to \$280,000, and the taxable value less the exemption is \$255,000. His total taxes based on the proposed millage rate for 2007-2008 will be \$5,904.00 compared to \$6,507.00 for 2006-2007. The savings on the city's portion will be \$255.00.

Mayor Bain clarified that more than two-thirds of the tax bill goes to other taxing authorities outside of the City. He pays approximately \$2,000 in city taxes for the services he receives. The state mandated goal was to reduce the millage to 6.4423 and it has been reduced to 6.3000, and most people will understand it is a "bare bones" budget.

Vice Mayor Best said that in speaking with people from various municipalities throughout the state, he found that the average tax savings is \$125.00.

Councilman Dotson emphasized that all houses are not valued the same. He knows that a lot of work was put into preparing the budget, but it does not change the fact that the sanitation fee is increasing by \$120.00 per household. He said that is not much of a return for people who were intended to realize a tax relief.

Councilman Dotson commented that his responsibility is to the people of the City and that he only has control over 30% of the tax bill.

Councilman Garcia mentioned that the General Fund would have to subsidize the Sanitation Fund if the residents are not charged the additional \$120.00, which means that the taxpayers would pay either way.

Vice Mayor Best stated that the General Fund subsidy to the Sanitation Fund would leave the operating budget short.

Councilman Garcia felt that it is fair to charge \$120.00 more for sanitation because everyone receives the same service, regardless of the assessed value of the homes.

Vice Mayor Best added that the Standard and Poors credit rating is very important, and the Sanitation Fund deficit is the only factor that could prevent an increase in the rating.

Councilman Youngs would like to make the Sanitation Fund self-supporting by increasing the fees. He suggested making a concession by reducing the millage rate to 6.2000, which would mean a decrease of \$100,000 in the reserve balance, although it might not make a significant difference for people with homes valued below \$154,000.

Councilman Dotson personally felt that reducing the millage rate to 6.2000 would be making an effort to do the best for the people and he would support that recommendation.

Mr. Alonso clarified that the millage reduction would equal approximately \$110,000 and the reserve would decrease from \$235,000 to \$125,000.

Councilman Garcia stated that having sufficient reserve funds is being fiscally responsible to the people, and he would not want to reduce the reserve fund.

Mr. Alonso reminded Council that the concern is what could happen after the January 29, 2008 tax referendum, because the City could stand to lose approximately \$400,000, in addition to the normal cost of living expenses that could total another \$300,000. He explained that next year the millage will be based on the roll back rate, plus the percentage of personal income growth for the year, which ranges from 2% to 4%.

Vice Mayor Best moved to adopt the resolution and Councilman Garcia seconded the motion.

Vice Mayor Best commented that there could be a dramatic impact next year and he is comfortable that this is the best possible budget.

Councilman Dotson asked how setting the millage rate at 6.2000 this year would impact the roll back rate next year, compared to a millage rate of 6.3000.

Mr. Alonso stated that the roll back rate is based on the revenue that is generated so the difference would be \$100,000 less.

Mayor Bain stated that he would like additional information showing how many homes are valued at less than \$154,000.

City Manager Borgmann commented that two years ago the average homesteaded, single family home was assessed at \$130,000 after applying the homestead exemption. This increased to \$145,000 last year and is estimated at \$154,000 this year.

On roll call vote, the motion carried 4-1 on roll call vote, with Councilman Dotson casting the dissenting vote (Resolution No. 2007-3369).

Councilman Dotson referred to the breakdown of administrative fees that are allocated to the various departments, which was provided to Council. He said there was an allocation of \$310,000 from various departments for the water and sewer fund and he would like information as to what makes up this amount.

Mr. Alonso stated that he would provide a breakdown of the \$310,000 allocation from the various departments for the water and sewer fund.

8. Consent Agenda: (Approved with one motion)

8A) Approval of City Attorney's Invoice for August 2007 in the Amount of \$ 8,937.50

There was no discussion regarding this item.

Vice Mayor Best moved to approve the consent agenda items. Councilman Youngs seconded the motion which was carried 5-0 on roll call vote.

8B) Florida League of Cities – Florida Municipal Insurance Trust (FMIT)

City Manager Borgmann stated that there was a decrease of 22% for the insurance premium. He explained that the net premium of \$517,572.00 is paid quarterly in an amount of \$129,393.00, and the Florida League of Cities provides the most cost effective program.

