



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, March 28, 2005, at 7:00 p.m.

1. Call to Order/Roll Call

The following were present:

Mayor Billy Bain
Vice Mayor Rob Youngs
Councilman Jim Caudle
Councilman Eric Elza*
Councilman Peter Pacheco

* Arrived at 7:03 p.m.

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police H. Randall Dilling
Finance Director William Alonso
Public Services Director Denise Yoezle
Recreation Director Patricia Perry
City Clerk Magalí Valls

2. Invocation: Councilman Caudle offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Certificate of Appreciation to Aldo Saavedra

Mayor Bain presented a Certificate of Sincere Appreciation to Ernie Lara, who accepted it on behalf of Aldo Saavedra, in thanks and recognition of his contribution of time and talent to the City of Miami Springs for the title work on the Deer Run property.

3B) Presentation of Award from the Junior Orange Bowl Committee to Recreation Director Pat Perry

(Presented after Agenda Item 3C)

City Manager Borgmann stated that the City recently received an appreciation plaque from the Junior Orange Bowl Committee, which he presented to Parks and Recreation Director Patricia Perry and her Staff, especially Pool Director Noel Acosta.

3C) Status Report – Curtiss Mansion, Inc.

Jo Ellen Morgan Phillips of 372 De Leon Drive, President of Curtiss Mansion, Inc. (CMI), stated that they have worked hard and long to restore the Curtiss Mansion. She explained that there has been recent discussion about the use of the land, and since it was mentioned in some of the political information being circulated that it would be an appropriate time to make a report.

Ms. Phillips displayed a site plan showing what is planned for the Curtiss Mansion. She said that she cannot find anything in the history of the City of Miami Springs to show that a group of volunteers have taken on a project of this magnitude because they are attempting to raise between \$6MM to \$10MM. She explained that they applied for some significant grants, including a \$1MM grant from the Metropolitan Planning Organization (MPO), which is funded by the Department of Transportation. They will also receive \$1MM from the recently approved County General Obligation Bonds, and they applied for a \$1MM grant with America's Treasures, which looks promising.

Ms. Phillips reported that CMI is currently in negotiations with the Seminole Indian Tribe of Florida in order to obtain funding from them and to be able to do some back and forth trading. She said that this is only in the talking stages, and during the next phase, the Seminole Tribe will come to the City at which time the elected officials from Miami Springs will be invited.

Ms. Phillips said that CMI has the most dedicated group of people working on the project, including Chuck Delongchamp, Jack Odin, Susan Stinson, Terry Hallford, Manuel Perez-Vichot, Helen Gannon, Patricia Borcz, Niki Jester, Bill Tallman, and Ed Calt. Inactive members include Judy Gelina, Suzanne Conlon Wolar, Maryann Goodlett-Taylor, and Councilman Peter Pacheco. She asked everyone to consider all the time, energy, resources, and expense that these members have invested in the project to move it along, which has become more difficult since the 9-11 tragedy that put a burden on the aviation industry.

Ms. Phillips said that the plan is for those who use the bike path to use the facilities and be able to rest. There is an open area for special events or gatherings, and the Curtiss Mansion will be restored to its 1925 glory. In the veranda there will be a retractable tent that will house outside facilities. There would be a pathway around the pond, and it would be a beautiful spot for weddings or celebrations with an inside catering kitchen.

Ms. Phillips stated that the idea behind bringing the Seminole Indians and CMI together was to write the history for the “unsung heroes” since many people are not aware of the City’s founder, Glenn Curtiss, and his many accomplishments. She said that South Florida Historian Dr. Paul George is a CMI advisor who is helping to recreate the history.

Ms. Philips said that CMI has received various grants and gifts totaling approximately \$370,000 from different associations, the funds were used to stabilize the Mansion, and currently they are raising funds to complete the restoration.

3D) Verbal Status Report on Annexation by Vice Mayor Youngs

Vice Mayor Youngs reported that the annexation meetings have been suspended and they are waiting for Miami-Dade County to schedule another meeting for the purpose of negotiating between the four cities, and with the County Staff who will compile information to produce a report about the various cities and their need for annexation. Since the last meeting the spreadsheets were placed on the website at www.miamisprings-fl.gov showing the projections for annexing all the land, and compromise proposals # 1 and # 2, along with the maps.

4. Open Forum:

Pollution in the Annexation Area

Buzz Fleischman of 810 Pinecrest Drive referred to a map of potential pollution sites in the annexation area that was distributed by the City in November 2004, and another map from the Department of Environmental Resources (DERM) showing potential pollution sources. He said that pollution travels in the aquifer and there are sources of pollution under and above the ground.

Vice Mayor Youngs stated that City Planner Richard Ventura obtained the map of open contaminated sites from DERM, and the other map from DERM shows potential pollution sources. He asked Mr. Fleischman if he is suggesting that the map showing the potential pollution sources should be included as part of the annexation material.

Mr. Fleischman felt that it is important for everyone to have all the information.

Community Development Block Grant (CDBG)

Henry Flowers of 180 Navajo Street alleged that the Façade Improvement grant for the Downtown area was not legal because the application stated that the City must have a population of 50,000 or the Downtown area must be low to moderate income, and neither requirement was met. He added that City Manager Borgmann reapplied for the same grant, and Miami-Dade County notified him that nothing had changed and the City did not qualify for the grant.

Vice Mayor Youngs referred to two letters from the County Economic Development Office notifying the City that they were approved for funding. He explained that there are certain requirements that an entitlement community must meet, but the grant includes other funding for cities that are not entitlement communities.

Vice Mayor Youngs further explained that the City did not receive the grant in the first year because a representative from the City met with Economic Director Bryan Finnie and then there was an investigation of whether or not the City was qualified to receive the grant.

Councilman Pacheco said that there is nothing illegal in applying for a grant, and in this case, the County gave their approval, and once a phone call was made to the Attorney General alleging fraud, the County withdrew the funding.

Councilman Elza stated that he supports Vice Mayor Youngs one hundred percent.

Vice Mayor Youngs said that based upon the letters of 2003, the City qualified for the grant as a non-entitlement community.

Annexation

Paul Dotson of 142 Pinecrest Drive stated that he was in favor of the annexation of the Abraham Tract, which did not involve paying a mitigation fee to the County, but this does not mean that all annexation is good for the City. He said that the County could insist on a mitigation fee of up to \$1,500,000 per year on the land that the City is proposing to annex, and there would also be cost of living increases for the areas involved. Mr. Dotson added that annexation areas B and C are heavily polluted and area C is not contiguous with Miami Springs.

