



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, October 23, 2006, at 7:00 p.m.

1. Call to Order/Roll Call

The following were present:

Mayor Billy Bain
Vice Mayor Rob Youngs (arrived at 7:23 p.m.)
Councilman Bob Best
Councilman Paul C. Dotson
Councilman Zavier Garcia

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 Works Director Robert T. Williams
Golf Director Michael W. Aldridge
Golf Superintendent Sandy Pell
City Planner Richard E. Ventura
City Clerk Magalí Valls

2. Invocation: Councilman Garcia offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Presentation by Robert J. Shafer & Associates, Inc. Regarding Health Insurance Renewal with Humana

Robert J. Shafer of Shafer & Associates stated that the City Manager indicated that there was discussion at the last meeting about the renewal of the health insurance and some concern about his recommendation not to go out to bid this year.

Mr. Shafer stated that his company was engaged by the City in June 2005 when they prepared and sent out a full request for proposals (RFP) package that received terrific responses from the insurance community. After review of the responses, it was determined that Humana was the best option for the City employees and the plan went into effect on November 1, 2005.

Mr. Shafer said that he was involved with Humana throughout the year and kept in touch with the City Manager regarding the renewal. When he spoke with the Humana account representative in May or early June regarding the renewal, the rate increase was estimated to be in the 15 to 18% range and subsequently they negotiated a 9.8% increase.

Mr. Shafer explained that the trend in health insurance is an inflation factor based on the cost of procedures. The trend ranges from 11 to 13% and a 9.8% increase means that the plan is performing well. He said that it is not advisable for a group the size of the City of Miami Springs to bid every year because it is important to establish a relationship with a health insurance company and work with them during the good and bad years.

This year's increase is less than what the renewal cost was for last insurance carrier, which was AETNA, according to Mr. Shafer. He said that it made sense to renew with Humana and continue working forward, while there are other possibilities for the future that could be incorporated with the traditional plan.

Councilman Dotson asked how Council would know when the City is paying too much in higher premiums for the good relationship.

Mr. Shafer said that his evaluation depends on the renewal amount and if Humana had stayed with their 18% quote, the City probably would have gone out to bid because the increase would not have been consistent with the marketplace. In speaking with Humana in May 2007, if their number is off the board or if there are other alternatives they can not provide, it would be a quick signal to go out to bid. The marketplace will dictate what happens because the trend for healthcare costs is beginning to decrease.

Councilman Best asked Mr. Shafer what he is projecting for increases in three to five years.

Mr. Shafer suggested that the City could engage in a program to make their employees better consumers of health care by looking for the best price for non-life threatening procedures.

4. Open Forum:

Thank You

Roslyn Buckner of 970 Plover Avenue thanked the Administration and the Public Works Department employees for fixing the swale in front of her home.

Identification Cards

Betty Du Bois of 1025 Hunting Lodge Drive asked if any consideration was given to her request for the City to issue photo identification cards to senior citizens because they are needed when they go to the polls to vote.

Shuttle Bus

Betty Du Bois asked about the status of the shuttle bus.

The City Manager explained that no progress had been made during the last two months because of the many projects that the Administration had been working on.

Thank You

Betty Du Bois thanked Council for spending hours listening to everyone. She said that the elected officials are not thanked enough and she also thanks the people of Miami Springs for wanting to keep the City a beautiful residential area.

Request for Support

Hortensia Machado of 1191 Meadowlark Avenue, Treasurer of the Miami Springs Senior High School Band Booster organization, introduced members of the organization. She explained that the music program is designed to introduce music to every student, which helps to develop a strong sense of responsibility and discipline.

Ms. Machado said that every year the organization increases the scope of activities in order to reach new goals. She explained that the band placed second runner-up in a recent competition out of twenty two bands from Miami-Dade, Broward and Palm Beach counties and fourth place in last year's state competition.

Ms. Machado further explained the many accomplishments of the school's band and orchestra and their various fund raising projects. She asked the City to sponsor one bus for the trip to the state competition in November in the amount of \$2,675.00.

Councilman Best stated that Miami-Dade County Public Schools cut the funding for the fine art programs. He applauded Ms. Machado for her fund raising efforts and hoped that Council would agree to assist.

Councilman Dotson said that he appreciated the credit that the band brings to the City, the High School and the members. He definitely would be inclined to support the request for assistance.

Councilman Garcia thanked Ms. Machado and the Band Booster organization for assisting the band program because it occupies the children in a positive activity that benefits the community. He said that it would be wonderful to help them in any way possible.

Mayor Bain urged everyone to assist the band members in order to help them move forward in their competition. **He asked the Administration to schedule an agenda item for the next meeting.**

Vice Mayor Youngs stated that the High School band program had been phenomenal over the course of the history of the school by involving kids in a constructive activity and he would be in favor of offering support.

Ms. Machado said that donations should be sent to Golden Hawks Band Boosters, Inc. in care of the High School. More information is available on the website at www.goldenhawksbandbooster.com.

McMansions

Tim Hawks of 549 Payne Drive stated that his family grew up in large home and the term “McMansion” was never heard of. He said that the City has always maintained the front, side and rear-yard setbacks for two-story houses and as long as the zoning regulations are in place, large houses will bring in more tax revenue.

McMansions

Laura Pilgrim of 650 Nightingale Avenue thanked Council for addressing the Mc Mansion issue.

Speeding

Laura Pilgrim said that she had addressed this issue previously but that the situation with cars speeding around her neighborhood is still bad. A few weeks ago, two cars were drag racing at 6:30 p.m. and it continued several times that night around the High School. The Police Department responded and the drag racing stopped, but the speeding continues. She urged the City to address the problem before someone gets hurt.

Excessive Number of Cars

Laura Pilgrim said that she had observed a number of homes with an excessive amount of cars, including one house on Wren that has three panel trucks, two pick-up trucks, two sports utility vehicles and a car. She was concerned that some people have converted single-family residences to multi-family dwellings.

E-mail Contact List

Maggie Amaya of 185 Flagler Drive would like the City to establish an e-mail contact list for mailing Council agendas.

Commemorative Brick

Maggie Amaya stated that her daughter attends the New World School of the Arts, which has the number one visual arts program in the nation. The school is selling commemorative bricks to raise funds for a new art gallery for \$300.00 and it would be a wonderful tribute if the City of Miami Springs purchased a brick to place in the gallery.