City Manager Borgmann said that since the amount exceeds his spending limit, he is requesting Council approval with the understanding that every quarter the payment will be \$129,393.00.

Vice Mayor Best moved to approve the consent agenda items. Councilman Youngs seconded the motion which was carried 5-0 on roll call vote.

To answer Vice Mayor Best's question, Mr. Borgmann stated that this is the first significant decrease of this nature. There is obviously an economy of scale by being grouped with other cities and although there are other vendors, they cannot match the premium or services.

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain to Fill an Unexpired Term Ending on April 30, 2009 (Joe Podgor's seat)

Mayor Bain **deferred** his appointment.

9B) Appointment to the Golf and Country Club Advisory Board by Mayor Bain for an Unexpired Term Ending on July 31, 2007 (Noel Pereda's seat)

Mayor Bain **deferred** his appointment.

9C) Appointment to the Civil Service Board by Councilman Garcia (Group III) for an Unexpired Term Ending on June 30, 2009 (Roslyn Buckner's seat)

Councilman Garcia **deferred** his appointment.

9D) Appointment to the Ecology Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Donna Dawson's seat)

Councilman Youngs **deferred** his appointment.

9E) Appointment to the Civil Service Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on June 30, 2010 (Félix D. Pérez' seat)

Councilman Youngs **deferred** his appointment.

9F) Appointment to the Code Review Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Jana Armstrong's seat)

Councilman Youngs **deferred** his appointment.

9G) Appointment to the Recreation Commission by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Robert Williams' seat)

Councilman Youngs **deferred** his appointment.

9H) Appointment to the Education Advisory Board by Vice Mayor Best (Group I) for a 2-year Term Ending on May 31, 2009 (Dr. Karen Williams was unable to accept appointment)

Vice Mayor Best **deferred** his appointment.

9I) Appointment to the Golf and Country Club Advisory Board by Councilman Youngs (Group IV) for a Full 2-Year Term Ending on July 31, 2009 (Ken Amendola's seat)

Councilman Youngs **deferred** his appointment.

9J) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-04, Definitions, by Reducing the Number of Years to be Utilized in Calculating An Employee's "Final Average Salary" as Provided in Subsection (J); Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that Council approved the change for the calculation of "Final Average Salary" from five years to four years at the last meeting, which is provided in subsection (J) of the proposed ordinance.

Councilman Garcia moved to adopt the ordinance and Vice Mayor Best seconded the motion.

Councilman Dotson asked if the "Final Average Salary" is based on the best four years out of the last eight or ten years.

City Attorney Seiden clarified that it is the average of the highest annual compensation paid during any four years of credited services within ten years of credited service.

City Manager Borgmann stated that an employee must have ten years of credited service to retire and of those ten years the "Final Average Salary" is based on the best four years instead of five, which creates a higher number upon which the multiplier is applied. The associated cost is \$37,742.00, according to the actuary.

The motion carried 4-1 on roll call vote with Councilman Dotson casting the dissenting vote.

Agenda Item 10E discussed at this time.

10. New Business:

10A) Appointment to the Code Enforcement Board by Mayor Bain for a Full 3-year Term Ending on September 30, 2010 (Walter M. Dworak's seat)

Mayor Bain **deferred** his appointment.

10B) Appointment to the Code Enforcement Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on September 30, 2010 (Erik Michelson's seat)

Councilman Youngs **deferred** his appointment.

10C) Appointment to the Code Enforcement Board by Councilman Garcia (Group III) to Fill an Unexpired Term Ending on September 30, 2009 Created by Three Absences of Jacqueline Martinez-Regueira

Councilman Garcia (Group III) **re-appointed** Jacqueline Martinez-Regueira to the Code Enforcement Board.

10D) Discussion of Methodology to Contribute Funds to Community Based Organizations for Various Causes

City Manager Borgmann stated that Council requested that Staff look into the possibility of establishing some methodology to contribute funds to community based organizations for various causes. He surveyed various cities in the County to see how they handle this issue.

Alexandra Mirabal of 580 La Villa Drive felt that it would be fair to institute criteria for the contribution of funds to community based organizations. She stated that the plight of the River Cities Community Charter School has been ongoing for three-years and they decided to request assistance from the City because they have had difficulty obtaining grants over the last two years to cover the start-up costs. They missed the opportunity to obtain a federal grant of \$200,000 because they did not have a contract from the School Board at that time, and funding for the new grant cycle was reduced to \$25,000.