Mr. Dotson said that no tax cut was realized with the annexation of the Abraham Tract, while a tax cut is being promised in order to sell the current annexation efforts, but the fact is that the City can cut taxes without annexation. He said that the City adopted a new ordinance defining contiguous lands as defined in Black's Law Dictionary, and when he consulted several dictionaries each one defined contiguous as touching or in contact.

Councilman Elza stated that the fact is that area C is contiguous with Miami Springs along the western boundary on the east side of the canal.

Vice Mayor Youngs clarified that the land is physically touching and contiguous to the land that is included within the application, including the FEC property.

Councilman Pacheco said that annexation would make sense if the City ends up with additional revenue.

Mayor Bain said that after two years and spending \$200,000 on the annexation effort, no progress has been made, and everything depends on the County and what they will charge for mitigation.

Councilman Pacheco was of the opinion that the City had not aggressively pursued annexation or asked for support from the County Commission. He said that in midstream there was an issue about removing Councilman Youngs as the Liaison, and all these actions have hurt the City.

Mayor Bain said that County Commissioner Sosa gave the City the opportunity to get a vote from the people and Council delayed that vote.

Councilman Pacheco explained that there is nothing to vote on until the numbers are finalized and it would not be fair to make a decision without all the information.

Vice Mayor Youngs stated that Council adopted a Resolution in August 2004, and the intent was to take advantage of County Commissioner Rebeca Sosa's offer to conduct an annexation survey. He said that the survey would be done at the County's expense, and he wishes that the vote could have been done earlier.

Councilman Caudle said that the majority of Council said that they could not make a decision without all the information, and the citizens could not vote on something without knowing what would be the bottom line.

Vice Mayor Youngs said that the background information is included in the annexation notebook that calculates 100% mitigation, and the County has said that they want 100% of the profit they currently make on the land, which is a tax surplus of \$1.5 million at a tax rate of 2.447 mills.

Councilman Caudle stated that he would only support annexation if it turns out to be good for the City but that it is premature to vote on it now.

Ethical Campaign Practices

Former Mayor J. C. Fields of 372 Minola Drive said that the intent of Agenda Item 10F is to hopefully make the election campaign cleaner on every level but ethics and morals cannot be legislated. He was of the opinion that it is not practical to discuss ethical campaign practices during a Council meeting.

Speaking the Truth

Joe Derry of 13 South Royal Poinciana Boulevard, Apartment 11, said that everyone is in favor of the truth and there should be respect for the truth, although truth is sometimes hard to come by because there can be various versions of the same truth. He said that when one is talking about a fellow human being some respect for truth is in order, and the burden of truth falls upon the person making the written or spoken utterance.

Certificate of Re-occupancy

Marcia Fulton of 700 Swan Avenue stated that she is moving from her home and the Certificate of Re-occupancy form requires signatures from both the sellers and buyers to verify that the house was not illegally divided. She felt that it is not the responsibility of the buyer to sign the form, and it is creating more bureaucracy than Council intended when they approved the ordinance.

City Manager Borgmann said that the forms have always included both the seller and buyer signatures.

The City Attorney will review the Certificate of Occupancy form.

5. Approval of Council Minutes:

5A) 03/14/2005 – Regular Meeting

Minutes of the March 14, 2005 Regular Meeting were approved as written

Councilman Pacheco moved to approve and Councilman Caudle seconded the motion, which carried unanimously on roll call vote.

6. Reports from Boards & Commissions:

6A) 02/15/2005 – Ecology Board – Minutes

Minutes of the February 15, 2005 Ecology Board meeting were received for information without comment.

6B) 03/08/2005 – Recreation Commission – Cancellation Notice

Cancellation Notice of the March 8, 2005 Recreation Commission meeting was received for information without comment.

6C) 03/10/2005 – Board of Parks and Parkways – Minutes

Minutes of the March 10, 2005 Board of Parks and Parkways meeting were received for information without comment.

6D) 03/17/2005 – Historic Preservation Board – Minutes

Minutes of the March 17, 2005 Historic Preservation Board meeting were received for information without comment.

6E) 03/22/2005 – Ecology Board – Cancellation Notice

Cancellation Notice of the March 22, 2005 Ecology Board meeting was received for information without comment.

6F) 03/23/2005 – Board of Appeals – Cancellation Notice

Cancellation Notice of the March 23, 2005 Board of Appeals meeting was received for information without comment.

6G) 03/24/2005 – Code Review Board – Cancellation Notice

Cancellation Notice of the March 24, 2005 Code Review Board meeting was received for information without comment.

6H) 04/14/2005 – Board of Parks and Parkways –Rescheduling Notice

Rescheduling Notice of the April 14, 2005 Board of Parks and Parkways meeting was received for information without comment.

City Attorney Seiden noted that the March 10, 2005 Board of Parks and Parkways minutes included recommendations from the Board regarding revisions to the Tree Ordinance. He said that he would begin working on these revisions with Council approval.

Mayor Bain stated that he would like the City Attorney to wait until Council discusses the matter further.

7. Public Hearings:

None.

8. Consent Agenda:

None.

Vice Mayor Youngs moved to hear agenda item 10F at this time. Councilman Pacheco seconded the motion, which carried unanimously on roll call vote.

9. Old Business:

9A) Appointment to the Architectural Review Board by Vice Mayor Youngs (Group IV) for a Full 2-year Term Ending on October 31, 2006 (Deferred: 3/14/2005)

Vice Mayor Youngs (Group IV) appointed Mark A. Trowbridge to the Architectural Review Board for a full 2-year term ending on October 31, 2006.

9B) Appointment to the Code Enforcement Board by Mayor Bain to Fill an Unexpired Term Ending on September 30, 2004 (Deferred: 3/14/2005)

Mayor Bain **deferred** his appointment to the Code Review Board.

9C) Appointment to the Golf and Country Club Advisory Board by Councilman Elza (Group I) for an Unexpired Term Ending on July 31, 2005 (Deferred: 3/14/2005)

Councilman Elza (Group I) **deferred** his appointment to the Golf and Country Club Advisory Board.

9D) Appointment to the Historic Preservation Board by Councilman Pacheco (Group III) for an Unexpired Term Ending on February 28, 2006 (Deferred: 3/14/2005)

Councilman Pacheco (Group III) **deferred** his appointment to the Historic Preservation Board.

