



***CITY OF MIAMI SPRINGS, FLORIDA***

**CITY CLERK'S SUMMARY OF COUNCIL ACTIONS**  
**Regular Meeting of Tuesday, April 12, 2011 - 7:00 p.m. – Council Chambers**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>SUBJECT</u></b>	<b><u>ACTION TAKEN</u></b>
1.	<b>Call to Order/Roll Call</b>	All present. The meeting was called to order at 7:03 p.m.
2.	<b>Invocation</b>	Offered by Councilwoman Ator.
	<b>Salute to the Flag</b>	The audience participated.
3.	<b>Awards &amp; Presentations</b>	None.
4.	<b>Open Forum:</b>	
	Jackson Memorial Hospital	Omayra Hernández of 901 Swan Avenue, Samuel Ruiz of 5780 S. W. 18 <sup>th</sup> Street, Debra Díaz of 816 N. W. 11 <sup>th</sup> Street and Miguel Hoyos of 2790 S. W. 26 <sup>th</sup> Street, all nurses at Jackson Memorial Hospital asked for Council's support by signing pledge cards with a name and address as a record to show there are many people who are part of the community who want to keep Jackson Memorial the same as the last 90 years, a public entity, serving people and offering the "cutting edge" care they give to all patients regardless of their ability to pay.

**5. Approval of Council Minutes**

- 5A) 03/28/2011 Regular Meeting Minutes of the March 28, 2011 Regular Meeting were **approved as written.**  
**Motion:** Vice Mayor Best  
**Second:** Councilman Lob  
**Vice Mayor Best:** “aye”  
**Councilman Espino:** “aye”  
**Councilman Lob:** “aye”  
**Councilwoman Ator:** “aye”  
**Mayor Garcia:** “abstained”  
**Vote:** 4-0

**6. Reports from Boards & Commissions**

- 6A) Ecology Board Minutes of the March 22, 2011 Ecology Board meeting were received for information.
- Councilman Lob commented that the minutes indicated that a memo was sent to Council from Dr. Mara Zapata regarding commercial recycling and he does not recall seeing it.
- City Manager Borgmann stated that the Public Works Director and Staff were working on ideas for a commercial recycling program.
- Councilman Lob wants to make sure that Council receives the information so that they can provide feedback to the Ecology Board.
- 6B) Education Advisory Board Minutes of the March 23, 2011 Education Advisory Board meeting were received for information.
- Councilman Lob commented that the minutes indicated that there was information available to establish a Youth Advisory Council. He asked the City Manager if anyone had contacted him yet.

6B) Education Advisory Board (Continued) City Attorney Seiden said that documentation was on file for the Village of Pinecrest that formed a Youth Advisory Committee by resolution, while the City of Hialeah formed their committee by ordinance. He recommended that Council review the documents to get an idea of what they want to do using the information as a guide. Council should decide how the committee should be formed.

City Manager Borgmann offered to provide the information the next day and to schedule an agenda item for the April 25<sup>th</sup> meeting.

6C) Memorial Committee Minutes of the April 4, 2011 Memorial Committee meeting were received for information.

Vice Mayor Best asked if the recommendation was sent back to the Recreation Commission.

City Attorney Seiden clarified that the Memorial Committee approved the establishment of a plaque on the existing memorial for Thelma Butler. The Committee members want to study the area before making a recommendation to Council in regard to fallen police officer Amanda Haworth.

City Attorney Seiden said that the Committee had considered some type of memorial at Stafford Park or a free standing memorial on Curtiss Parkway between the other two memorials. The Committee members were concerned about the Stafford Park location since the City does not own the property. The next Memorial Committee meeting is scheduled for Monday, May 2<sup>nd</sup>.

6D) Zoning and Planning Board Minutes of the April 4, 2011 Zoning and Planning Board meeting were received for information without comment.