Ms. Mirabal said that this is the final year to prepare in order to open the school next year. They are also requesting funds from Virginia Gardens and Medley. She assured Council that all funds would be accounted for since she is a Certified Public Accountant and budget analyst. Ms. Mirabal expressed her concern that time is running out and requested \$5,000.00 to help fund the cost of a fire alarm system.

Mayor Bain advised Ms. Mirabal that he understands her plea but Council must be fiscally responsible, especially with the tax reform.

Ms. Mirabal commented that the Miami Springs Senior High School band received assistance, as well as the Math Club.

City Manager Borgmann explained how other cities handle requests for contribution of funds: Aventura has a provision in their Charter that prohibits this activity, North Miami handles the requests similar to the way Miami Springs does now, North Miami Beach used to have a program that was discontinued in light of recent tax reform legislation, Pinecrest had a plan that allocated \$10,000 for every public school in the Village but the program has been discontinued due to tax reform, Miami Shores has also stopped this type of funding due to tax reform. However, they have a program call “The Mayor’s Task Force” where funds are raised privately through a formal “Mayor’s Ball” affair that usually nets about \$50,000 each year, and the Mayor and Council can give out money from this fund, which is totally separate from the city’s coffers.

City Manager Borgmann explained that he is still waiting for a response from Coral Gables and Palmetto Bay responded that they are doing away with all donations due to tax reform.

City Manager Borgmann stated that Council could set up a fund with an application deadline at the beginning of each fiscal year and those organizations that are most deserving could be selected based on their proposal. He added that certain information or an annual report should be provided by the groups.

Councilman Garcia said that he could see this as an ongoing process and he would like to evaluate all options in order to develop a program. The tax reform will not allow donations to any organizations from city coffers.

City Manager Borgmann explained that the list of donations is not extensive and Law Enforcement Trust Funds were donated for the bus for the High School Band. He clarified that no funds were donated to the Math Club.

Councilman Garcia stated that the City cannot afford to give \$5,000, but since the request is related to allowing more education options, he would like to be able to give a one-time minimum contribution of \$2,500. He suggested adopting a resolution stating that no funds will be donated until a process is established for granting financial assistance.

Councilman Youngs would like to have a procedure that can be used to promote events by setting criteria and establishing a fund. He said that even the donation to the Springs River Festival is at risk in a tax reduction year and he would like to budget funds in order to support good things for the community.

Vice Mayor Best stated that he likes the idea of setting an annual budget whereby donations could be made to proper charity organizations and the funds will roll over if they are not utilized.

Councilman Dotson commented that the budget reduction is very difficult. He proposed some reductions because of the financial situation, which could become more difficult in the future. He added that Council had committed funds to the Springs River Festival.

Councilman Dotson stated that he could not support a donation under the circumstances when he proposed freezing employee salaries, even though the cause might be worthy.

Councilman Youngs asked if Council wanted the Administration to prepare a program.

City Manager Borgmann explained that the reason the item is on the agenda is for Council to give direction as to how to proceed.

Mayor Bain said that historically no donations were considered at all. He would like a list of donations that were made this fiscal year. He commented that the donation to the Miami Springs Senior High School Band for the bus was funded through the Law Enforcement Trust Fund.

Mayor Bain stated that if Council is inclined to establish a program that he would like to fund a certain amount in the budget with certain criteria for granting funds. The amount should be set based on the amount of funds that were allocated this year.

Councilman Youngs said that the two organizations currently receiving funds are the Springs River Festival and the Miami Springs Historical Museum.

City Manager Borgmann commented that the Springs River Festival Committee and the Historical Museum expenses are already included in the budget and they would be subject to the same rules and regulations.

Councilman Youngs said that Council has the option of approving or denying the funds every year and those two events meet important criteria.

Councilman Garcia mentioned that there was a financial allocation to the Optimist Club Fishing Tournament, which is an event that helps to promote the City. He felt that the Springs River Festival and the Fishing Tournament are two events that have notoriety county-wide.

Discussion ensued regarding the donation to the Charter School and no decision was made.

Council directed the Administration to present a report showing what organizations have received donations and the total given to them.