Moratorium

Raymond Gallat of 500 Mokena Drive was granted a variance for an addition to his home and the moratorium is prohibiting him from submitting his plans for approval.

Mayor Bain explained that the moratorium would not prevent Mr. Gallat from submitting his plans for review.

5. Approval of Council Minutes:

5A) 10/09/2006 – Regular Meeting

Minutes of the October 9, 2006 Regular Meeting were approved as written.

Councilman Best moved to approve and Councilman Garcia seconded the motion which carried unanimously on roll call vote.

6. Reports from Boards & Commissions:

6A) 09/12/2006 – Recreation Commission – Minutes

Minutes of the September 12, 2006 Recreation Commission meeting were received for information without comment.

6B) 10/09/2006 – Board of Appeals – Minutes

Minutes of the October 9, 2006 Board of Appeals meeting were received for information without comment.

6C) 10/12/2006 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the October 12, 2006 Board of Parks and Parkways meeting was received for information without comment.

7. Public Hearings:

7A) PUBLIC HEARING ON RESOLUTION NO. 2006-3333 ADOPTED BY THE CITY COUNCIL AT THE SPECIAL MEETING OF OCTOBER 2, 2006:

Resolution – A Resolution of the City Council of the City of Miami Springs Instituting an Administrative Building Moratorium in Regard to the Construction of New Single Family Residences and Additions to Existing Single Family Residences in all the Single Family Residential Zoning Districts of the City; Prohibiting the Issuance of Building Permits; Establishing Moratorium Study; Directing the City Clerk to Schedule a Public Hearing on this Resolution; Requiring Public Hearing on Propriety of the Moratorium by City Council; Issuing Further Resolutions as may be Determined by City Council; Exception to Building Permit Prohibition; Term of Moratorium; Effective Date

City Attorney Jan K. Seiden stated that the resolution that was passed to institute the moratorium on October 22nd requires a public hearing to determine the propriety of the continuation of the moratorium. He prepared resolutions for each alternative and the first one is to continue the moratorium. If Council decides to adopt this resolution, standards would be prepared and attached to the resolution as Exhibit “A”, directing the management of the City to conduct a study and report back to Council by January 23, 2007, up to 120 days.

Attorney Seiden explained that the second alternative is to terminate the moratorium and to consider any items in terms of the moratorium issues in the normal course of City business, or Council could modify the existing resolution by limiting its scope or modifying the first resolution by changing the time limits. He said that there are many issues that need to be discussed and the main question is related to the propriety of continuing the moratorium at this point and if Council approves this alternative, they must enact some standards that would be attached to the resolution in order to give due process rights to property owners.

Vice Mayor Youngs said that he would appreciate hearing the presentation first before making a decision about the moratorium and Council agreed.

City Planner Richard E. Ventura stated that he and the City Manager toured the City to look for properties with large homes on small lots. He took photographs of various properties and the surrounding homes and calculated the statistics that he felt would tie into the description of a home that would be too large for the lot on which it was built. Earlier in the process he was inclined to recommend limiting the floor area ratio (FAR) and now he is moving in the direction of limiting lot coverage for single family residences.

Mr. Ventura presented a slide presentation of the sixteen properties that were photographed and explained the FAR and lot coverage calculations for 1011 La Baron, 588 Miller Drive, 501 De Leon, 432 South Drive, 197 Albatross Street, and 2201 and 2231 Ludlam Drive.

To answer the Mayor's question, City Planner Ventura confirmed that the setbacks for all homes meet the requirements of the existing Code.

The City Planner reviewed his recommendations to limit both the height and ground coverage of new and existing single-family residential structures.

City Attorney Seiden explained that the City Planner's recommendation addresses what would be attached to the resolution as Exhibit "A" for the purpose of informing the public as to the qualifications and standards that could be submitted to Council during a moratorium period for which Council would grant an exception to the building permit prohibition. It is by no means the end of the study, only the intermediate process.

City Planner Ventura stated that the lot coverage, or the building footprint of all new single-family residential development, would be limited to 35% of the lot for a two-story home or no more than 50% for a one-story home. He explained that the 50% coverage is automatically met with the current setback regulations.

City Planner Ventura said that considering a 75' x 100' lot, the total area would be 7,500 square feet, and 50% lot coverage would result in a one-story home with a footprint no greater than 3,750 square feet. For a two-story home, 35% lot coverage would result in a finished home with a footprint of no greater than 2,625 square feet. He recommends that the existing front, rear and side yard setback requirements for all four single family residential zoning districts remain in place. However, between the new lot coverage restrictions and the existing yard setback requirements, the more restrictive of the two would apply.

City Planner Ventura stated that where any portion of a proposed one-story, single-family residential development exceeds 15-feet in height, the area of that structural feature would be counted twice in the computation of the lot coverage or it could be more restrictive by considering the structure as a two-story home.

City Planner Ventura recommended that the restrictions regarding side yard requirements in the City's residential zoned districts remain in effect, as outlined in Chapter 150 of the Zoning Code. Building height would continue to be measured from established grade and open carports, patios or terraces would be excluded from lot coverage calculations.

The City Planner suggested that Council might want to consider limiting single-family, one-story homes to 15 feet and two-story homes to 30 feet, which could limit towers and other structures that go beyond the first story.

To answer the Mayor's question, City Attorney Seiden stated that if Council were inclined to continue the moratorium, the resolution listed under agenda item 7A1 provides that during the moratorium that Council would review submitted applications for exceptions to the moratorium prohibition against the issuance of building permits based upon the definitions, standards and criteria set forth on Exhibit "A" as recommended to be appropriate by the City Planner.

Mayor Bain suggested that Council could proceed without the moratorium and schedule Workshop meetings.

Vice Mayor Youngs asked if the moratorium could apply to new construction exceeding the standards established by the City Planner and the City Attorney answered affirmatively.

City Attorney Seiden advised Council that a resolution is in effect at this point and if they feel that there is not enough information or they are not prepared to act on either one of the alternative resolutions, by holding the public hearing tonight, it satisfies the Code requirements and the moratorium could be continued for one more meeting or until Council is prepared to make decisions.

Mayor Bain opened the public hearing to those persons wishing to speak.