- 6E) Code Enforcement Board Cancellation Notice of the April 5, 2011 Code Enforcement Board meeting was received for information without comment.
- 6F) Board of Adjustment Council **approved** the actions taken by the Board of Adjustment at their meeting of April 4, 2011, subject to the ten-day appeal period.  
**Motion:** Councilman Espino  
**Second:** Vice Mayor Best  
**Vote:** 5-0
7. **Public Hearings:**
- 7A) Second Reading  
Ordinance No.1014-2011 On second reading, Council **adopted** an ordinance amending §150-002, Definitions; by adding thereto a definition for “Revitalization Specialist”.  
**Motion:** Vice Mayor Best  
**Second:** Councilwoman Ator  
**Vote:** 5-0
8. **Consent Agenda:** **(All items simultaneously approved)**
- 8A) City Attorney’s Invoice Council **approved** payment of the City Attorney’s invoice for March 2011 in the amount of \$12,710.25.  
**Motion:** Councilwoman Ator  
**Second:** Councilman Lob  
**Vote:** 5-0
- 8B) Purchase: Ballast and Lime Rock Council **approved** an expenditure to Sunshine Trucking Corp., utilizing Miami-Dade Bid # 5986-4/11-4, in an amount of \$15,000.00, on an “as needed” basis, as provided in Section 31.11 (E) (5) of the City Code to continue alley and swale repairs using ballast and lime rock. Council **requested** an updated schedule of repairs.  
**Motion:** Councilwoman Ator  
**Second:** Councilman Lob  
**Vote:** 5-0

9. **Old Business:**

9A) Appointments to Advisory Boards None

Mayor Garcia announced that he will be sending letters and evaluating all board members appointed by the Mayor's seat.

9B) Site Plan Review:  
Case #04-ZP-11

Council **approved, subject to the expiration of the appeal period**, the site plan for Case # 04-ZP-11 – Enrique Aguerrevere regarding 4299 N. W. 36<sup>th</sup> Street – Zoning: AHMBD; Airport, Highway, Marine Business District – Lot size: Approx. 272 ft. x 474 ft. – minor revisions to previously approved Phase II Site Plan (Case # 01-ZP-10, approved on January 25, 2010) for ongoing renovations of an existing bank building to a hotel.  
**Motion:** Vice Mayor Best  
**Second:** Councilman Lob  
**Vote:** 5-0

9C) Interlocal Agreement:  
Public School Facility Planning

Council **considered** the adoption of optional amendments one, two and seven to Miami-Dade County's Interlocal Agreement for Public School Facility Planning, as recommended by the City of Miami Springs Education Advisory Board; per Florida Statutes Chapter 163.31777 and by consensus **tabled** the item.

9D) Agreement – Golf Instruction

Council **directed** the Administration to bring back an agreement with Scott Jones to Provide Golf Instruction at the Miami Springs Golf Course and to review the PGA ethic rules.

9E) Report Regarding Basin 35

Council **received** a report from the Administration on the status of the Basin 35 Stormwater Project.

**Agenda Items 9F and 9G approved with one motion.**

9F) Batting Cage Repairs:  
Stafford Park

Council **approved** an expenditure to Sports System Inc., the lowest responsible bidder, in the amount of \$4,095.00, for the repair of the batting cage at Stafford Park, pursuant to Section 31.11 (E) (C) (2) of the City Code.  
**Motion:** Vice Mayor Best  
**Second:** Councilman Espino  
**Vote:** 5-0

9G) Batting Cage Repairs:  
Prince Field

Council **approved** an expenditure to Superior Park Systems, Inc., the lowest responsible Bidder, in the Amount of \$7,747.50, for the Repair of the Batting Cage at Prince Field, Pursuant to Section 31.11 (E) (C) (2) of the City Code.  
**Motion:** Vice Mayor Best  
**Second:** Councilman Espino  
**Vote:** 5-0

**10. New Business:**

*Agenda Item 10A discussed after Agenda Item 10E*

10A) First Reading: Ord. # 1015-2011

On first reading, Council **approved** an ordinance amending §150-028, Architectural and Design Regulations; by amending Subsection (F), Architectural and Design Guidelines, to provide for a new color palette for all commercial development, redevelopment, renovation and restoration projects in the City, except for the Northwest 36<sup>th</sup> Street District.  
**Motion:** Councilwoman Ator  
**Second:** Vice Mayor Best  
**Vote:** 5-0