9E) Appointment to the Historic Preservation Board by Councilman Caudle (Group II) for a 3-year Term Ending on February 28, 2008 (Deferred: 3/14/2005)

Councilman Caudle (Group II) **deferred** his appointment to the Historic Preservation Board.

9F) Appointment to the Code Review Board by Councilman Elza (Group I) to Fill an Unexpired Term Ending on April 30, 2006 (Deferred: 3/14/2005)

Councilman Elza (Group I) **deferred** his appointment to the Code Review Board.

(Council took a 5-minute recess at 9:10 p.m.)

9G) Consideration of Awarding Bid for Renovations and Additions to the Country Club (Discussed: 3/14/2005)

City Manager James R. Borgmann stated that this agenda item is to give consideration to a bid award for the renovations and additions to the Country Club that was last discussed during the February 14, 2005 meeting. The purpose of the addition is to increase the space that is a void between the Curtiss and Cavalier Rooms, and allow the City to entertain golf tournaments, and the general public for lunch and other activities.

City Manager Borgmann said that the bid was a response to Carlos Santana's Request for Proposals and his request to use the entire building for banquets. They realized that in order to accommodate the golf tournaments Mr. Santana would have to be displaced multiple times each year, and this would interfere with his ability to make a profit.

Mr. Borgmann stated that originally G.E.L. International, Inc. estimated the job to be approximately \$150,000, and the two bids that were received were substantially above that amount. Council asked to fast-track the bid, try to bring in additional bidders, and encourage G.E.L. to submit a bid. G.E.L. was in fact the low bidder, but they were disqualified because the specifications of the bid required a bid bond, which was not provided.

Mr. Borgmann said that the two bids that were received are almost identical to what the City received last time; however, some of the specifications were reduced, and additional options were included in the bid specifications. He explained that H. F. Contractors was the low bidder last time, and they are once again the low bidder at \$247,153, while Kimmons is the high bidder at \$314,235, and the disqualified bid from G.E.L. is \$216,500.

Councilman Elza pointed out that the last bid from H. F. Contractors was \$260,000 and now it is \$290,000.

Mr. Borgmann said that eliminating some of the exterior paving and the ceiling work in the Cavalier Room could reduce the cost.

To answer Councilman Caudle's question, City Manager Borgmann clarified that the base bid consists of the construction of the complete project as indicated on the drawings and in the project manual to include all expenses incurred in performing the work described, except for the items described as alternates. The base bid covers the addition, air conditioning, and changes to provide ramps out of the doors, floor covering, ceiling tile, and window openings.

Architect Manuel Perez-Vichot explained that the base bid includes everything with the exception of the renovation of the Curtiss Room and the ladies restroom.

Councilman Elza asked if the Administration called additional companies.

Mr. Borgmann said that he called companies to try to find additional bidders but they all backed off.

Councilman Elza stated that the low bidder raised his price because he was allowed to re-bid, while the idea was to negotiate a lower price.

Mr. Borgmann clarified that they were not directed to negotiate.

Mayor Bain said that he wanted to advertise and go through the entire bidding process again, and the majority of the Council instructed the City Manager to fast-track the bid.

The City Manager stated that Council still has the option to re-bid.

Councilman Elza emphasized that he wanted to move forward.

Councilman Caudle said that the annual loss for the Food and Beverage operation is approximately \$350,000, and he would rather spend \$290,000 because that amount would be saved in one year.

Mr. Borgmann referred to Attachment 5 in the agenda packet that summarizes the five-year projections of food and beverage cost savings based on initial capital expenditures totaling \$607,661.00.

Councilman Caudle moved to approve the total project bid of \$290,339, including alternates 1 and 2. Councilman Elza seconded the motion.

To answer Vice Mayor Youngs' question, Assistant City Manager Ronald K. Gorland stated that the principal for G.E.L. International was out of town at the time of the bid opening, and he does not know the reason why they did not submit a bid bond.

City Manager Borgmann stated that \$130,000 was budgeted in the Golf Course Contingency Fund, and the balance would come from other various funds.

Mayor Bain explained that he would vote against the motion because he would rather re-bid the proposal, and get more companies to bid in order to get the lowest possible price.

City Manager Borgmann said that he did not totally disagree with the Mayor but there were very strict time constraints, and the original company that estimated the cost to be \$150,000 came back with a disqualified bid of \$246,000, not including the deductions.

Councilman Pacheco added that H. F. Contractors is a reputable company.

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

10. New Business:

10A) Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-015, Parking of Commercial Vehicles in City Limits; by Adding Thereto Another Exception Provision for Appropriate Uses Located in the Airport, Marine and Highway Business District; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden explained that Council previously approved a limousine service company in the Airport, Highway, Marine Business District, which is in conflict with Code of Ordinance Section 150-015 that prohibits the parking of commercial vehicles in City limits for more than two hours without special permission.

Attorney Seiden stated that in order to solve this problem of usage, he drafted Section (D), which says: *“In addition to the foregoing specific exception for hotels and motels, the provisions of this Ordinance shall not be applicable to, or enforceable against, any property or building site located within the Airport, Marine and Highway Business District category of the City’s 1998 Comprehensive Land Use Plan that maintains an approved use involving the renting, leasing, or hiring of automobiles, limousines, vans, buses or other vehicles used exclusively for the transportation of persons.”*

Councilman Elza was concerned about permitting the parking of large buses.

Attorney Seiden stated that he could eliminate the word “buses”.

Councilman Elza moved to approve the ordinance on first reading, as amended, and Councilman Caudle seconded the motion.

After brief discussion, Council agreed to eliminate “buses.”

On roll call vote the motion carried unanimously.

10B) Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing the City Manager to Execute a State of Florida, Department of Transportation, Emergency Relief Program Agreement, Reimbursing the City for Hurricane Frances Emergency Repairs; Effective Date

City Manager James R. Borgmann read the resolution by title.

Mr. Borgmann stated that the State of Florida requested that Council adopt a resolution authorizing him to execute a State of Florida, Department of Transportation, Emergency Relief Program Agreement, reimbursing the City for Hurricane Frances emergency repairs.

Councilman Elza moved to adopt the resolution and Councilman Pacheco seconded the motion. On roll call vote it was unanimously carried (Resolution No. 2005-3274).

10C) Resolution – A Resolution of the City Council of the City of Miami Springs Urging the Miami-Dade Legislative Delegation to Persuade the Florida Legislature to Utilize the 2004-2005 District Cost Differential (DCD) Until Such Time as a New and More Equitable Calculation for the DCD may be Devised by a Qualified, Unbiased Third Party; Effective Date

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

Attorney Seiden explained that the Florida Legislature is attempting to change the formula for how much money is disbursed to the larger counties, which would cause substantial damage to Miami-Dade County. He said that everyone is trying to persuade the Florida Legislature not to make any changes in the District Cost Differential (DCD) until such time as a new and more equitable calculation is devised.

