



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, January 9, 2012, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:01 p.m.

The following were present:

- Mayor Xavier M. Garcia
- Vice Mayor Dan Espino
- Councilwoman Jennifer Ator
- Councilman Bob Best
- Councilman George V. Lob

Also Present:

- City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Finance Director William Alonso
- Public Works Director Robert T. Williams
- Recreation Director Omar L. Luna
- City Clerk Magali Valls
- Clerical Assistant Elora R. Sakal

2. Invocation: Councilman Best offered the invocation.

Salute to the Flag: Students from All Angels Academy led the audience in the pledge of allegiance to the flag.

Mayor Garcia presented baseball caps to the students who participated in the “I Led the Pledge” program.

3. Awards & Presentations:

None.

Mayor Garcia welcomed Ronald K. Gorland to his first meeting in his new position as City Manager.

4. Open Forum:

Youth Advisory Board

César Castillo of 831 S. E. 7th Place, Hialeah, student at Miami Springs Senior High School stated that he was appointed by County Commissioner Rebeca Sosa to serve on the Miami-Dade County Youth Commission. He is aware that the City Council recently approved the establishment of a Youth Advisory Board. Every day he represents his peers in the County government in making changes in order to make sure that they are well-represented. Although the youth of the County does not have voting rights they are strongly affected by decisions that are made.

César Castillo explained that he has worked closely with the cities of Coral Gables, West Miami, Hialeah and Miami Springs. He believes that Miami Springs truly listens to its citizens and it is a great city. He hopes that the City Council takes the Youth Advisory Council very seriously.

José Maldonado of 914 Ibis Avenue stated that he is interested in joining the City's Youth Advisory Council since he would like to pursue a political career and learn more about government. He knows many young people who are interested in politics and in helping their community.

César Castillo stated that youth leaders make a difference in the future of the city, county and federal governments and they work silently in doing good things for the community without recognition. He hopes to work with Council in the future.

5. Approval of Council Minutes: (Agenda Items 5A and 5C approved with one motion)

5A) 12-12-2011 – Regular Meeting

Minutes of the December 12, 2011 Regular Meeting were approved as written.

Councilman Lob moved the item for approval. Councilman Best seconded the motion, which carried 5-0 on roll call vote.

5B) 12-12-2011 – Local Planning Agency

Minutes of the December 12, 2011 Local Planning Agency were received for information without comment.

5C) 12-23-2011 – Special Meeting

Minutes of the December 23, 2011 Special Meeting were approved as written.

Councilman Lob moved the item for approval. Councilman Best seconded the motion, which carried 5-0 on roll call vote.

6. Reports from Boards & Commissions:

6A) 12-15-2011 – Historic Preservation Board – Cancellation Notice

Cancellation Notice of the December 15, 2011 Historic Preservation Board meeting was received for information without comment.

6B) 12-27-2011 – Ecology Board – Cancellation Notice

Cancellation Notice of the December 27, 2011 Ecology Board meeting was received for information without comment.

6C) 01-02-2012 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the January 2, 2012 Zoning and Planning Board meeting was received for information without comment.

6D) 01-02-2012 – Board of Adjustment – Cancellation Notice

Cancellation Notice of the January 2, 2012 Board of Adjustment meeting was received for information without comment.

6E) 01-03-2012 – Code Enforcement Board – Cancellation Notice

Cancellation Notice of the January 3, 2012 Code Enforcement Board meeting was received for information without comment.

6F) 01-04-2012 – Architectural Review Board – Cancellation Notice

Cancellation Notice of the January 4, 2012 Architectural Review Board meeting was received for information without comment.

6G) 01-11-2012 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the January 11, 2012 Golf and Country Club Advisory Board meeting was received for information without comment.

To answer Councilwoman Ator’s question, the City Clerk confirmed that the Board of Parks and Parkways would be meeting on Thursday, January 12th and that the board members had received all the necessary information.

7. Public Hearings:

None.

8. Consent Agenda:

Mayor Garcia read the titles of the consent agenda items.

8A) Approval of the City Attorney’s Invoice for December 2011 in the Amount of \$11,292.75

There was no discussion regarding this item.