- 10B) Resolution No. 2011-3510 Council **adopted, as amended**, a resolution adopting a color palette for all commercial development, redevelopment, renovation and restoration projects in the City, except for the Northwest 36<sup>th</sup> Street District; authorizing the maintenance of the color palette for reference and review; establishing the longevity of the color palette.  
**Motion:** Councilwoman Ator  
**Second:** Councilman Espino  
**Vote:** 5-0
- Resolution No. 2011-3511 Council **adopted** a resolution adopting a color palette for all commercial development, redevelopment, renovation and restoration projects in the Northwest 36<sup>th</sup> Street District of the City; authorizing the maintenance of the color palette for reference and review; establishing the longevity of the color palette.  
**Motion:** Vice Mayor Best  
**Second:** Councilwoman Ator  
**Vote:** 5-0
- First Reading: Ord. # 1016-2011 On first reading, Council **approved** an ordinance amending §150-028, Architectural and Design Regulations; by amending Subsection (F), Architectural and Design Guidelines, to provide for a new color palette for the Northwest 36<sup>th</sup> Street District of the City.  
**Motion:** Councilwoman Ator  
**Second:** Councilman Espino  
**Vote:** 5-0
- 10C) Westward Drive Code Violations Council **directed** the Administration to schedule an item for the next meeting to compare the pros and cons of hiring a full time code compliance officer vs. two part time officers.

- 10D) Fiber Optic Data Communication Council **approved** an expenditure of \$144,000 over five years, to Comcast, for fiber optic data communication, as a sole source provider, pursuant to §31.11 (E) (6) (c) of the City Code.  
**Motion:** Vice Mayor Best  
**Second:** Councilman Lob  
**Vote:** 5-0

*Agenda Item 10E was discussed after Agenda Items 9F/9G*

- 10E) Bid # 02-10/11:  
City Fire Alarm Upgrade Council **awarded** a bid to Chi Alarms, Inc., the lowest responsible bidder, in the amount of \$27,774.00 for City Hall fire alarm system upgrade, pursuant to §31.11 (E) (1) of the City Code.  
**Motion:** Councilwoman Ator  
**Second:** Vice Mayor Best  
**Vote:** 5-0

*Agenda Item 10F discussed after Agenda Item 10B*

- 10F) Work Order # 6 Council **agreed** that Calvin, Giordano & Associates, Inc. move forward preparing Work Order No. 6 regarding the Airport Golf District.

11. **Other Business:** None

12. **Reports & Recommendations:**

12A) **City Attorney**

Code of Ordinances: Chapter 33 City Attorney Jan K. Seiden referred to a memorandum regarding Chapter 33 of the Code of Ordinances and asked Council to review it and place the matter on the agenda for discussion as it is a very antiquated section that deals with ethical provisions that have been dealt with by the County in their ordinance that should be adopted in total. Since Council is bound by State ethics by law it might be something that Council should consider removing from the books.



12B) North Royal Poinciana:  
Lane Closure

City Manager Borgmann announced that beginning on May 6<sup>th</sup> and running 24 hours a day for 14 days, North Royal Poinciana Boulevard traffic flow will be impacted due to the closing of one lane. There is a 96-inch raw water main near Crane and the County has hired an outside contractor to seal the interior of the pipe as it is corroding. The noise should be minimal since the work will be performed underground inside the pipe. There will be generated portable lighting at night and trucks and supplies will be staged on the South Florida Water Management area. The site manager has provided contact numbers if there are any problems or complaints.

Councilwoman Ator asked the City Manager to place the information on the website.

City Manager's position

City Manager Borgmann announced that he will send a memorandum in regard to his future with the City.

**12C) City Council**

Council Liaison Appointments

Councilwoman Ator asked if anyone was interested in changing the Council Liaison appointments. She explained that she does not want to change if that is okay with everyone else.

Council agreed to keep the same liaisons to the advisory boards.

City Attorney Seiden reminded the Council members that they are liaison persons and not members of the board; they should not be participating in the meeting to the extent that 50% of the comments are made by the Council Liaison.

12C)

Councilwoman Ator reiterated her request to have a representative from Public Works attend the Board of Parks and Parkways meeting to answer questions. She noted that Assistant City Manager Gorland always attended the Recreation Commission meetings when she was on the board.

Springs River Festival

Councilwoman Ator congratulated the Springs River Festival Committee for a great job. She had a good time and participated in the “dunk tank”.

Salsa Workshop

Councilwoman Ator indicated that she failed to recognize Councilman Espino at the last meeting for his outstanding Salsa Workshop; there is a small fee to participate and the funds go charity. He is a good teacher and good salsa dancer. She thanked him for volunteering his time.

Optimist Club Fishing Tournament

Councilman Lob reported that the annual Optimist Club fishing tournament will be held on July 16<sup>th</sup> and the event will take place at the Circle this year. He thanked the artist that donated the photograph for the event flyer.