10E) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Schedule of Charges and Fees for the Operation of the Miami Springs Golf and Country Club; Effective Date

City Manager Borgmann stated that the recommendation is strictly related to memberships and next month there will be further recommendations for other fees and charges. He referred to a listing of the various types of memberships and the proposed increases for the next fiscal year.

Golf Director Mike Aldridge explained that the membership rates would be increasing 10%.

City Manager Borgmann said that a letter was received from Bill Wolar who is proposing a nine-hole membership rate for senior residents. The goal has been to increase the rates in order to achieve a break-even point, which is getting very close, and it is unknown how many people would take advantage of this rate.

Bill Wolar of 1180 Robin Avenue explained that he is not asking for a rate reduction, but for a 9-hole membership that would allow play from the back nine holes beginning at 7:30 a.m. and the play would not interfere with the front nine holes.

Golf Director Mike Aldridge stated that another option is joining a senior 9-hole league that plays at 8:00 a.m. on Tuesdays and Thursdays and the summer membership is only \$12.75, including tax for nine holes. He believes that only members should receive the benefit of a nine-hole rate.

Mr. Aldridge clarified that a single senior membership is \$775.00.

Mr. Borgmann added that a senior couple membership is \$800.00 (\$400.00 each).

To answer the Mayor's question, Mr. Aldridge explained that the senior summer membership is \$300.00 per couple for six months.

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

Vice Mayor Best moved to adopt the resolution. Councilman Garcia seconded the motion which was carried 5-0 on roll call vote (Resolution No. 2007-3370).

10F) Resolution – A Resolution of the City Council of the City of Miami Springs, Florida Authorizing Signatories for all City Bank, Savings and Trust Accounts; Authorizing Acceptance of Two Facsimile Signatures of City Manager, James R. Borgmann and Finance Director William Alonso; Authorizing the Combine Manual Signatures of City Manager James R. Borgmann, Assistant City Manager Ronald K. Gorland, Finance Director William Alonso, Chief of Police H. Randall Dilling, Accounting Manager Alicia Gonzalez and Police Captain Peter G. Baan; Rescinding all Resolutions in Conflict; Effective Date

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

City Manager Borgmann explained that Finance Director William Alonso's name is still included until the next Council meeting when the new signature plate is received. Since the resolution was written, Accounting Manager Alicia Gonzalez was promoted to Interim Finance Director and a new plate is being made with her name.

City Attorney Seiden stated that the resolution will be changed to indicate Alicia Gonzalez is Interim Finance Director as far as manual signatures are concerned and when the plate is received, the resolution will be changed.

After discussion, this item was tabled.

10G) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-53, Benefit Amounts and Eligibility, by Revising and Clarifying Certain Language Related to the Deferred Retirement Option Plan (“DROP”) Provisions Contained in the Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

City Manager Borgmann stated that Captain Peter G. Baan could clarify any questions as the Chairman of the Pension Board. The letter from the actuary is the most important information in the packet that basically states that the ordinance changes the eligibility to enter the Deferred Retirement Option Plan (DROP) and changes other language for purposes of clarification. The ordinance has no actuarial impact on the Plan.

Attorney Seiden stated that these terms were agreed to as part of the collective bargaining negotiations and the ordinance was prepared at the direction of Attorneys Casey and Crosland, who both approved it and it was voted on and approved by the rank and file.

To answer Vice Mayor Best’s question, Captain Baan clarified that the eligibility for the DROP is changing from 25 to 20 years in order to match the retirement requirement and there is no financial impact.

Captain Baan explained that after entering the DROP, the employee continues working for up to five-years; however, it ends the accrual of any additional pension benefit and the City has no further cost involved in the pension plan. The pension funds go into a holding account until the employee terminates his or her employment with the City which is mandated within five years.

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

10H) Appointment to the Board of Adjustment by Councilman Dotson (Group II) for an Unexpired Term Ending on October 31, 2009, Created by the Resignation of Maria Mikluscak

Councilman Dotson (Group II) **appointed** Rick Mikluscak to the Board of Adjustment/Zoning and Planning Board for an unexpired term ending on October 31, 2009.

10I) Discussion Regarding Changing the Council Meetings to the First and Third Wednesdays of the Month (Requested by Mayor Bain)

Mayor Bain explained that he requested this agenda item for various reasons. At the last meeting a comment was made that the agenda packet is not received until Thursday and that leaves Friday and the weekend to review the material and Staff is not available to answer questions until Monday.