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

8B) Request for \$5,000 from Curtis Publishing for 2012-2013 Phone Directory from the Undesignated Fund Balance

Councilwoman Ator stated that in the future she would like the \$5,000 included in the budget for the phone directory.

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

8C) Recommendation that Council Approve an Expenditure of Law Enforcement Trust Funds (L.E.T.F.) in the Amount of \$5,378.68 to Dell Marketing, L. P., Utilizing Contract # WN05ACA for Equipment for the Red Light Camera System, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

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

9. Old Business:

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

None.

9B) Update Regarding Red Light Camera Systems

Chief of Police Peter Baan reported that the red light camera system went on-line at 12:01 a.m. this morning. He presented a brief memorandum outlining the four affected intersections, which are eastbound N. W. 36th Street at N. W. South River Drive, westbound N. W. 36th Street at LeJeune Road, southbound LeJeune Road at N. W. 36th Street and westbound N. W. 36th Street at Curtiss Parkway.

Training on the red light camera system will begin next week, according to Chief Baan. The reviewing officers will be trained on actual data from the violations. The public has been notified via the internet, in newspaper articles and warning signs are posted before each of the intersections.

Mayor Garcia commented that there was a reduction in the number of locations and he asked for a brief explanation.

Chief of Police Baan explained that initially thirteen intersections were identified as viable for the camera installations and the Administration decided to reduce the number to five as a pilot program during the training process. One of the five sites was found to be outside of the city's jurisdiction at N. W. 30th Street and LeJeune Road. He said that if the system proves to be viable that additional intersections would be considered in the future.

9C) Resolution No. 2012-3535 – A Resolution of the City Council of the City of Miami Springs Approving and Adopting City of Miami Springs Background Investigation and Fingerprinting Rules and Regulations for all Youth Sports Organizations Utilizing City Fields or Facilities; Providing for Longevity of the Rules and Regulations; Establishing Notification Responsibility of the Rules and Regulations; Authorizing Enforcement of the Rules and Regulations; Effective Date (Tabled: 12-12-2011)

City Manager Ronald K. Gorland stated that a resolution was proposed at the last Council meeting when a question was raised about the cost of implementing the background check and fingerprinting program.

City Attorney Seiden announced that Councilman Lob would not participate in the discussion or the vote on this item due to his continuing membership on the Optimist Club Board.

City Manager Gorland read a response from Recreation Director Omar Luna regarding the fingerprinting and background check analysis. The annual cost to the City for each background check is \$40.00 and \$25.00 for each fingerprinting. The background checks must be done on a yearly basis and the fingerprinting is good for five years. The projected cost for the first year based on sixty-five coaches per league or a total of 195 coaches, which could be reduced to 170 coaches if they overlap from league to league, is \$11,432.50. This covers all the out-of-pocket costs for Little League, Optimist football and Miami-Springs/Virginia Gardens soccer. It does not include the in-house basketball program and management personnel costs.

City Manager Gorland explained that the second year, based on background checks for 170 coaches, the cost would be \$6,800.00 and fingerprinting for an additional fifteen coaches would be \$408.75 for a total of \$7,208.75 per year until the five-year mark. It is recommended that the City cover all costs associated with the background checks and fingerprinting. However, some of the cost could be recaptured by charging each participant registered in the league \$5.00. The additional \$5.00 would be added to the registration fee and the City will be reimbursed for the amount of participants registered in the programs.

An example was presented for each of the sports showing a possible reimbursement totaling \$4,600.00 per year, reducing the total estimated cost for the first year from \$11,432.50 to \$6,832.50; and the following four subsequent years to \$2,608.75. The estimated net cost of the program for this partial fiscal year is estimated to be \$11,432.50, according to City Manager Gorland. There is no additional funding in the current budget and a budget amendment would be needed in order to utilize funds from the Fund Balance.

City Manager Gorland explained that the Administration is requesting Council approval for the additional charge of \$5.00 for each registration and the budget amendment, as well as adoption of the resolution.