Councilman Pacheco moved to adopt the resolution, and Councilman Caudle seconded the motion.

Councilman Pacheco pointed out that the proposed formula would decrease educational funds amounting to \$26MM in 2004-2005, \$58MM in 2005-2006, and \$112MM in 2006-2007.

On roll call vote the motion was unanimously carried (Resolution No. 2005-3275).

10D) Resolution – A Resolution of the City Council of the City of Miami Springs Urging the Miami-Dade County Commission to Enact Legislation Qualifying and Licensing Tree Trimmers and their Firms, Corporations and Other Business Entities on a Countywide Basis; Providing Directions for the City Clerk; Effective Date

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

Attorney Seiden explained that over the last couple of months there has been a push to get the County to pass legislation to license and qualify tree trimmers in order for the standards to be consistent throughout the entire county.

Attorney Seiden stated that the Board of Parks and Parkways members were disappointed that the County had not yet acted, and hopefully the County Commission will ask the County Public Works Department to move the item forward.

In response to the Mayor's comment, Attorney Seiden explained that the intent of this resolution is to encourage county-wide legislation, not city-wide legislation because it is better to set uniform standards. He said that the City might be able to provide some relief to its citizens by amending the tree ordinance.

Councilman Elza clarified that the City still has the right to legislate tree-trimming standards, and this resolution is related to licensing tree-trimmers county-wide.

Councilman Pacheco moved to approve the resolution and Councilman Elza seconded the motion.

Mayor Bain stated that he would like to help the senior citizens who cannot afford to pay the fine for improper tree trimming.

Attorney Seiden stated that the Board of Parks and Parkway minutes reflect that the Board made some suggestions that are related to Mayor Bain's concerns.

City Manager Borgmann said that this resolution encourages the County to license tree trimmers the same as any other contractor.

On roll call vote the motion was unanimously carried (Resolution No. 2005-3276).

10E) Alcoholic Beverage License Request from Springs River Festival

City Manager James R. Borgmann stated that the Springs River Festival Committee is requesting approval of a temporary alcoholic beverage license for the three days of the festival on April 15, 16, and 17, 2005 for two beer trucks and one bar. The beer trucks will be located by 1) the incoming bridge, and 2) on the Circle near Bonnie's Buds and Miami Springs Pharmacy. The bar will be located by the Milam's parking lot.

Councilman Elza moved to approve and Councilman Pacheco seconded the motion.

Councilman Caudle felt that the location in front of the Miami Springs Pharmacy is not appropriate because it is the center of the festival.

On roll call vote the motion was unanimously carried.

10F) Ethical Campaign Practices (Requested by Vice Mayor Youngs)

(Discussed after Agenda Item 8)

Councilman Elza was of the opinion that this agenda item does not have any bearing on the operation of the City, and that it involves political campaigning, which should not be discussed during a Council meeting.

Mayor Bain stated for the record that he advised the City Manager that this matter should not be discussed as part of City business, and Council should not make a judgment regarding ethics.

Vice Mayor Youngs said that he requested this agenda item as a result of some discussion that took place during the Ethics Commission Forum. He wanted to emphasize the Ethical Campaign Pledge that the candidates signed as part of the election packet, to reinforce those items that are contained in the pledge, and to recognize the candidates for signing the form.

Vice Mayor Youngs said that one of the items was related to the dissemination of false statements, which worried him because there was information in the County records that appeared to be false, and some people felt that because it was a County record that it was okay to spread this information, regardless of whether it was false or not.

He stated that he asked a representative from the Miami-Dade County Ethics Commission to be present to explain the campaign pledge that was signed by all the candidates.

Councilman Elza clarified that he did not sign the pledge because he felt that it was not appropriate. He explained that the Ethics Commission was established by Miami-Dade County as a means of controlling the candidates who accepted a \$100,000 contribution from the County to run a campaign for the County Commission. He added that the Ethics Commission deals with the ethics of an elected official and not with the citizens.

Councilman Elza said that he could not attend the Ethics Commission Forum for personal reasons but that he listened to the audio tape, and the Commission promoted a book about politicians in South Africa, which they felt should be read by all elected officials in the United States and he took offense to that statement.

Vice Mayor Youngs introduced Robert Meyers who he asked to be present on behalf of the Miami-Dade County Ethics Commission. He explained that he was particularly concerned about item 10 in the pledge that states: *"I will take personal responsibility for approving or disavowing the substance of the attacks on my opponent that may come from third parties supporting my candidacy."* He wanted to remind those who signed the pledge and have Mr. Meyers talk about the Ethics Commission.

Robert Meyers, Executive Director, Miami-Dade County Ethics Commission, stated that the Ethics Commission was created by an amendment to the Home Rule Charter that was approved by the voters of Miami-Dade County upon the recommendation of the County Commission. The Ethical Campaign Practices Ordinance was passed by the County Commission, and there is a mandatory section and a voluntary section. The mandatory section applies to any candidate who runs for a municipal office in Miami-Dade County, and the pledge does not have to be signed because it automatically applies to all candidates. He said that it includes items that are not otherwise protected by the First Amendment, and it is unlawful to steal another person's campaign literature, deface their property, or slander them.

The Statement of Fair Campaign Practices is completely different, according to Mr. Meyers. The idea behind it is to encourage people to run an ethical campaign, it is up to the candidates to decide whether or not they are going to sign the pledge, and if they sign the pledge, they have to abide by it or the Ethics Commission has the authority to enforce those provisions.

In response to Councilman Elza's comment, Mr. Meyers said that the moderator of the ethics debate is a Miami-Dade College professor and not an employee of the Ethics Commission. He explained that any analogy that was made was not a statement from the Ethics Commission.

Mr. Meyers said that over the years there have been a number of occasions where the Commission has found violations through the enforcement arm of the Ethics Commission. Another way they can help deal with some of the issues is to give opinions to someone who is in office or running for office, but they cannot give an opinion to someone who is running for office about their opponent's conduct. He explained that the purpose of a request for an opinion is for the individual who is about to engage in a specific conduct and if the conduct has already taken place, there is no purpose for an opinion, and they could engage in the enforcement of the ordinance.