Raul R. Sora of 174 Lenape Drive requested that Council rescind the moratorium because it a strong measure that should only relate to life and safety issues, not aesthetics. As an architect, he agrees that the Zoning Code needs reform by limiting the floor area ratio or lot coverage as recommended by the City Planner.

Jean Tucker of 272 Reinette Drive said that most of the large houses shown in the photographs do not have landscaping and there is not enough space for canopy trees. She explained that as new homes are developed, that the tree canopy is being destroyed and drainage is affected when the green space is covered with concrete.

Carlos Gonzalez of 448 Minola Drive said that his family is growing and he needs more room in his home. He asked Council to consider lifting the moratorium and continue working to find a solution by modifying the Code.

Helen Lawrence of 641 Nightingale Avenue said that she supports the moratorium because she is upset with the McMansions. She was of the opinion that large two-story homes on medium lots are eyesores that affect the sanctity of peace and privacy of the neighborhood.

Mario F. Cabrera of 465 Minola Drive said that he is a local architectural designer and contractor who had worked with clients in Miami Springs for the last 26 years. He felt that Glenn Curtiss created the City with huge lots for the purpose of development. Mr. Cabrera said that the City has Zoning Code regulations for construction, which could be amended to include a percentage for lot coverage, but it is not right for Council to impose regulations that affect peoples' lives.

Maggie Amaya of 185 Flagler Drive stated that she has a large home and she is present to advocate for property rights and for those who are financially able to build an addition to their home. She said that families cannot be raised in small two-bedroom, one bath homes like they did 50-years ago and Council should consider that new homes and additions create additional tax revenue. Ms. Amaya urged Council to pass the resolution terminating the moratorium.

Paul Rawls of 951 Oriole said that some homes are too large for the lots and he would like to reach a compromise by amending the Code to include a restriction for the percentage of lot coverage. He is not sure if a moratorium is right or not, they are imposed in other areas, and Council could hold workshops to consider additional restrictions.

Nery Owens of 332 Payne Drive said that Miami Springs is designated a Tree City U.S.A. and the residents love green space. She emphasized the importance of having landscaping, trees and green space in order to protect the environmental quality of life. She disagrees with the City Planner's recommendation that open carports, patios and terraces should be excluded from the lot coverage calculations. Ms. Owens urged Council to continue the moratorium.

Dona Kelley of 830 Swan Avenue spoke in favor of the moratorium for both new construction and additions. She urged Council to work to develop guidelines in order to protect existing residences and the environment.

Angel Duval of 710 Wren Avenue said that he chose to live in Miami Springs because of the peace, quiet and green space and he is against the moratorium because he does not want to stop progress. Mr. Duval suggested that a landscaping program called "Crime Prevention Through Environmental Design" could be incorporated into the Code, like other communities, including the City of Naples. He said that today's lifestyle could not be compared with the lifestyle in the 1940's when the community was first developed.

Mr. Duval said that the younger families are growing and they enjoy living in Miami Springs with the services they receive. He felt that change is good, the Code sets restrictions, and one group of individuals should not stop progress. He urged Council to take the proper steps and to evaluate each case independently because it is necessary to move forward.

Tim Hawks of 549 Payne Drive said that everyone is getting carried away because Council is not planning to make a big change. He built to the corner of his lot and there is still room for four huge trees or a swimming pool. His taxes increased from \$3,000 to \$11,000 after his home was completed.

Cindy Dwyer of 300 Morningside Drive said that there is an issue from an environmental planning perspective having to do with stormwater run-off and this should be considered when developing standards. She said that this is the first generation that is expected to have a lower life expectancy because they spend too much time indoors watching television and sitting at the computer, which is not progress.

Manuel Perez-Vichot of 1056 Hunting Lodge Drive stated that the proposed changes are not that huge because the current setbacks are actually more restrictive than the percentage being proposed. A lot that is 75' x 100' is limited to 2,700 square feet, which works out to be 36%, including porches, terraces or any structure with a column and it is basically the same for two-stories because they are limited to 4,950 square feet or 66%, which is a ground cover of 33%.

Mr. Perez-Vichot said that in order to control McMansions there must be a restriction for the maximum ground area for two-story homes. He agrees that there should be some control because as the cost of land goes up, there is more pressure to build the maximum square footage.

There were no additional speakers, and the public hearing was closed.

City Attorney Seiden thanked Manuel Perez-Vichot for providing the initial materials that he acquired on his own time.

7A1) A Resolution of the City Council of the City of Miami Springs Continuing the Administrative Building Moratorium Instituted by City Resolution No. 2006-3333; Finding the Moratorium Reasonably Necessary and Continuing the Building Permit Prohibition; Directing the City Manager to Conduct a Study and Report to the City Council by January 23, 2007; Delineating Procedures to be Followed Upon Receipt of the City Manager's Report; Establishing Definitions, Standards and Criteria to be Utilized During Moratorium; Providing for the Continued Force and Effect of the City's Moratorium Resolutions; Retaining City Council Authority to Reverse, Modify, Supplement, Supersede or Terminate the Prior City Resolutions; Effective Date

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

(Council voted in favor of the second proposed Resolution under Item 7A2,
which terminates the moratorium)

7A2) A Resolution of the City Council of the City of Miami Springs Terminating the Administrative Building Moratorium Instituted by the Adoption of City Resolution No. 2006-3333; Stating the City Council's Intent to Study and Investigate the "McMansion" Issues in the Normal Course of City Business; Effective Date

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

Mayor Bain asked how long the normal procedure would take to amend the Zoning Code.

Attorney Seiden explained that Council might want to solicit a professional who does not live or work in Miami Springs to offer advice and once Council determines how to proceed with the ordinance provisions, it is a simple process that requires a first and second reading of an ordinance. There is a limited amount of time before the end of the year unless Council calls for a Special Meeting and there are many tangential issues that can only be resolved with further workshops.

Mayor Bain suggested that Council could address the main points that they feel should be changed and rule out everything else. He agreed that outside help could be needed. The issue is whether or not to keep the moratorium in place while Council is working to address the changes.

Councilman Dotson said that there are not many meetings left before the end of the year and it might not be practical to accept the resolution listed under agenda item 7A1 since more people might request Council approval for permits.