Recreation Director Omar Luna stated that many cities impose an additional charge for the background checks. He added that the youth leagues would meet with the Administration in order to determine what they need to charge to cover their expenses. The various registration forms could also include the information that the additional \$5.00 would go to the City for the fingerprinting and background checks so that the children are safe within the programs. He commented that the City increased the basketball registration from \$75.00 to \$80.00 this year to help cover the cost and there were no complaints.

To answer the Mayor's question, Mr. Luna said that in his opinion this is the best policy that makes the most sense and is cost efficient. The parents would be charged an additional \$5.00 in order to ensure the safety of their children.

Mayor Garcia suggested that it should be mandatory for the registration forms to include information about the additional fee so that the parents are aware that the funds would go to the City for the fingerprinting and background checks.

City Manager Gorland commented that the City works closely with the youth leagues and they should agree to the request for including the information on the registration forms.

Councilman Best knows that the registration fees for the various programs have steadily risen over the past years due to the value of the dollar. He feels that \$5.00 would be well-spent to ensure the safety of the kids.

Vice Mayor Espino asked if the other municipalities conducted their background checks every year.

Recreation Director Luna estimated that 60% to 70% of the municipalities conducted the background checks every year and a few cities that extended the time to every two years told him that they preferred they be done every year.

Mayor Garcia mentioned that some of the youth leagues were already conducting the background checks, although it did not meet the City's requirements, but they were already paying for some of the expense as part of the registration. It seems the burden would be 100% removed from the organizations and placed upon the parents and the City.

City Attorney Jan K. Seiden said that there was discussion in some of the meetings that were held and it is an issue for the national organization. If the national organization accepts the City's processes for their own they have the complete discretion to reduce the amount of funding required for registration on a national level. This is not something the City can require or mandate and each league could try to work with the national organization in order to reduce the cost of the registration per player. The resolution was drafted with certain language because the City has no control over the situation and it is important to guarantee the safety of the children based upon the program.

Councilwoman Ator commented that the coaches would most likely be double checked.

City Attorney Seiden explained that the City requirements would be more extensive than the national requirement and there is no need for duplication, but the City cannot ask the national organizations not to conduct their background checks.

Councilwoman Ator did not realize that there were so many participants in the Miami Springs/Virginia Gardens soccer program. She asked if Virginia Gardens had been contacted about the proposed background check and the additional \$5.00 payment for their registrations.

Mr. Luna responded that the various Youth League Presidents are aware of the process; they understand that they will not have to pay for the fee and it will be added to the registration. He assured Councilwoman Ator that Virginia Gardens is aware of the plan and the process.

Councilwoman Ator noted that the resolution in the agenda packet did not include the Exhibit that was attached for the previous meeting. She would like the resolution to include language for the concept of charging \$5.00.

City Attorney Seiden replied that the fee might change and it is not necessary to include the amount in the resolution. He referred to the Exhibit, explaining that each Youth Sports Organization (YSO) shall be responsible for conducting whatever annual background investigations are required by their national sponsoring organizations and to submit the results of each background investigation to the City in accordance with its policy. In addition, compliance with the mandated background investigation required herein by the City shall be conducted by the City Police Department upon receiving advanced approval.

Councilwoman Ator reiterated her concern about not including the fee information in the Exhibit for research purposes in the future. She emphasized that the record and the documentation must be clear.

City Attorney Seiden suggested adding language to the Exhibit that states that the YSO shall be responsible for covering whatever costs the City determines is necessary for the background investigations, without mentioning a dollar amount.

Councilwoman Ator asked the City Attorney to make sure the City Clerk receives a copy of the new Exhibit as an attachment to the resolution.

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

Vice Mayor Espino moved to adopt the resolution. Councilman Best seconded the motion which was carried 4-0 on roll call vote, with Councilman Lob abstaining.

Vice Mayor Espino clarified that the budget amendment for the \$11,000 expense would be a separate agenda item at a future meeting.

City Attorney Seiden agreed that Council is approving the budget amendment in concept and an agenda item will come back for final approval.