Springs River Festival

Councilman Lob said that the weekend was wonderful in spite of his injury. He had fun and also participated in the “dunk tank”. The Optimist Club did very well with their sale of the tuna and stone crab claws.

Dade Days

Councilman Espino attended Dade Days in Tallahassee on April 6<sup>th</sup> and 7<sup>th</sup>. The legislature was in general session and was unavailable for half the day. There are contentious budget issues and apportionment is dominating. He made a recommendation to Bob Levy and the Miami-Dade County League of Cities to hold Dade Days earlier during the legislative session. He will bring copies of the Miami-Dade County League of Cities legislative priorities.

12C)	Springs River Festival	Councilman Espino reported that the Springs River Festival was great and he was glad to see so many community organizations participating. He sincerely appreciates that the new Chairperson made it a priority to reach out to the organizations.
	Literacy Week	Councilman Espino will be reading to the kids at the library on Thursday, April 14 <sup>th</sup> .
	Planning Workshop	Councilman Espino felt that it would benefit the City to hold a planning workshop similar to what other cities have done. The workshop would be open to the public and some cities allow Council to bring their own delegates that break down into committees, marshal together and ratify the results in a meeting. He would like Council to consider his idea because it would serve to expedite some of the work.
	Election	Councilman Espino said that the turnout for the election was great and it is a pleasure to serve on Council. He was happy for the engagement, the turnout and for being elected again. Last night's installation was a very classy event and he would hope that future Councils will continue with this policy.
	City Manager	Councilman Espino said that it caught him off guard when he heard comments that the City Manager was going to be retiring in December. He wanted to share this with Council because the comments were made by reputable residents. He said that if the City Manager plans on making a representation by e-mail he would appreciate it because if there is going to be a change he would like to talk about it sooner than later.
	Mayor Garcia	Vice Mayor Best welcomed Mayor Garcia back to the dais.

- 12C) Springs River Festival  
 Vice Mayor Best said that the festival was a great success and he has heard a few good stories over the last few days. The Lion’s Club did the best they have ever done with the corn sale.
- Jackson Hospital Forms  
 Vice Mayor Best said that he was not sure what to do with the pledge forms for Jackson Memorial Hospital. He will give his to the City Manager and forms will be placed in the City Hall lobby.
- The Wrecking Crew Film  
 City Manager Borgmann referred to a flyer he left on the dais regarding a documentary that will have an exclusive South Florida screening at the Rebeca Sosa Theatre. A portion of the proceeds will go toward the Pelican Players and the Chamber of Commerce who will assist in the production of the evening. The movie is about the studio musicians that backed up everyone from Elvis to Frank Sinatra and the Mamas and the Papas to the Beach Boys. It is a true story that is fascinating and anyone who loves the 60’s music will be more than pleased to attend on April 21<sup>st</sup>.
- Faith’s Place  
 Mayor Garcia stated that Faith’s Place Autism Outreach is a local organization that is holding a “Marlins Night Out for Autism”. The Marlins have provided tickets for \$20.00 each for the game on Friday, May 6<sup>th</sup> at 7:00 p.m. The deadline for ticket purchases is Wednesday, April 20<sup>th</sup>. Tickets can be purchased from him or on [www.faithsplace.org](http://www.faithsplace.org) and all proceeds go toward helping children and families dealing with autism.
- Springs River Festival  
 Mayor Garcia said that the Springs River Festival was a phenomenal weekend with record numbers attending on Saturday for the reunion. He is happy that many folks from out of town make the event their vacation destination.

12C) "I Led the Pledge"

Mayor Garcia explained that a few years ago there was an "I Led the Pledge" program and kids from the different elementary schools would come to the Council meeting to participate in the Pledge of Allegiance. He felt that it is sad that some of the schools are not practicing the Pledge of Allegiance in the mornings and he wants kids to be aware that it is done by the community leaders. He would like to start the program again. Council concurred.

Thank You

Mayor Garcia extended heartfelt thanks to all the candidates that ran for office in the General Election. He knows how difficult it is to be an elected official and to run for office. Sometimes people criticize Council for the jobs that they do and they should imagine walking hundreds of miles in the shoes of a candidate, as some did. He thanked candidates that were present at the meeting: Helen Lawrence, Mel Johnson and Grace Bain for running for office.

**13. Adjourn**

Meeting adjourned at 9:31 p.m.