Mr. Meyers said that the Commission tries to set a standard for those people who run for office, and it is purely voluntary to sign the pledge. If one candidate signs and the other candidate running for the same seat does not sign, then it does not apply to that person that does not sign, which is a campaign issue. The Commission does not take action against people who do not sign the pledge, but if the candidates sign the pledge, they are expected to follow the provisions.

Mr. Meyers informed everyone that he was not present to answer any specific questions about any conduct in the current race, and if someone were to have a question they can call him at his office. He said that an open forum is not the time to talk about a candidate's behavior because it would be unfair to the voters and the candidates.

Vice Mayor Youngs asked for clarification of item 10 in the pledge.

Mr. Meyers said that the candidate is pledging to take responsibility for what is being said about their opponent when they become aware of it, and being silent means that they agree to the attacks. The other option is to state that they personally disavow what is being said. He explained that the candidate takes personal responsibility of what is being said in the campaign when they become aware of it.

Councilman Pacheco stated that he attended the first part of the Ethics Forum, and he understands that during the second part the floor was opened to questions from the public, which led to certain statements and accusations about one of the candidates. He suggested that the Ethics Commission should consider whether this is appropriate for future forums because this is what fueled the attack on the candidate that was not present. Councilman Pacheco explained that comments were made that proved to be false, the forum was videotaped, and now it is being broadcasted on cable television.

Mr. Meyers said that there were two sessions of the forum because there were so many candidates running for office, and at the end of each session the moderator opened the floor to questions from the public. He explained that there were many questions at the end of the second session and the argument could be made that the discussion was more than questioning, at which time the moderator could have stopped it by explaining that it was not the purpose or the place for it.

Mr. Meyers said that at one point he tried to intervene by saying that if someone had a complaint about a candidate's conduct that they should call the Commission on Ethics office and they would assign an investigator. He explained that the forums are held as a public service, and not to cause dissention or have verbal shouting matches. He added that the First Amendment allows verbal exchanges and the Ethics Commission had no control over this because they were only guests who were in the Council Chambers.

Vice Mayor Youngs asked for clarification of number five in the pledge states that "*I shall not publish, display or circulate any anonymous campaign literature or political advertisement*".

Mr. Meyers said that any anonymous campaign literature that is not attributed to the candidates' campaign is potentially a violation of the pledge and the State Elections Law.

To answer Vice Mayor Youngs' question, Mr. Meyers stated that individuals are allowed to pass out information or statements about a candidate.

Vice Mayor Youngs stated that he is concerned about people in Miami Springs engaging in ethical campaigns, any educational information is helpful, and his purpose is to run a fair campaign. He thanked Mr. Meyers for attending the meeting.

Mayor Bain stated for the record that Vice Mayor Youngs requested all candidates to attend this meeting.

Bob Best of 1216 Ibis Avenue, a candidate for Council Group I, said that he appreciates the opportunity to speak on this issue. He felt that the moderator of the Ethics Forum was an eloquent individual who had an interesting way of posing questions.

Mr. Best said that he would like to go on record as applauding the attention given to this agenda item because it serves as a reminder of the principles of the democratic process and the responsibility that everyone has to abide by it. He reported that his campaign is not aware of any unethical practices within Group I.

Henry Flowers of 180 Navajo Street, a candidate for Council Group I, said that he has not done anything during his campaign that could be considered unethical, nor does he have any intention of doing so.

Mr. Flowers said that Mr. Garcia's political advertisement states that he is a liaison for Miami Springs, and his understanding is that he is really a liaison for County Commissioner Rebeca Sosa and Senator Rudy Garcia. He said that in checking with the City Clerk for Miami Springs, she informed him that there is no record in the City that shows that Mr. Garcia was appointed as a liaison, and he cannot understand why his political advertisements state that he was responsible for acquiring \$800,000 for the City.

Zavier Garcia of 40 Whitethorn Drive, a candidate for Council Group III, stated that he would like to respond to the accusations that were made by Mr. Flowers, as well as the people who spoke at the Ethics Forum. He called upon Ms. Alejandra Castro-Nuñez who is a representative from County Commissioner Rebeca Sosa's office.

Alejandra Castro- Nuñez read the following letter on behalf of County Commissioner Rebeca Sosa in response to several calls and e-mails to her office regarding Zavier Garcia and his representation as a Community Liaison:

"Dear Mr. Garcia:

I would like to inform you that my office has been receiving calls from constituents in Miami Springs questioning your representation as my liaison as a Miami-Dade County Commissioner within the City of Miami Springs.

Please be informed that I have responded to everyone in the same manner advising them that you have been acting as a liaison to me personally for many years, that you are not an employee of Miami-Dade County, and that your assistance is completely voluntary without any type of compensation.

As one of my liaisons, like many others that I have in the community, you assist me by bringing to my attention issues that otherwise I would not be aware of, especially with the senior citizens who sometimes do not take the initiative to contact my office or may not have the accessibility to do so.

I would like to take this opportunity to congratulate you and thank you for sacrificing your personal time to outreach residents of Dade County, and especially within my District."

Ms. Castro- Nuñez said that she would like all the residents of Miami Springs to be informed that Commissioner Sosa has made a donation of \$10,000 for the Miami Springs Senior Center, and has also donated the show mobile for the Springs River Festival.

Zavier Garcia stated that this letter should clear up the question about him being a liaison to County Commissioner Rebeca Sosa. He said that in reference to his appointment as liaison to Senator Rudy Garcia, a letter dated February 2, 2005 is available, which he read into the record:

“Dear Sirs:

This letter should serve as confirmation that I have submitted the City of Miami Springs’ budget requests for the upcoming 2005 Legislative Session. I will work diligently in the budget process in order to assure that Miami Springs receives the necessary monies required to fund projects and continue the City’s services.

I want to thank all of you, as well as your office, for always doing an excellent job in maintaining contact with my staff in order to ensure that I am always aware of the necessities in the City. As in past years, and with the continued efforts of Mr. Xavier Garcia, my community liaison, we should be able to acquire the financial support and relief that the City needs for this upcoming year.”

Regarding the \$800,000 that Mr. Flowers referred to, Mr. Garcia said that he serves his community without recognition because he loves Miami Springs, and none of the people who have made the allegations or are questioning his position of liaison to the Commissioner or Senator have ever done anything for the good of the community. He said that he is tired of having to rebut or answer the allegations, which are all false.