(Agenda Item 10F was considered at this time)

10. New Business:

(Agenda Item 10A was considered after Agenda Item 10B)

10A) Recommendation that Council Approve a Change Order to Chi Alarm, in the Amount of \$1,513.00 for Additional Work, Pursuant to Section 31.11 (E) (11) (a) (2) of the City Code

City Manager Ronald K. Gorland stated that this is a recommendation that Council approve a change order to Chi Alarm in the amount of \$1,513.00 for additional work required by Miami-Dade County to comply with the code, including a flow switch visual notification strobe and sealed detector installation in the OIC room in the Fire Department. Funds are available in the Building Maintenance and Improvement account.

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

Councilman Lob asked if there is a lightning detector installed at the Golf Course.

City Manager Gorland responded that it was agreed that no installation would be made at the Golf Course.

(Agenda Item 10B considered after 10F)

10B) Recommendation that Council Award RFP No. 01-11/12 to Diamond Contract Services, the Lowest Responsible Proposer, in the Amount of \$82,585.08, for Janitorial Services, Pursuant to Section 31.11 (E) (2) of the City Code

City Manager Ronald K. Gorland read the title of the recommendation. He added that the current service costs approximately \$108,322.00 and there would be a cost reduction of approximately \$25,700.00 annually by making this award.

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

(Agenda Item 10C considered after 10A)

10C) Resolution No. 2012-3534 – A Resolution of the City Council of the City of Miami Springs, Florida Authorizing Signatories for all City Bank, Savings and Trust Accounts; Authorizing Acceptance of Two Facsimile Signatures of City Manager Ronald K. Gorland and Finance Director William Alonso; Authorizing the Combined Manual Signatures of two of the following: City Manager Ronald K. Gorland and Finance Director William Alonso, or Chief of Police Peter G. Baan; Rescinding all Resolutions in Conflict; Effective Date

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

Attorney Seiden stated that this is the updating bank resolution.

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

10D) Recommendation that Council Authorizes Staff to Reserve a Table of Ten at a Cost of \$1,300.00 for the Miami-Dade County League of Cities 58th Annual Installation Gala to be Held on Saturday, February 18, 2012 at 6:30 p.m. at the Treetop Ballroom at Jungle Island and to also Approve a 1/2 Page, Color ad at a Cost of \$750.00

City Manager Ronald K. Gorland stated that this is a request from the Miami-Dade County League of Cities to purchase a table of ten for the Annual Installation Gala. He clarified that individual tickets are \$150.00.

Mayor Garcia commented that it is more cost effective to purchase the table depending on how many Council members plan to attend the event.

Councilman Best, Councilman Lob and Councilwoman Ator confirmed their attendance.

Mayor Garcia commented that the total expenditure for the table is \$1,300.00 and Council must also consider placing a ½ page color ad in the program for an additional cost of \$750.00.

By consensus, Council agreed to purchase a table of ten for \$1,300.00 and not to place an ad.

10E) Consideration of Holding a Workshop Meeting to Discuss Term Limits and the Election Process

Mayor Garcia stated that Calvin, Giordano & Associates had also requested a Workshop meeting. He asked if their presentation could be done at the same meeting.

City Manager Ronald K. Gorland stated that it would be Council's decision to include an item for the presentation from Calvin, Giordano at the same Workshop meeting.

Mayor Garcia suggested Wednesday, January 18th and discussion ensued regarding the time.

City Attorney Seiden recommended that the presentation from Calvin, Giordano & Associates should be the first item of business. He added that the City Clerk would prepare materials for the discussion related to the election process.

Council agreed to schedule a Workshop meeting for Wednesday, January 18, 2012 at 6:30 p.m.

Agenda Item 10F discussed after Agenda Item 9C.

10F) Recreation Field Restroom Monitoring Recommendation

Nery Owens of 332 Payne Drive voiced her approval for adding City Staff in order to monitor the restrooms for the use of the children, but she would like the Staff to stay at the park for their entire shift for this purpose.

Mayor Garcia mentioned that he had reviewed the recommendation that is costly. He clarified that he asked the Administration to discuss this issue as he had received telephone calls from residents regarding the locked restrooms. After the signs were posted that there were restrooms available at the Community Center the telephone calls were reduced dramatically, but some parents were still concerned. He asked Recreation Director Luna to present his recommendation.