Vice Mayor Youngs stated that the moratorium could be restricted so that it only applies to those permit requests that exceed the tentative standards proposed by the City Planner. He felt that the Architectural Review Board could help Council and extra meetings could be scheduled to finish the process as soon as possible.

Vice Mayor Youngs requested input from the City Manager and City Planner about the possible risk of eliminating the moratorium and working diligently to amend the ordinance as soon as possible.

City Manager Borgmann said that he could not predict the future. He felt that eliminating the moratorium could increase the possibility of someone submitting a set of plans prior to the change that might not meet the new rules.

Vice Mayor Youngs responded that he would be inclined to eliminate the moratorium with the pledge that Council would hustle to change the ordinance, but he does not know how to assess the risk.

Councilman Garcia stated that he would be in favor of lifting the moratorium and immediately begin working to amend the Code. He was of the opinion that the chances of people rushing to submit plans before the changes are made would be small at this time of the year.

Councilman Garcia said that in the 1960's the property north of Oriole Avenue was annexed and new larger homes were built in what is now considered the "Bird Section". Some of the older homes require a lot of renovations that some residents might not be able to afford and they should be considerate of the needs of new residents who need larger homes, with some type of compromise.

Councilman Best stated that the moratorium was part of the process of deciding how to proceed. He is in favor of the second resolution because it would force Council to work to resolve the situation.

To answer the Mayor's question, Attorney Seiden explained that an ordinance would have to be adopted in order to restrict variances and it would take two readings. He added that the Board of Adjustment is very restrictive and the side setbacks are not the problem.

Councilman Garcia moved to adopt the second resolution terminating the moratorium and Councilman Best seconded the motion.

Councilman Dotson was troubled with how broad the original resolution was and perhaps Council rushed into establishing the moratorium. He would like a situation that is fair for everybody and it should not prohibit work that is scheduled for the next couple of months. He wanted Council to consider holding a meeting within the next week in order to expedite the process.

Council agreed to schedule a Workshop Meeting for Wednesday, November 1, 2006 at 7:30 p.m.

Attorney Seiden encouraged Council to review the City Planner's recommendations. He said that the original moratorium was general in nature because there was not enough direction or knowledge to do otherwise.

City Attorney Seiden again read the resolution by title.

The motion was carried 5-0 on roll call vote (Resolution No. 2006-3335)

Vice Mayor Youngs urged the professionals and members of the community to attend the Workshop Meeting on November 1, 2006.

Mayor Bain emphasized that Council must communicate with Staff and be ready to proceed.

City Manager Borgmann stated that Agenda Items 11A through 11C would not be heard since the moratorium was terminated. The affected residents are no longer subject to the moratorium and they were free to leave and could turn in their plans to the Building Department in the morning.

(Mayor Bain called for a 5-minute recess)

(Councilman Garcia left at 9:40 p.m.)

8. Consent Agenda:

City Manager Borgmann stated that the items listed on the consent agenda would be for blanket purchase orders for expenditures made throughout the year. He read the titles of the consent agenda items.

8A) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$26,000, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Pursuant to the Contract Renewal Option for an Additional One-Year Period for the City-wide Street Cleaning, to SFM Services, Inc.

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$92,000, as Provided in Section 31.11 (E) (6) (g) of the City Code, and Pursuant to the Contract Renewal Option for an Additional One-Year Period for City-wide Janitorial Services to FBG Service Corp.

To answer Mayor Bain's question, City Manager Borgmann clarified that the service includes all city owned properties, including City Hall, the Recreation Center, the Senior Center, and Public Works.

Public Works Director Robert Williams explained that the contract included all city owned buildings with the exception of the Golf Course.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8C) Recommendation that Council Approve an Expenditure of, not to Exceed \$35,000, to Atlantic Florida East Coast Fertilizer, Utilizing Miami-Dade County Bid # 7166-3/06-3, as Provided in Section 31.11 (E) (5) of the City Code, on an "As Needed Basis"

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8D) Recommendation that Council Approve an Expenditure of, not to Exceed \$30,000, to Helena Chemicals, Utilizing Broward County Bid # 26-147X, as Provided in Section 31.11 (E) (5) of the City Code, on an "As Needed Basis"

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8E) Recommendation that Council Approve an Expenditure of, not to Exceed \$70,000, to Lesco Products, Utilizing City of Delray Beach Bid # 2005-32, as Provided in Section 31.11 (E) (5) of the City Code, on an "As Needed Basis"

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8F) Recommendation that Council Approve an Expenditure of, not to Exceed \$24,000, to Aeration Technologies, the Sole Source Supplier, as Provided in Section 31.11 (E) (6) (c) of the City Code, on an “As Needed Basis”, for Aerating the Golf Course

Councilman Dotson asked if the aeration process would change with the new greens.

Golf Superintendent Sandy Pell explained that the process would change slightly and there are different procedures involved. She said that the aeration equipment is very costly and it is less expensive to contract the work.

To answer the Mayor’s question, Golf Superintendent Pell said that the greens would be aerated a total of six times and the fairways twice a year.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8G) Recommendation that Council Approve an Expenditure, not to Exceed \$15,000, to Florida Superior Sand, Utilizing Miami-Dade County Bid # ABCW0600520, as Provided in Section 31.11 (E) (5) of the City Code, on an “As Needed Basis”, for the Golf Course

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8H) Recommendation that Council Approve an Expenditure of, not to Exceed \$30,000, to Hector Turf, the Sole Source Supplier (Exclusive South East dealer for Toro equipment), as Provided in Section 31.11 (E) (6) (c) of the City Code, on an “As Needed Basis”, for Golf Course Equipment

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

8I) Recommendation that Council Approve an Expenditure of, not to Exceed \$35,000, to Land & Sea, the Sole Source Supplier, as Provided in Section 31.11 (E) (6) (c) of the City Code, on an “As Needed Basis”, for Fuel for Golf Course Maintenance Equipment

There was no discussion regarding this item.

Councilman Best moved to approve and Councilman Dotson seconded the motion which was carried 4-0 on roll call vote.

9. Old Business:

9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor's seat)

Mayor Bain **deferred** his appointment.

9B) Appointment to the Ecology Board by Vice Mayor Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson

Vice Mayor Youngs **deferred** his appointment.