Mr. Garcia urged the citizens of Miami Springs to contact the appropriate authorities in order to obtain the correct information. He said that he worked hard to make sure that the City received \$800,000, and the Senator asked him to present the check, for which he should not be punished. Mr. Garcia explained that he only helped to acquire the funds, while the City Council members went to Tallahassee and met with Senator Rudy Garcia. He said that the Secretary of the Division of Transportation could confirm that he has contacted their office to make sure that the City would get some form of relief for the relocation of the utility lines that were in conflict with the Miami-Intermodal Center (MIC).

Councilman Pacheco stated that he met Mr. Garcia one year ago in Tallahassee, and after placing a call to him, that he, Councilman Elza, Councilman Caudle, and Vice Mayor Youngs were in Senator Garcia’s office within one hour. He explained that the topics that were discussed were the South Florida Water Management dollars and the amount that the City was being charged for the utility relocation. Within six months, the City received a letter from the Florida Department of Transportation stating that Miami Springs would not be charged. At subsequent meetings, the City Council thanked Mr. Garcia and Representative Rubio for their help.

Mr. Garcia said that acquiring the funding was a joint effort with City Officials and that he could have never done it alone.

Kathy Fleischman of 810 Pinecrest Drive stated that it is ironic that Vice Mayor Youngs requested this agenda item to discuss ethical campaign practices because she and her husband spoke with him two weeks ago and during the course of the conversation he told them that as long as Billy Bain is the Mayor, that Rebeca Sosa will not approve any funding for Miami Springs. She said that County Commissioner Rebeca Sosa has been and continues to be a great friend and supporter of Miami Springs regardless of Billy Bain's tenure as Mayor, and she was very surprised to hear those comments from Mr. Youngs. Ms. Fleischman questioned whether or not Mr. Youngs believed that what he said was ethical.

Vice Mayor Youngs said that it was a statement of his opinion and his belief that County Commissioner Rebeca Sosa was deeply hurt by the context of the conversation. He said that obviously Commissioner Sosa's contributions have proven his opinion to be incorrect.

Ms. Fleischman said that Vice Mayor Youngs was distributing his campaign literature and it was wrong for him to make the statement about Mayor Bain and Commissioner Sosa.

Rose J. Giammalvo of 51 Hunting Lodge Court felt that judgments had been placed on persons that seemed unfair. She referred to e-mail correspondence from Vice Mayor Youngs to the City Manager dated March 17, 2005 that said that he had a problem with malicious untruths and innuendos about an opponent's personal life and unfounded accusations discrediting that person's credibility. She commented that this issue of Mr. Garcia's deed started when someone went on the internet and found that the deed to Mr. Garcia's home was recorded in the name of another man, and it is very unusual because Mr. Garcia has publicly indicated that he owns his home.

Ms. Giammalvo understands that an adjustment was made and now Mr. Garcia is now recorded as the owner. She was of the opinion that it was perfectly legitimate for concerned citizens to find out why the deed to his home was recorded in another man's name. Ms. Giammalvo felt that Mr. Garcia was not accused of lying about his deed because they only asked for an explanation.

Ms. Giammalvo questioned if it was ethical for Vice Mayor Youngs to make accusations about the citizens who he said were telling lies about Mr. Garcia for a number of weeks. She said that it might be a good idea if Vice Mayor Youngs got his facts straight before accusing citizens of the community of unethical conduct. Ms. Giammalvo felt that it was inappropriate for Vice Mayor Youngs to request that this item be placed on the agenda because it was a means for him to provide unwarranted support on behalf of his candidate Mr. Garcia.

Vice Mayor Youngs said that in his discussion with Reinaldo Cabrera, he asked him at what point is it improper to speak and say that someone does not own their own house and Mr. Cabrera said that until it is proved to him that Mr. Garcia owns his own house that it is okay for him to tell people that he does not.

Vice Mayor Youngs said that he tried to explain the ethical standard is that once you know the candidate has said whether or not a statement is false, that there is a duty to find out the truth. He said that any candidate would appreciate the fact that a person would not continue to say something if they had a good suspicion that it was false.

Ms. Giammalvo thanked Mayor Bain for all that he has tried to do during the last two years without the support of Council.

Owen Gay of 81 Morningside Drive said that Vice Mayor Youngs stated in his memorandum that he wanted others to help him denounce alleged dishonest remarks made by citizens of this community, which he felt lied about Mr. Garcia owning his home. He hoped that he sent out invitations to all the alleged dishonest citizens so that they would have fair opportunity to rebut the allocations.

Mr. Gay was of the opinion that this agenda item is inappropriate because it has nothing to do with City business, and it is not the Council's job to condemn citizens for what Vice Mayor Youngs feels is unethical conduct. He felt that Vice Mayor Youngs was very selective about what he wanted to denounce. Mr. Gay asked why Vice Mayor Youngs and Mr. Garcia had not asked to denounce the unethical trash that is continually propagated on the miamisprings.com website and has facilitated the liable ridicule of Mayor Bain, candidates running for office, and the citizens of the community. He added that Mr. Garcia supports the website with his advertising dollars by placing his political ad on every link.

Mr. Gay referred to Vice Mayor Youngs' campaign advertisement that was in the March 24th issue of the River Cities Gazette, and expressed his disapproval about the points he made about tax cuts, annexation, and other issues.

Mr. Gay continued to state his opinion about the annexation report and the potential revenue estimates, which he felt was an unethical misrepresentation.

Vice Mayor Youngs said that the projections for compromises # 1 and # 2 are based on 7.00 mills, and the projected revenue at 8.10 mills would be \$1MM higher. He said that taking the projection and adding the current tax rate it would return an excess of \$3MM, and that it was not his intent to mislead anyone about the return that annexation offers because it was only an estimate.

Paul Dotson of 142 Pinecrest Drive, candidate for Council Group II, said that he did not feel that this agenda item has anything to do with City business, and Council does not have the authority to make a decision regarding this matter. He believes that political appetites are governing the controversy, and there is a possibility of deteriorating into a charade. It exposes divisions within the community and the political campaigns.

Mr. Dotson said that he resents Mr. Garcia feeling that he was wounded and mistreated by everyone else because his signs have also been stolen and he did not go to the Gazette for consolation, or imply that his opponents did it. He was of the opinion that some things are a part of politics and they should be accepted. Mr. Dotson said that he resents the website on which Mr. Garcia placed his advertisements because this is an indication of a lack of decency.

Mr. Dotson said that he is sorry that this matter is being discussed by the City Council.