Recreation Director Omar Luna stated that he is proposing a plan for weekends, holidays and weekdays. For the remainder of this fiscal year, based on the average salary of \$8.50 per hour times 12 hours, the total is \$102.00 per day on Saturday and Sunday. This equals \$204.00 per weekend, times three parks for a total of \$612.00. Based on thirty-eight weeks remaining in the fiscal year, the grand total would be \$26,744.40 or \$8,914.80 per park for weekends and holidays.

Mr. Luna also presented a cost analysis for weekdays. He said that Staff arrives at 5:30 p.m. to open the restrooms before the programs begin at 6:00 p.m. If the restrooms were to open after school at approximately 3:30 p.m. it would be two hours a day, five days a week, for a total cost for the remainder of the fiscal year of \$22,287.00, or \$7,429.00 per park.

Mr. Luna clarified that the proposal is based on placing a Staff person at the restrooms the entire time instead of having someone go back and forth checking the restrooms and finding problems. He agreed there is nothing worse than a dirty restroom.

City Manager Gorland explained that even though cleanliness is important, the real issue is to make sure that people are safe and that the equipment is protected from vandalism. He is totally supportive of having Staff on hand when the restrooms are open and he understands the parents' concerns.

Mayor Garcia agreed that it is an expensive proposal and other cities have Staff at their restroom facilities.

Councilman Best knows that the restroom availability had been a problem for many years. He appreciates the consideration of making them available, but cannot see spending \$30,000 when there are coaches that should be overseeing the parks.

Mayor Garcia said that there is Staff available during the Little League and soccer programs and he cannot agree with asking volunteer coaches to oversee the restrooms.

Councilman Best reiterated his concern with spending the additional funds.

City Manager Gorland stated that having Staff available would avoid serious problems, but there is no 100% guarantee.

Councilman Best explained that the basic concept is a safety issue, but this is going too far in his opinion.

Councilman Lob stated this is an expensive proposition, although during sanctioned events there are coaches present and that is not a problem. He would like to at least consider the holidays when many people are off from work and take their kids to the park.

City Manager Gorland added that during the summer it is also important because of the Summer Camp program.

To answer Councilman Lob's question, Mr. Luna stated that the restrooms are open during the summer for a certain time period when the summer camp kids are taken to the playground. The Summer Camp Staff are available to ensure the cleanliness of the restrooms. The problem is related to weekends, holidays and the two hours on weekdays. He said that the available Staff does the best they can, but there is a budget that he has to maintain.

Recreation Director Luna clarified that when Staff is not available the restrooms are locked and the sign is posted to use the Community Center. He said that on the weekends when there are parties he opens the restrooms, but even though Staff checks them, there are still complaints.

Vice Mayor Espino stated that parties should pay to defer the costs. He agrees that the fields should not be open without restroom availability and he is more concerned about safety than cleanliness. He does not want Staff to be sitting at an empty park all day without doing something else.

Mayor Garcia felt that it is important for the restrooms to be open, but it is not feasible to do it at every park. He suggested that the residents could be informed that restrooms are open at Prince Field because the park is used by all age groups. He asked for a cost analysis for one park for weekends and holidays.

Recreation Director Luna responded that it would cost approximately \$20,000 for the rest of the year for only one park, considering weekends, holidays and two additional hours on the weekdays.

Mayor Garcia suggested that the salary for a part-time person could be added to the budget, and when they are not monitoring the restroom facility they could have other responsibilities at the Community Center.

To answer the Mayor's question, Mr. Luna confirmed that one part-time person would cost approximately \$15,000 per year.

City Manager Gorland felt that the cost per hour is the key and the Administration can decide how many part-timers it takes to cover the restrooms. He said that a recommendation could be made for the various parks, and one part-time person would not be enough.

Councilwoman Ator agrees that the restrooms should be open on the weekends from her experience as a parent, but she also agrees that the cost is excessive. She would not suggest having someone available twelve hours a day on weekends and she would dispute the fact that someone is needed at Prince Field and not the other parks. She felt that the numbers presented might be inflated because there are already budgeted activities at the parks and the estimate is based on twelve hours a day.