9C) Appointment of the Alternate Member of the Board of Adjustment by Councilman Dotson (Group II) for a 3-year Term Ending on October 31, 2009 (Bill Tallman's seat)

Councilman Dotson **appointed** Daniel Espino who will resign from the Code Review Board to serve on the Board of Adjustment.

9D) Appointment to the Code Enforcement Board by Councilman Best (Group I) for a Full 3-year Term Ending on September 30, 2009 (Marlene B. Jimenez' seat)

Councilman Best **deferred** his appointment

(Councilman Garcia returned at 10:03 p.m.)

9E) Discussion Regarding Proposed Changes to "Hedge Ordinance" Following Council Workshop

Dona Kelley of 830 Swan Avenue stated that the open and welcoming appearance that graces so many of the houses gives ambience to Miami Springs. She defines a hedge as something that cannot be seen through or around and otherwise they are considered plantings. During burglaries, most intruders enter from the rear where tall hedges are permitted and she could not understand why someone would want the same situation in the front yard.

Mayor Bain distributed a draft of the proposed Code revision that he and the City Attorney prepared as a result of the Workshop meeting on hedges. He asked Council if they had anything to present.

Councilman Dotson stated that he would like to review and modify the current ordinance before changing everything. He drove throughout the City and saw many different varieties of landscaping schemes. It seems that the existing ordinance had not been enforced for a long period of time or there was very little enforcement. Many people invested a lot of money in planting trees and hedges and suddenly the City is trying to enforce standards that have not been observed in a long time.

Councilman Dotson was of the opinion that a well-manicured yard is important, as well as safety and visibility on the corners. He would like to complete the changes before the end of the year so that Council could move on to more important matters.

City Attorney Seiden said that he revised Code Section 150-013 substantially so that it meets with what Mayor Bain requested and it is consistent with Councilman Dotson's suggestions and the citizens' comments. He read the following changes.

Sec. 150-013. RESIDENTIAL PLANTINGS, FENCES AND WALLS.

(A) Plantings

- (1) There shall be no restriction on the height of any hedge, shrub, tree or other form of vegetation which is planted and cultivated on properties located within the residential zoning districts of the City.
- (2) Notwithstanding the foregoing, all hedges, shrubs, trees and other forms of vegetation planted and cultivated on residential properties in the City shall:
 - (a) Be maintained in a manicured and presentable condition
 - (b) Be maintained by the owner in a like manner on all sides
 - (c) Be maintained so as not to constitute a safety hazard or visual clearance obstruction to pedestrians or vehicular traffic utilizing city sidewalks, swales, alleys, streets or other rights-of-way.
- (3) It shall be the duty and responsibility of the City Code Compliance Department, with the assistance of the City Police Department, to determine if the safety hazard and visual clearance provisions of this ordinance are being properly maintained.

- (4) The planting and cultivation of new or replacement ficus trees or hedges is prohibited, and existing ficus hedges shall not be permitted to exceed six (6) feet in height.

Mayor Bain stated that he wanted to allow 8-feet for ficus hedges because a variance was issued for a 7-foot hedge.

Vice Mayor Youngs stated that the Code includes a height restriction for front side-yard hedges in order to avoid the “canyon effect”. He said that tall hedges on the side property line that extend from the house from the sidewalk would be in violation because of the safety hazard or visual clearance obstruction.

Mayor Bain explained that a 5-foot hedge that extends to the sidewalk would not block visibility when backing out because the sidewalk and swale are between the streets. He said that there are certain properties located on corners that would have to maintain the hedges so that they do not block the visibility of the traffic. In areas without sidewalks, 16-feet would have to be clear from the street.

Attorney Seiden stated that there are liability issues at the corners and at those locations where driveways come to the sidewalk because an 8-foot hedge would be a safety hazard for a child on a bicycle or walking down the sidewalk.

Vice Mayor Youngs recalled that most objections were related to restrictions for internal plantings in the front yard, not the height of the side yard boundary hedges. He suggested that there could be height restriction on side yard hedges within a certain amount of feet from the property line. Vice Mayor Youngs said that one example would be the side-yard hedge on the corner at Deer Run and Curtiss Parkway.

Councilman Garcia said that at the Workshop Meeting some of the residents mentioned that they would be liable for accidents when backing out of their property.

Attorney Seiden explained that he wants to protect the people using the sidewalk and the swale and who is liable is not the issue. He will modify the ordinance and public comment would be solicited. He hopes that residents would be protective of everyone in the community in regard to the safety issue. He can guarantee that there will be residents who appear before the Code Enforcement Board who are in disagreement with the safety violation.

To answer the Mayor’s question, City Manager Borgmann stated that plantings would be in separate sections from fences and boundary walls within the same ordinance.

Council **directed** the City Attorney to draft an ordinance incorporating the changes discussed preparing three different sections for Plantings, Fences and Walls and Fences and Walls Materials and Locations.

(Agenda Item 10E was discussed at this time)

10. New Business:

10A) Report Regarding MDWASD Peak Flow Management Plan – VSC Peak Flow Data Input Requirements

City Manager Borgmann stated that one of the requirements that the City is subject to on a regular basis is the Volume Sewer Customer Peak Flow Data Management Plan. The Administration was anticipating a transfer of the water and sewer system by this time, and this particular report is due in February 2007. Post, Buckley, Schuh and Jernigan, Inc. (PBS&J) provided an estimate of what the study would cost and the City is responsible as the owner of the system.

City Manager Borgmann reported that he would meet with representatives from Miami-Dade Water and Sewer Department (WASA) on Wednesday, October 25th to discuss the payment of the bond before the system is transferred. This issue must be resolved or a transfer would not be possible.

Mayor Bain suggested tabling the item until the next meeting at which time the City Manager could provide a report on the status of the negotiations and transfer.

Council **directed** the City Manager to schedule an agenda item for the next meeting.

10B) Consideration of Virginia Gardens Water Rate Proposal

City Manager Borgmann stated that the Village of Virginia Gardens is requesting an increase in the sale of wholesale water based on an amount they are currently paying to the County. He explained that State law allows the City to sell water from our system to any neighboring community and to charge up to 25% as a surcharge.