Vice Mayor Youngs stated that he feels that it is the business of the Council to make sure that there is an ethical campaign and to remind everyone of the standards. He denounced the anonymous trashing that is going on the website and every candidate should abide by the ethics pledge that they signed and denounce activities that they feel are improper. Vice Mayor Youngs said that he does not want anyone to spread lies, particularly after they find out that they are lies.

Councilman Caudle said that he does not know how many signs have been stolen, but there are too many campaign signs and he would like to limit the time for the placement of signs.

City Attorney Seiden stated that there are constitutional issues involved with placing restrictions on signs, and the ordinance was revised a few years ago to be as fair as possible.

10G) Renewal of Lease for Stafford Park

City Manager James R. Borgmann stated that he forwarded a letter to Superintendent of Schools Dr. Rudolph Crew to request that the City enter into preliminary negotiations for the extension of the Stafford Park lease. He said that the reply he received was that the City should apply for the ten-year renewal option that is included in the contract.

City Manager Borgmann requested Council permission to forward a letter to the School Board asking that the contract be renewed for ten years, effective when the contract ends in approximately eighteen months.

Councilman Caudle hoped that the School Board would negotiate a contract for more than ten years in order to preserve the park that is named after Officer Charles B. Stafford who was killed in the line of duty.

Councilman Pacheco agreed with Councilman Caudle. He would like to take another step to see if there was any possible way that the City could purchase the park from the School Board. He emphasized that the class-size reduction Constitutional amendment could force the County to acquire the land or perhaps sell it to get additional dollars to acquire land in another location. Since the agreement has a 120-day cancellation clause for either party, he felt that it would be beneficial if the City could purchase the land at some point in time.

Councilman Elza emphasized that the agenda item called for extending the contract for ten-years.

City Manager James R. Borgmann said that in order to begin negotiations to purchase the property that he would have to have a formal directive from Council.

Councilman Elza moved to instruct the City Manager to exercise the ten-year renewal option. Councilman Caudle seconded the motion, which carried unanimously on roll call vote.

10H) Approval of Budget Transfers Within Departments

City Manager James R. Borgmann stated that Council approval is requested for budget transfers within departments as provided for in City Charter §9.04 (1). He explained that the Administration is allowed to transfer funds between general classifications of expenditures within a department.

Councilman Elza moved to approve and Councilman Pacheco seconded the motion. On roll call vote the motion was unanimously carried.

10I) Consideration of Approval of a “Plan B” Contract with DJB Management, Inc. as Directed by City Council (Requested by Vice Mayor Youngs)

City Manager James R. Borgmann stated that this item is consideration of approval of a “Plan B” contract with DJB Management, Inc. as directed by Council. He explained that Vice Mayor Youngs requested this agenda item in order to accomplish the changes that were necessary in DJB Management’s contract to be able to establish a working agreement with the Food and Beverage operation, rather than being a part of the operation.

City Attorney Jan K. Seiden stated that the “Whereas” clauses were updated, most of the changes that were made basically tracked the Food and Beverage operation, and a separate paragraph was added to page four, under Management Services, which says that it is acknowledged and agreed that DJB shall exercise no control or authority over the operations of the restaurant, bar, and catering operations at the Country Club. In addition, there are eight bullet points that track the language that was included in the extension agreements dealing with cooperation with the new Food and Beverage operator, including the physical renovations, monthly budget expenditures, etc.

City Attorney Seiden said that if for some reason there were minor changes in the cost of operating supplies from one month to the next the operator would contact the City representatives to obtain information. He explained that the idea is to try to get a handle on the expenditures since there was some criticism in the past that they were not closely managed.

City Manager Borgmann pointed out that the management company normally provides the budget numbers with the assistance from City Staff, and if the numbers vary, it would have to be an extraordinary situation that demands an adjustment.

City Attorney Seiden said that the agreement has the same provision as the Food and Beverage agreement in that the term of the agreement would not go into effect until the renovations are completed, and it is not subject to automatic renewal.

Councilman Elza stated that the accounting and purchasing procedures that are included in Exhibit "C" should be brought on line now and the City should not have to wait five months to have control over the purchasing.

City Manager Borgmann said that the Administration is certainly working to control the expenditures. He explained that he has the final check and the ability to question any purchase.

City Attorney Seiden said that the monthly management payment of \$5,500.00 would remain in effect for the two-year term of the agreement. He explained that the Operating Budget is a new provision that says that the parties mutually acknowledge and agree that it is a joint responsibility of the City and DJB to prepare, and attach approved budgets for all operational, managerial periods encompassed by this agreement for the City of Miami Springs Golf Course. Further, it is expressly understood and agreed that DJB shall not deviate from or exceed the expenditures provided in the aforesaid budgets without the express prior written approval of the City Manager.

Councilman Pacheco said that originally when Council discussed the Golf Course Management contracts, the City Manager talked about a new time frame that would allow for a growing season.

City Manager Borgmann stated that the time frame for the 2006-2007 cycle should begin on May or June 1st in order to have control over the growing season. He said that ending the contract on September 30th puts every management company at a disadvantage in regard to the bookings for catering, and also for the growing season.

Discussion ensued regarding the annual operating budget.

Dan Bradley, President of DJB Management, Inc., said that a two-month budget for the golf operations would be submitted covering August 1st through September 30, 2005, and at the same time the 2005-2006 budget will be a 12-month budget for the golf operations only.

City Manager Borgmann clarified that a two-month budget would be attached to the contract, and there will also be a twelve-month budget attached for fiscal year 2005-2006. The budget for 2006-2007 will be for a twelve-month period; however, the contract should have an earlier cut off date that might not correspond to the end of the fiscal year in order to coincide with the growing season.

Discussion ensued in regard to the City Manager's right to establish, modify, or abolish any established policy, practice, activity, procedure or service of the Golf Course operations, as outlined under the City Manager Authority section of the contract.

City Attorney Seiden stated that based on prior risk experience, the \$5MM liability policy was reduced to \$2MM, which will result in substantial savings to the City.

City Manager Borgmann pointed out that the agreement includes a confidentiality clause, and DJB shall not disclose any confidential information to any party, other than the City Manager, Assistant City Manager, Finance Director and those other City representatives authorized in writing by the City Manager. He explained that it is difficult to carry out his duties if he has to fight off rumors before the facts are presented to Council.

City Attorney Seiden pointed out that fidelity bonding is required for all employees handling cash. He noted that a phrase was added that DJB will provide the City Manager with monthly logs or reports of the previous month's golf maintenance activities, as outlined under number eleven of the Scope of Management Services listed on Exhibit "A".