Recreation Director Luna commented that he could not project the youth league schedules and his estimate is based on the worst case scenario.

Councilwoman Ator did not feel that someone is needed at the parks between 7:00 a.m. and 9:00 a.m.

Recreation Director Luna stated that 7:00 a.m. to 7:00 p.m. ranges from sunrise to sunset, based on the national park average.

Councilwoman Ator agrees that holidays should be covered, but the time could be changed to 9:00 a.m. or 11:00 a.m. instead of 7:00 a.m. The operating hours could be posted so that everyone understands when the restrooms are open. She would question the cost of the weekday hours from 3:30 p.m. to 5:30 p.m. because she knows that the tot-lot is already used by the kids in the after-school care program on Wednesday.

Recreation Director Luna said that the kids do not go to the playground every Wednesday and sometimes they play in the gym.

Councilwoman Ator does not feel the answer is limiting the restroom availability at only one park because there is a need at Stafford and Peavy/Dove parks.

Recreation Director Luna responded that the restrooms at Peavy/Dove should only be open during organized activities or on the weekends for safety reasons due to the high school location. He added that traffic is very minimal there on the weekends. There are also issues with the restrooms at Stafford Park because of the middle school location.

Councilwoman Ator reiterated that the hours are inflated and the exact number of hours should be identified, based on the amount that is currently funded.

Vice Mayor Espino said that he would like to know what the peak times are for the use of the parks; he would like additional information in order to be able to make a decision.

Councilman Best added that he could not offer his support for the amount of funding in order to place a porter in the restrooms.

Mayor Garcia stated that some people would agree with spending the funds for their children to be able to use the restrooms and if Council makes this decision, it must be funded, although it is a lot of money.

Councilman Best said that the restrooms were opened and closed by Recreation Staff for many years, based on the operation of the field. He assumes that this is happening at the other parks and if not, he would like to know why not.

Recreation Director Luna responded that Staff opens and closes the park restrooms only during organized activities.

Councilman Best asked if the janitorial service employees are tasked to clean the restrooms.

Recreation Director Luna clarified that the janitorial service cleans the restrooms at night, while the Recreation Staff checks the restrooms periodically when there are organized activities. During the Little League activities on Saturday Staff must clean the restrooms in order to avoid problems.

Mayor Garcia said that Staff is already monitoring the restrooms during activities and the cost should be separated from the additional time.

Recreation Director Luna assured Council that the restroom cleanliness is important to him and sometimes he checks them on the weekends and he has sent Staff home when they are dirty.

Mayor Garcia added that sometimes there are 50 or 60 people at Prince Field on the weekend and they have asked him why the restrooms are not open. He will tell them that the proposal was made to Council and the problem was the funding and they will say that they pay taxes for this purpose. He wants to evaluate some other expenses that might not be a priority and the funds could cover the cost of having the restrooms open year-round.

Councilman Best explained that he does not have a problem with the restrooms being open at a prescribed time every day at all parks year-round, provided they are maintained, and it does not cost an excessive amount.

Vice Mayor Espino reiterated his request for more information on what are the peak times at the parks and which parks have the most activity during the year. The cost must be compared to the benefit and it does not make sense to spend the funds for the benefit of only a few people.

Mayor Garcia emphasized that the public must be educated as to the availability of the restrooms at the parks during the organized activities and during other times.

City Manager Gorland offered to bring back a number of options for Council's consideration.

The Administration will come back with additional information.

10G) Optimist Club Alcohol and Funding Event Request for the January 21, 2012 Barbecue on the Circle

Optimist Club President Bill Tallman of 901 Falcon Avenue requested approval to serve alcohol on the Circle during the event and funding of \$3,000 to cover associated traffic and sanitation costs. He stated that last year's inaugural event was very successful and it is intended to create a public event for the residents as well as a fund raiser for the Optimist Club.

Mr. Tallman pointed out that the traffic and police costs last year totaled \$1,960.00; the sanitation including port-a-let rentals was \$600.00, and the dumpster was \$375.00. The Optimist Club estimates \$3,240.00 will be their responsibility, including a band, D.J., fire extinguishers, table and chair rental, bounce houses, T-shirts, awards, flyers and banners.