City Manager Borgmann said that Virginia Gardens is asking the City to reduce the surcharge to an amount that would equal what the County is currently charging them, which is \$1.10 and the City is currently charging \$1.22. The City would have to increase sales to Virginia Gardens almost three times at the reduced rate to make the same profit. Right now they purchase approximately 1MM+ gallons each month and the majority of their water comes from the County.

City Manager Borgmann explained that the only drawback is that the County would lose the revenue from Virginia Gardens even though they would be collecting what Miami Springs pays on a wholesale basis. He asked Council if they wanted to entertain further discussions with the County and Virginia Gardens to consider lowering the surcharge amount.

Vice Mayor Youngs asked why Virginia Gardens still purchases this small amount of water from Miami Springs.

City Manager Borgmann explained that there was an issue regarding fire flow because they did not get sufficient pressure when the Flight Safety Boeing building was built on N. W. 36th Street. The County has since upgraded and provided two larger pipes that have sufficient pressure to serve Virginia Gardens.

Vice Mayor Youngs questioned why Virginia Gardens would pay Miami Springs more when they can purchase water at a lower rate from the County.

City Manager Borgmann explained that there may still be minor fire flow issues. He said that when the City was the sole provider in the 1980's, data shows that the monthly flow to Virginia Gardens was between 8MM to 12MM gallons each month. Their last bill showed that they purchased approximately 1MM from Miami Springs and 4MM from the County.

City Manager Borgmann reiterated his concern about the County's position if Miami Springs were to take away their revenue from the sale of water to Virginia Gardens even though it would not be much money.

Mayor Bain suggested that the City Manager could discuss the issue when he meets with the County officials.

Councilman Dotson said that he would not be in favor of reducing the surcharge rate to Virginia Gardens. He added that the City is trying to get rid of the water system.

To answer Councilman Dotson's question, City Manager Borgmann explained that Virginia Gardens had always paid Miami Springs 25% more than the wholesale rate.

Councilman Dotson moved to direct the Administration to continue with the same rate of \$1.22 per thousand gallons. Councilman Best seconded the motion which was carried 4-1 on roll call vote with Mayor Bain casting the dissenting vote.

Vice Mayor Youngs said that Council could revisit the issue in order to help the residents of Virginia Gardens if it turns out that the water system is not going to be turned over to the County.

City Manager Borgmann clarified that if the City charged Virginia Gardens \$1.10, the City would still make money and there is a potential to make more money. He has no interest in paying anything to support the residents of Virginia Gardens.

The City Manager will **report** to Council about his conversations with County Officials regarding the effect that a possible change could bring.

10C) Recommendation that Council Approve an Expenditure of \$88,335, to Hector Turf, Utilizing Florida State Contract # 515-630-01, as Provided in Section 31.11 (E) (5) of the City Code, for the Purchase of a Sprayer, Two Greensmaster Cutting Units, a Thatching Reel Kit, a Grinder, one Roller w/trailer and a Groundsmaster 7200

City Manager Borgmann stated that the Administration is recommending that Council approve an expenditure of \$88,335 to Hector Turf, as provided in Section 31.11 (E) (5) of the City Code, for the purchase of a sprayer, two Greensmaster cutting units, a thatching reel kit, grinder, one roller with trailer and a Groundsmaster 7200 for the Golf Course.

To answer the Mayor's question, Golf Superintendent Sandy Pell explained that the Toro Multi Pro 1200 sprayer is a chemical applicator that would replace an old sprayer. The Toro Greensmaster cutting units are two separate sets of reels for the mowers that were purchased last year. The Toro thatching reel kit is a new set of verti-cutting reels that are recommended by Champion Turf, which is a specialized piece of equipment that must be used once a week during the summer. She explained that they are attachments to the existing greensmowers.

City Manager Borgmann confirmed that the funds for the equipment were approved during the budget process.

Councilman Garcia moved to approve and Councilman Best seconded the motion which was carried 5-0 on roll call vote.

10D) Recommendation that Council Approve an Expenditure of \$36,221, to Hector Turf, Utilizing Florida State Contract # 515-630-01, as Provided in Section 31.11 (E) (5) of the City Code, for the Purchase of Maintenance Equipment for City Parks

City Manager Borgmann stated that this is a recommendation to approve an expenditure of \$36,221 to Hector Turf, as provided in Section 31.11 (E) (5) of the City Code, for the purchase of maintenance equipment for City parks. Funds are available in the Recreation Department's Park Division budget.

Councilman Garcia moved to approve and Councilman Best seconded the motion which was carried 5-0 on roll call vote.

10E) Approval of Waiver of Plat – Case No. 04-ZP-06 – Oscar Ortiz & Rosa Marie Diaz – 970 Pinecrest Drive – R-1B Single Family Residential (Case Heard by the Zoning and Planning Board on October 2, 2006)

City Planner Richard E. Ventura stated that this is a request for approval of the Waiver of Plat survey for 970 Pinecrest Drive, Case No. 04-ZP-06, for Oscar Ortiz and Rosa Marie Diaz.

Mr. Ventura said that this case can be thought of as the “second half” of a Waiver of Plat case that was approved by the Zoning and Planning Board and Council in September 2005 for 910 Pinecrest Drive, involving the abandonment of an 8-ft. wide alley.

City Planner Ventura explained that this proposed Waiver of Plat would add the remaining 4 ft. from the vacated alley to 970 Pinecrest Drive. Staff has reviewed the proposed Waiver of Plat survey and concludes that it meets code requirements. The October 2, 2006 letter from consulting engineers Post, Buckley, Schuh and Jernigan, Inc. indicates that the conditions outlined in their letter of September 27th have been addressed and the Waiver of Plat survey meets their approval.

Councilman Dotson moved to approve and Vice Mayor Youngs seconded the motion which was carried 5-0 on roll call vote.

10F) Appointment to the Architectural Review Board by Mayor Bain for a Full 2-year Term Ending on October 31, 2008 (Kathy Fleischman’s seat)

City Manager Borgmann stated during the discussion regarding McMansions it was mentioned that the matter should be referred to the Architectural Review Board but this is not currently one of their duties under the City Code. Council may wish to consider some changes to the ordinance if they want the Board to have input.

Mayor Bain **deferred** his appointment.

10G) Appointment to the Architectural Review Board by Councilman Best (Group I) for a Full 2-year Term Ending on October 31, 2008 (Rafael Alpizar’s seat)

Councilman Best **deferred** his appointment.