City Attorney Seiden said that Section 3 under Exhibit "D" was inconsistent with the theory of the agreement and it was eliminated entirely. The only requirements are in the budget as discussed before and it is enforceable within the provisions of the agreement. Another provision was added that any Pro Shop merchandise that may be sold to DJB employees must be done at cost plus 10%, and that all such activities shall be reported.

In response to Councilman Elza, the City Attorney stated that the reference to a drug-free workplace is included under number 14 of the Scope of Management Services.

City Manager Borgmann said that the contract provisions incorporate more interaction between Staff and the Operator to make sure that the City stays on top of every situation in order to avoid financial overruns. He added that the City has begun and will continue to take a more active role in making sure the revenues are maximized, and hold Mr. Bradley to have control over the expenditures. Even expenditures less than \$1,000 will come to the City Manager for final approval.

Councilman Pacheco said that he hopes one accomplishment of the contract is that the micromanagement is taken away from Council and placed on the City Manager and Staff, which lets the Operator do the job that he was hired to do.

Councilman Pacheco moved to approve the contract and Councilman Caudle seconded the motion, which carried unanimously on roll call vote.

Councilman Caudle stated that the Golf Course has always been an issue before Council, and it should not be handled that way, with the exception of the approval of the fees and charges.

City Manager Borgmann added that Council has the final authority to terminate the contract based upon a recommendation from the City Manager.

To answer Councilman Elza's question, City Attorney Seiden stated that the City Manager has the authority to terminate the contract with cause immediately by sending a letter on behalf of the management, with a copy to Council, and the contract provisions would automatically take over.

10J) Recommendation to Purchase a New Chemical Sprayer for the Golf Course

City Manager James R. Borgmann stated that the chemical sprayer is not functioning and must be replaced in order to control a mole cricket situation at the Golf Course. He recommended approval of an emergency request to purchase a Toro Turf Sprayer in the amount of \$30,551.50, utilizing State Contract # 515-630-01.

Councilman Elza moved to approve and Councilman Pacheco seconded the motion, which carried unanimously on roll call vote.

Mayor Bain asked the Administration to do whatever is possible to expedite the delivery.

City Manager Borgmann stated that delivery is promised in one-week after the order is placed.

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

Induction Ceremony

City Attorney Jan K. Seiden stated that §11.03 of the City Code of Ordinances requires a meeting to be held on the night following the Municipal Election to certify the results and swear in the newly elected officials. He recalled that this was a problem for the 2003 election, and it will also be a problem this time because many of the elected officials will be going to Tallahassee.

City Attorney Seiden clarified that the elected officials would serve until their successors are sworn in, and he would recommend waiting to see what happens, and make a determination when the time comes.

Vice Mayor Youngs felt that a decision should be made now because there are three races with only two candidates, and the winners would go to Tallahassee regardless of whether they are sworn in or not.

City Attorney Seiden said that there was some talk about having a meeting at 6:00 a.m. following the election, but it was decided that it would be unfair to the elected officials and their families. He suggested that it would be logical to let the winning candidates go to Tallahassee, and they could be sworn in as soon as it is convenient.

By consensus, Council agreed to swear in the newly elected officials during the April 11, 2005 Regular Meeting.

12B) City Manager

Gas Line Transmission Booster

City Manager James R. Borgmann referred to information that he distributed to Council regarding a gas line transmission booster that is proposed to be constructed west of the Florida East Coast Railroad tracks at 62nd Street and 69th Avenue. He reported that he would attend a meeting at the site at 10:00 a.m. tomorrow, and provide a full report about the plans to install a booster pump that would transmit gas to Turkey Point without any interruptions.

Mayor Bain said that he would like a full report because some citizens in his neighborhood are concerned about safety.

Bell South Construction

City Manager Borgmann stated that the affected residents have been notified of work that Bell South will perform in the right-of-way that will re-route the Ludlam Drive traffic to Thrush and Crane Avenue. The City will monitor the work to make sure that it is done in a fast and neat manner.

Early Voting

City Manager Borgmann stated that Early Voting would be held on Friday and Saturday, April 1st and 2nd at the City Hall from 8:00 a.m. to 4:00 p.m.

Dade Days

City Manager Borgmann said that Council would be attending the upcoming Dade Days in Tallahassee.

Thank You

City Manager Borgmann stated that the current Council appointed him to serve as City Manager and that he has tried to do what is in the best interest of the City for the last fifteen months. He would like this opportunity to say that it has been a pleasure serving them and that he would always be thankful for the opportunity Council gave him.

12C) City Council

Gas Line Transmission Booster

Councilman Caudle informed the City Manager that he would attend the meeting tomorrow at the site of the proposed gas line transmission booster installation.

Thank You

Vice Mayor Youngs stated that it has been a pleasure serving this term with the current Council and he considers them his friends and neighbors regardless of the results of the April 5th election.

Council Decisions

Councilman Pacheco said that all the Council members live in the same City, and each one made decisions with their hearts during the last twenty-four months that they felt were in the best interest of Miami Springs.

Early Voting

Councilman Pacheco reminded everyone that Early Voting would be held on April 1st and 2nd in the Council Chambers at City Hall.

National Basketball Tournament

Councilman Caudle stated that Kyle Kennedy and Juan Carlos Tapanes are two Middle School eighth-graders that were selected to represent their school, the City and the region at a national basketball tournament in Hawaii this summer. He said that the selection was based on citizenship, scholarship, and athletic ability, and they are raising funds to pay for the trip.

Thank You

Councilman Caudle said that no one knows what the results of the election will be but that he wants everyone to know that it has been a pleasure serving on the City Council. He thanked the City Manager and the Administration for their support.

Councilman Caudle believes that the Council made the right decisions because the City now enjoys financial stability, the Golf Course is better, the Food and Beverage problem is solved, the property values are increasing, and people are moving to Miami Springs.

Thank You

Councilman Elza thanked everyone for the time they spent together serving on Council. He agreed that many accomplishments were made, including the improvements in the Finance Department and the Golf Course operations.

Councilman Elza said that he is very proud of Council's achievements, that he enjoyed his term, and that although the outcome of the election is unknown, there will be some changes, and that is what democracy is all about.

Councilman Elza thanked the City Manager and Administration and wished everyone the best of luck.

Thank You

Mayor Bain said that his term as Mayor was a thrill and that it has been the best thing in his life. He said that public servants really can do what is best for the community, and their decisions make a difference in people's lives. He added that the elected officials put their names on the line and they deserve respect.

13. Adjourn

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

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 4-11-2005

Transcription assistance provided by S. Hitaffer

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