To answer the Mayor's question, Mr. Tallman clarified that last year's event raised \$4,000 to \$5,000 net after all expenses, including the \$500.00 cash prize that was donated back to the Club.

Mayor Garcia commented that funds are included in the budget for Circle events in the amount of \$10,000. He asked what the balance of the funds was in the account.

City Manager Gorland responded that very little of the \$10,000 for special events had been spent to date.

Mayor Garcia would like the clubs and organizations to save their profits in order to budget for future events because the City might not always be able to assist with funding.

Mr. Tallman explained that looking forward they intend to save their profits for future events. The Optimist Club is a volunteer organization and the activities involve a lot of time and effort. He added that this is a partnership and a "win-win" situation.

Mayor Garcia suggested that next year the local businesses could make a small donation to help cover the expenses because it has been a successful event.

Vice Mayor Espino commented that the event had been very successful and the City can help with the initial process until it takes a life of its own. This is the third year that Council has allocated funds for special events and the process is still not in place for two windows of opportunity for the organizations to apply for funds. He would like to implement the application process, times for consideration and distribution of funds in six-month increments.

Vice Mayor Espino moved to approve the alcohol consumption on the Circle and the allocation of \$3,000 for the event. Councilman Best seconded the motion.

Councilwoman Ator stated that she would like to see some of the profits coming back if the Optimist Club makes more money than expected. She said that organizations should provide the information for special events in advance and plan for the future.

Vice Mayor Espino commented that the Optimist Club is one of the hardest working organizations in the City and their volunteers have staffed numerous events, including the Fourth of July, and the City uses their equipment. He does not want them to give any of the funds back because they work for the good of the community.

Councilman Best agreed that the Optimist Club had worked hard for the benefit of the kids in the community. He is not a member of the organization and he would like the City to offer support.

Mayor Garcia commented that the barbecue event is going to become a staple in the community just like the Springs River Festival and it will be a bigger success than last year.

On roll call vote the motion carried 3-1 with Councilwoman Ator casting the dissenting vote and Councilman Lob abstaining.

12. Reports & Recommendations:

12A) City Attorney

Deferred Retirement Option Plan (DROP)

Attorney Seiden stated that he distributed an e-mail regarding an item that the prior City Manager brought up in reference to a proposed change to the Deferred Retirement Option Plan (DROP). He spoke with Pension Attorney Steve Cypen's office and they are going to present the information to the General Employees Retirement Board at their next meeting for approval.

Historic Tax Credit

City Attorney Seiden reported that he has kept in contact with Eric Wishneff regarding the Curtiss Mansion historic tax credits and Mr. Wishneff is currently looking for investors.

12B) City Manager

Public Works Review

City Manager Gorland informed Council that he had distributed an Independent Review of Public Works and asked Council to look it over. He also provided the credentials of the individual who conducted the review.

Upcoming Events

City Manager Gorland noted that some events coming up are the performance by Alexander Markov on the Circle on Friday, January 13th. City Hall will be closed on January 16th for Martin Luther King Jr. Day. The Woman's Club is hosting an Open House to thank and honor former City Manager Jim Borgmann for his many years of service on Thursday, January 19th. Movie Night on the Circle is on January 20th, and the Second Annual Optimist Club Barbeque fundraiser Cook-off is on Saturday, January 21st.

12C) City Council

Happy New Year

Councilwoman Ator hoped everyone had a Happy New Year.

All Angels Bingo and Movie Night

Councilwoman Ator announced that All Angels is hosting another bingo night on Saturday, January 14th and the next Movie Night on the Circle will be on Friday, January 20th.

Poker Night

Councilman Lob reported that the Rotary Club is having their annual poker night on Saturday, January 28th and encouraged everyone to sign up.

Miles for Marli

Councilman Lob announced that the Miles for Marli walk will take place on Saturday, January 28th and he encouraged everyone to join and donate for a worthy cause.

Happy New Year

Councilman Lob wished everyone a Happy New Year.

Barbeque Cook-Off

Vice Mayor Espino invited everyone to join the Optimist Barbeque Cook-off on Saturday, January 21st.