10H) Appointment to the Architectural Review Board by Councilman Dotson (Group II) for a Full 2-year Term Ending on October 31, 2008 (Chris Caudle’s seat)

Councilman Dotson **deferred** his appointment.

10I) Appointment to the Architectural Review Board by Councilman Garcia (Group III) for a Full 2-year Term Ending on October 31, 2008 (Ramón Valdes-Denis’s seat)

Councilman Garcia **re-appointed** Ramón Valdes-Denis.

10J) Appointment to the Architectural Review Board by Vice Mayor Youngs (Group IV) for a Full 2-year Term Ending on October 31, 2008 (Mark A. Trowbridge’s seat)

Vice Mayor Youngs **re-appointed** Mark A. Trowbridge.

Vice Mayor Youngs asked Council to consider if the ordinance should be amended in order for the Architectural Review Board to be able to address residential matters as directed by Council.

Attorney Seiden said that it might be crossing the bounds between Code Review Board responsibilities and the Architectural Review Board. The Architectural Review Board was established for the purpose of giving Council recommendations on architectural design features of buildings based upon Council policy. There are many other boards that could address the issue like the Zoning and Planning Board.

Vice Mayor Youngs suggested asking the members of the Architectural Review Board, Code Review Board and Zoning and Planning Board to attend the November 1, 2006 Workshop meeting and provide them with the agenda materials.

Vice Mayor Youngs added that Council wanted to implement the function of the Architectural Review Board during this term. He asked if Council wanted to begin the effort to produce architectural district boundary regulations for the commercial sites so that regulations would be in place to protect the City from another Aladdin Hotel.

City Attorney Seiden said that expertise and planning assistance would be required. When the façade program began the designs came from local architects who donated their time and the designs were adopted by Council resolution. It would be proper for the Board to recommend legislation, what the policy should be, and the issues that should be dealt with from their perspective.

Vice Mayor Youngs stated that the Architectural Review Board could set guidelines and restrictions to prohibit enclosed garages with access to hotel rooms. Every day that there are no regulations in place there is a risk that another new structure could be built.

City Attorney Seiden explained that the Architectural Review Board was established to review policies and guidelines for commercial development. If someone were to come to the City with plans for a project, that Board would be the first to look at the plans in order to make a determination that the design is in compliance with the policies, standards and requirements mandated in the ordinances.

Mayor Bain asked if an ordinance could be drafted for the next meeting that would prohibit garages with entrances to hotel rooms.

Attorney Seiden said that he would have to solicit the assistance from the Building Department.

Mayor Bain said that there might be a way to change the Zoning ordinance without the help of the Architectural Review Board. He requested a report for the next meeting regarding how the ordinance could be amended to prohibit personal garage door entrances for hotels.

Councilman Garcia moved to extend the meeting until 11:15 p.m. Councilman Best seconded the motion, which carried unanimously on voice vote.

Attorney Seiden agreed he could draft an ordinance to address garage door entrances for hotel rooms.

Council **directed** the City Manager to schedule an agenda item for the next meeting to discuss the scope of responsibilities for the Architectural Review Board.

10K) 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 Attorney Jan K. Seiden read the resolution by title.

Mayor Bain asked if the resolution addressed the cost of the tee markers.

Assistant City Manager Gorland said that the resolution would not change the agreement or the pricing for the tee markers and the current prices would be incorporated into the fee structure. The policies and definitions were left out of the last resolution, which would be incorporated into this rate schedule.

To answer Councilman Dotson’s question, Assistant City Manager Gorland confirmed that the rates were currently in effect.

Golf Director Aldridge added that the rates would go up on December 15th.

Vice Mayor Youngs moved to adopt the resolution and Councilman Dotson seconded the motion which was carried 5-0 on roll call vote (Resolution No. 2006-3336)

10L) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Current Schedule of Charges for the Use of City Recreation Facilities and Related Services; Effective Date

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

Mayor Bain asked about the rental fee for the use of the pool for district swim meets.

City Manager Borgmann said that the fee for Miami Springs Senior High Swim/Water Polo Team is currently \$2,600 per season and the recommendation is to change it to \$1,500 per season in order to attract the big high school meets. The funds would be applied to what the school owes the City and they will raise funds by bringing in the large meets.

City Manager Borgmann stated that the fees must be flexible because the City was outbid for the GMAC meet and it was captured when the price was modified and the profit ended up being \$900.00.

Councilman Dotson referred to the profit from the swim meet event. He said that there was a lot of overtime for Staff in the GMAC cost analysis that could have been avoided by allowing time off during the week.

Assistant City Manager Gorland explained that overtime was paid to the Aquatics Coordinator who wanted to be present to oversee his Staff and make sure the event ran properly. He made the choice in this particular case to pay overtime instead of compensation time.

Finance Director Alonso clarified that \$800.00 for the facility rental, \$200.00 for the timing system and \$120.00 for the rental of the concession stand was collected for the last swim meet, which totals \$1,120.00 and the City made a profit of \$575.00. The Aquatics Coordinator worked six hours overtime for this particular event and he took a day off during the week to compensate for the extra hours.

Mayor Bain stated that \$800.00 should have been the City's profit and all related expenses should be paid by the people who use the pool.

City Manager Borgmann explained that the organizing body who rents the facility pays for all the officials, the operation of the timing system and other related costs. The City provides the lifeguards as part of the rental service.

Councilman Best moved to continue the meeting until 11:30 p.m. Councilman Dotson seconded the motion, which carried unanimously on voice vote.

The City Manager reiterated that the lifeguards are included in the charge for renting the pool.

Councilman Dotson agreed with Mayor Bain that the people who use the pool should pay for all costs, including the lifeguards.

City Manager Borgmann explained that the City had to outbid Hadley Park in order to get the GMAC meet. The pool at Hadley Park has ten lanes and Miami Springs has seven lanes.

Councilman Garcia stressed that the City Manager was trying to say that Miami Springs cannot compete with other facilities that have larger pools unless he is able to negotiate a fee.

Mayor Bain reiterated that the City should make a profit of \$800.00 and the organization renting the pool should pay for all other expenses.

City Attorney Seiden explained that liability is an issue and it would be a non-delegable duty for the City not to provide appropriate personnel or lifeguards.