The Mayor said that if the agenda is ready on Friday this would allow more time to review the material and ask questions before the Wednesday meeting. Another reason is that holidays normally fall on a Monday and more people would participate on Wednesdays. In addition, he and other people have places to go on the weekends and it is taxing on a personal level to be prepared for the Monday meeting.

Vice Mayor Best asked how changing the meeting to Wednesday would affect the publication of ads for public hearings because the change would mean a one-week delay and the River Cities Gazette goes to press on Tuesday nights.

Mayor Bain reiterated that Council and Staff could be better prepared on Wednesday without the weekend falling immediately before the meeting. He did not consider how it would affect the publications in the newspapers.

Vice Mayor Best said that the weekend is a nice time to prepare for the Monday meeting.

Councilman Dotson stated that he respects the Mayor's request, but personally it would be very inconvenient for him to change the meeting to Wednesday. He explained that most of his preparation for the meeting takes place on Monday and it would be difficult for him to keep up with his business. He respects the deadline of the River Cities Gazette, which is a very important arm of communication in the City.

Councilman Youngs said that he did not have strong feelings either way.

Councilman Garcia explained that his concern about changing the meeting day was related to the deadline for the River Cities Gazette. He added that it is a struggle getting information out to the residents and the Gazette is one means of circulating information, which would be delayed by changing the meeting to Wednesday.

No action was taken.

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Soccer Program

City Manager Borgmann reminded everyone that the soccer program began and there is still time to register.

Football Program

City Manager Borgmann announced that the football program is in full swing.

Tennis Tournament

City Manager Borgmann reported that a single elimination tennis tournament would be held on Monday, August 17, 2007 at 6:00 p.m. as a send off for Joel Watts.

Senior Exemptions

City Manager Borgmann stated that an important note for senior citizens is that the time is almost up to apply for the additional senior exemption with Miami-Dade County. The City Clerk will provide the telephone number to call and the information will be posted on Channel 77.

Chief Dilling's Mother

City Manager Borgmann reported that Chief Dilling's mother had surgery, she is presently out of danger and everyone is relieved.

Golf Course Anniversary Celebration

City Manager Borgmann announced that the tenth anniversary celebration of the City's purchase of the Golf Course will be held on Sunday, October 14, 2007 from 1:00 to 5:00 p.m.

Interim Finance Director

City Manager Borgmann stated that Accounting Manager Alicia Gonzalez, who is very qualified, was appointed to the position of Interim Finance Director.

Water and Sewer

City Manager Borgmann stated that the latest information on the turn over of the water and sewer system to the County indicates that the transfer would be April 2008 or later if the process continues.

Recreation Survey

City Manager Borgmann reported that this is the last week for residents to mail their recreation survey. Anyone that needs a survey can call the City Clerk's Office and a survey with a return envelope will be hand delivered to them.

September 11th

City Manager Borgmann stated that it is very important to remember that tomorrow is the anniversary of the 9-11 tragedy. The City flags will be flying very high and he hopes all residents will do the same in recognition of that terrible day in the country's history. *"We'll always remember, we'll never forget"*.

Happy Birthday

City Manager Borgmann wished Mayor Bain a Happy Birthday.

City Manager's Surgery

City Manager Borgmann announced that he would not be at the next Council meeting due to his surgery.

12C) City Council

Dick Bergen

Councilman Dotson reported that Dick Bergen is now at Fair Havens and it is very convenient for people to stop by to see him. Certainly the prayers will continue.

Thank you

Councilman Garcia thanked Council for all their hard work during this administration and the budget process. He also thanked the Administration for making their jobs easier.

Appreciation

Councilman Youngs stated that he appreciates Council's work and the Staff's work as well, including the former Finance Director and City Manager. He said that it had been a difficult year with the budget, it could be more difficult next year, and Council is doing the best for the residents, as well as following the intent of the Florida Legislature to provide tax relief.

City Manager James R. Borgmann

Councilman Youngs emphasized that it is important to pray continuously for the health of City Manager Borgmann who is a special person and his recovery is critically important.

Golden Hawks

Mayor Bain congratulated the Miami Springs Golden Hawks Football Team and Coach Pacheco for beating Hialeah High.

City Manager James R. Borgmann

Mayor Bain wished the City Manager good luck and asked him to keep Council informed of his recovery.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:30 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 9/24/2007

Transcription assistance provided by S. Hitaffer

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