Miles for Marli

Vice Mayor Espino announced that in addition to the Miles for Marli walk on January 28th, the organization is sponsoring an art event on Saturday, January 14th on a yacht and anyone is welcome to attend. He asked that everyone keep the Wolff family in their prayers. Marlene Wolff is in hospice and has been battling cancer for a long time.

Relay for Life

Vice Mayor Espino reported that the Cancer Relay for Life would be held on March 3rd and he encourages everyone to be aware of the upcoming events.

Happy New Year

Vice Mayor Espino wished everyone happy holidays and a Happy New Year.

City Manager

Vice Mayor Espino welcomed Ron Gorland as the new City Manager and commended him for doing an excellent job so far.

Happy New Year

Councilman Best wished everyone a Happy New Year. He is glad to see everyone back safe and is looking forward to getting things done over the next few months that will be useful to everyone in the City.

Election Primary

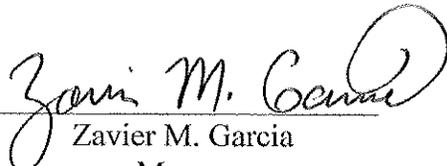
Mayor Garcia reminded everyone that election time is here again and the primaries for the Presidential Election are coming up on January 31st. He encouraged those who can vote to do so. Absentee ballot request forms are available.

Mom and Pop Grant

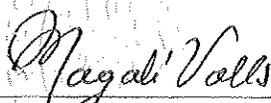
Mayor Garcia reported that County Commissioner Rebeca Sosa is sponsoring her Mom and Pop Grant event again and due to the tight budgets, they are limiting the funding to \$1,000 to \$2,000 for those businesses that have never received funding before and those that provide services or goods. Applications are available online starting on January 20th or at Commissioner Sosa's office.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 8:42 p.m.


Zavier M. Garcia
Mayor

ATTEST:


Magali Valls, CMC
City Clerk



Approved as written during meeting of: 1-23-2012.

Transcription assistance provided by Suzanne S. Hitaffer.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME LOB, GEORGE V.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE MIAMI SPRINGS CITY COUNCIL
MAILING ADDRESS 8100 PLOVER AVENUE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY MIAMI SPRINGS MIAMI-DADE	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 01-09-2012	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

RE: AGENDA ITEM 9C - 01-09-2012 CCRM

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, GEORGE V. LOB, hereby disclose that on JANUARY 9, 20 12.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of THE OPTIMIST CLUB, by whom I am retained; or MAINTAIN A SEAT IN THE BOARD OF DIRECTORS.
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

COUNCIL CONSIDERED ADOPTION OF RESOLUTION NO. 2012-3535 APPROVING FINGER PRINTING REGULATIONS FOR SPORTS ORGANIZATIONS UTILIZING CITY FIELDS. I AM A MEMBER OF THE BOARD OF DIRECTORS OF THE OPTIMIST CLUB AND I ABSTAINED BECAUSE THE CITY COUNCIL VOTE MAY IMPACT THE FINANCIAL RESPONSIBILITY OF THE CLUB.

1-12-2012

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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CITY MIAMI SPRINGS	COUNTY MIAMI-DADE
DATE ON WHICH VOTE OCCURRED 01-09-2012	NAME OF POLITICAL SUBDIVISION: MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

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* * * * *

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APPOINTED OFFICERS:

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RE: AGENDA ITEM 106-01-09-2012 CCRM

APPOINTED OFFICERS (continued)

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- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of THE OPTIMIST CLUB by whom I am retained; or MAINTAIN A SEAT IN THE BOARD OF DIRECTORS.
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

COUNCIL CONSIDERED AN ITEM INVOLVING APPROVAL OF ALCOHOL AND ALSO A \$3,000 FUNDING FOR THE BBQ EVENT OF THE OPTIMIST CLUB ON 1-21-2012. SINCE I AM A MEMBER OF THE BOARD OF DIRECTORS OF THE CLUB, I ABSTAINED BECAUSE THE CITY COUNCIL VOTE MAY IMPACT THE FINANCIAL RESPONSIBILITY OF THE CLUB.

1-12-2012

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.