Councilman Dotson clarified that he was suggesting that the organization renting the pool should pay for the City's lifeguards, not providing their own.

Assistant City Manager Gorland said the problem was that \$800.00 was the maximum that the City could charge under the conditions in order to be competitive in the market.

City Manager Borgmann explained that rental of any facility in the County would include lifeguards.

Councilman Garcia said that obviously the goal is to bring business to Miami Springs in order to make some profit and it is always in the best interest to maximize the profit for the City. He felt that the City Manager would negotiate the best price.

The City Manager agreed that his intent is always to make a profit.

Assistant City Manager Gorland stated that he involved the Recreation Department Staff in the process. From their standpoint, the third recommendation is for the City employees to be allowed to use the recreation facilities at a 50% discount for special events and summer programs with free admission to the pool.

Councilman Garcia moved to approve and Councilman Best seconded the motion which was carried 5-0 on roll call vote (Resolution No. 2006-3337).

11. Other Business:

(Agenda Items 11A through 11C were not heard due to the fact that the moratorium was lifted – see Agenda Item 7A2)

11A) Consideration of Proposed Addition Submitted After the Moratorium Imposed on October 2, 2006 by Resolution No. 2006-3333 – Marc Scavuzzo – 871 Lake Drive – Zoning: R-1B Single Family Residential, Lot Size: 100.46' x 76.97' x 207' x 133.55'

Not heard.

11B) Consideration of Proposed Addition Submitted After the Moratorium Imposed on October 2, 2006 by Resolution No. 2006-3333 – Fulgencio and Carmen Perez – 517 Albatross – R-1C Single Family Residential, Lot Size: 67’ x 100’

Not heard.

11C) Consideration of Proposed Addition Submitted After the Moratorium Imposed on October 2, 2006 by Resolution No. 2006-3333 – Roy Campbell – 960 Hunting Lodge Drive– R-1A Single Family Residential, Lot Size: 150 x 210’

Not heard.

12. Reports & Recommendations:

12A) City Attorney

No report.

12B) City Manager

Fair Havens Noise Barrier

City Manager Borgmann reported that Fair Havens Center applied for a permit to extend the noise barrier around the air conditioner.

Sewer Flows

City Manager Borgmann stated that the monthly sewer flow for September was 60% higher than August due to the excessive rainfall, while the month of October is projected to be lower.

Halloween Events

City Manager Borgmann distributed a schedule of Halloween events that will begin at the Country Club on Saturday, October 28, 2006 at 4:30 p.m. There will be a lot of food, fun and games for the kids and the Driving Range will close at 2:00 p.m.

Curtiss Mansion Ground Breaking

City Manager Borgmann announced that the Curtiss Mansion ground breaking ceremony is scheduled for Thursday, October 26th at 4:00 p.m. at the Curtiss Mansion, and Council is invited to attend. The County grant papers will be signed within days, which will free up \$1MM from the Metropolitan Planning Organization.

Recreation Director Interviews

City Manager Borgmann reported that interviews for the new Recreation Director would take place on Tuesday, October 24, 2006.

Emergency Generators

City Manager Borgmann stated that the emergency generators were delivered and ready for operation.

Starbucks Coffee

City Manager Borgmann reported that Starbucks Coffee presented their permits last week.

Basketball Registration

City Manager Borgmann announced that basketball registration is ongoing at the Recreation Center.

Founder's Day Golf Tournament

City Manager Borgmann reported that the Founder's Day Golf Tournament is scheduled for Saturday, November 11, 2006 and anyone interested in participating should contact Golf Director Mike Aldridge.

Golf Course Ad

City Manager Borgmann distributed a copy of an advertisement promoting the new carts and greens. He pointed out that October 23rd is the ninth anniversary of the City's ownership of the Golf Course.

12C) City Council

Halloween Events

Councilman Garcia commented that the date for the Halloween activities is not listed on the schedule of events and the City Manager confirmed that the events are scheduled for Saturday, October 28th.

80th Anniversary

Councilman Garcia inquired about the plans for the City's 80th Anniversary celebration.

City Manager Borgmann explained that initial plans were to incorporate the anniversary celebration with the grand re-opening of the greens at the Golf Course, which was delayed and that the anniversary has now passed.

Scoops Ice Cream Shop

Councilman Garcia announced that Scoops Ice Cream Shop is now open.

Congratulations

Councilman Garcia congratulated Code Enforcement Board member Jacqueline Martinez Regueira on the birth of her baby boy.

Traffic Calming

Councilman Garcia requested that traffic calming measures be considered for East Drive because the Police Department cannot be present at all times to enforce speeding by Stafford Park.

Ludlam Bike Path Lighting

Councilman Garcia reported that the lights on the Ludlam Bike Path are now installed and operational.

Happy Halloween

Councilman Garcia wished everyone a Happy Halloween.

Councilman Garcia moved to extend the meeting to 11:45 p.m. and Councilman Best seconded the motion, which carried 4-1 on voice vote, with Mayor Bain casting the dissenting vote.

Attendance Boundary Committee (ABC)

Vice Mayor Youngs reported that the Miami-Dade County School Board had restructured the boundary change process and instead of three to five changes per year, they have asked the ABC to create 22 boundary changes over the next two years. He said that there will be more schools opening and the City will be involved in an informal way because School WWW is included, which affects Miami Springs Senior High School.

Vice Mayor Youngs explained that the feeder pattern is being reevaluated, which means that there is no guarantee that the 1,900 students stations at School WWW would be entirely for the relief of the existing Miami Springs feeder pattern. The population and the feeder patterns will be evaluated by a software program, which means that the City’s level of diligence must increase. Vice Mayor Youngs will keep Council informed.

Pelican Playhouse

Councilman Best stated that the Pelican Playhouse production of Midsummer Night's Dream was well attended.

Legislative Council

Councilman Best announced that he attended the Florida League of Cities event last Friday in Orlando. They are putting forth language to the subcommittee in Tallahassee and he has learned a lot about the Home Rule Charter.

Financial Report

Councilman Dotson requested a copy of the fourth quarter financial report.

Notice of Salary Increases

Councilman Dotson asked the City Manager to keep him informed of any pay increases that he approves for his subordinates.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 11:37 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 11-13-2006

Transcription assistance provided by S. Hitaffer

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