



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, August 26, 2013, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:02 p.m.

The following were present:

Mayor Xavier M. Garcia
Vice Mayor Michael Windrem
Councilman Billy Bain
Councilman George V. Lob
Councilman Jaime A. Petralanda

Also Present:

City Manager Ronald K. Gorland
Assistant City Manager/Finance Director William Alonso
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Comptroller Alicia E. González
Golf and Country Club Director Paul O'Dell
Building & Code Compliance Director H. "Tex" Ziadie
Acting City Clerk Suzanne S. Hitaffer
Administrative Assistant II Elora R. Sakal

2. Invocation: Councilman Petralanda

3. Awards & Presentations:

3A) Presentation by Mark Bain Regarding the New Archery Club at the Golf Course

Mark Bain, President of the Miami Springs/Virginia Gardens Optimist Archery Club announced that an archery range is now on the golf course. The archery club started 5 years ago and has 235 members this year. He invited Council to a ribbon cutting event on Saturday, September 7th from 10:00 a.m. to 1:00 p.m. on the golf course behind the club house.

Mr. Bain commented that two leagues were held over the last two months and people from Hollywood came to shoot in the league. Medals will be presented to the league participants at the ribbon cutting event. He presented a PowerPoint presentation showing pictures of the archery club at the golf course, kids and adults that are a part of the club, and pictures of the State Indoor competition.

Mr. Bain said that the Optimist Archery Club was a host to the State Indoor competition. They put in a bid and were approved to host the event again in February of 2014.

Mayor Garcia stated that the Archery Club members participate in all of the volunteer services with the Optimist Club and they have done a great job. He thanked Mr. Bain for his help with the Optimist Club.

3B) Farmers Market Presentation by Sarah Vargas Regarding the New Farmers Market on Curtiss Parkway Between Park Street and the Circle to Run Once a Week, from 9:00 a.m. to 2:00 p.m. from Saturday, October 5, 2013 Until Saturday March 29, 2014

Sarah Vargas, Organizer of the Farmers Market, thanked the City for their support last year at All Angels. This year the Farmers Market will be on the first block of Curtiss Parkway because she felt that the market was not getting the drive-by traffic that it needed to keep it busy. She presented a PowerPoint presentation showing the new location of the Farmers Market and displayed a list of various local markets that will be operating at the market.

Ms. Vargas commented that the market will begin on Saturday, October 5th and go through March of 2014 and will run from 9:00 a.m. to 2:00 p.m. every Saturday morning. The Farmers Market is beneficial for the community and shoppers. Many local small farmers and businesses operate at the market. The Farmers Market promotes healthy food and encourages nutritional choices. It shows children where their food comes from and cooking demonstrations are often shown.

Ms. Vargas stated that the Chamber of Commerce, Starbucks, Johnny's, Cozy Corner, and many more businesses are supportive of the event taking place on Curtiss Parkway. The market will look different this year; the canopies will be set up along the pedestrian path and there will also be a safe play area for the kids. Space will be available for approximately 28 vendors and there will be an area for people to sell their backyard produce and anyone interested can sign up for certain days.

Ms. Vargas explained the rules and regulations that keep the market safe and healthy for everyone. The Florida Cottage Industry Regulations are very specific about what vendors can bake or make at home to sell. All of the products of the market have to be food or farm related. She noted that the market will be open rain or shine. Vendors will be asked to dispose of their own garbage. The trash cans that will be dispersed throughout the market will be for customer use only.

Ms. Vargas asked if the City would help to install light pole banners on the Circle and Westward Drive to promote the market. She understands that the banner on the Circle will have to come down for a certain time period in December for Christmas. She asked if additional trash cans and recycling cans could be placed on the first block of Curtiss Parkway for the market. She also asked if some of the vendors could use the electrical outlets that are on Curtiss Parkway.

Ms. Vargas asked if Police Officers could drive by the event to ensure safety. She thanked Council for their time and support.

Councilman Lob asked if there will be any conflicts with the Pumpkin Patch that will be going on at the same time and Ms. Vargas replied that there will not be any issues. She will be watching the market's traffic and parking for the first week and she will be sure to work together with the Pumpkin Patch.

To answer Mayor Garcia's question, Ms. Vargas replied that she reached out to Milam's Market and gave the Assistant Manager the Farmers Market information to pass on to their Corporate staff. She had spoken to Milam's Market previously about hosting a Farmers Market.

Mayor Garcia thanked Ms. Vargas for her volunteer work and support.

4. Open Forum: No speakers

5. Approval of Council Minutes:

5A) 08-05-2013 – Workshop Meeting

Minutes of the August 5, 2013 Workshop Meeting were approved as written.

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

5B) 08-07-2013 – Workshop Meeting

Minutes of the August 7, 2013 Workshop Meeting were approved as written.

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

6. Reports from Boards & Commissions:

6A) 08-13-2013 – Recreation Commission – Minutes

Minutes of the August 8, 2013 Recreation Commission meeting were received for information without comment.

6B) 08-14-2013 - Golf and Country Club Advisory Board - Cancellation Notice

Cancellation Notice of the August 14, 2013 Golf and Country Club Advisory Board meeting was received for information without comment.

6C) 08-19-2013 – Revitalization and Redevelopment Ad-Hoc Committee – Cancellation Notice

Cancellation Notice of the August 19, 2013 Revitalization and Redevelopment Ad-Hoc Committee meeting was received for information without comment.

6D) 08-21-2013 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the August 21, 2013 Board of Parks and Parkways meeting was received for information without comment.

6E) 08-22-2013 – Code Review Board – Cancellation Notice

Cancellation Notice of the August 22, 2013 Code Review Board meeting was received for information without comment.

7. Public Hearings:

7A) Second Reading – Ordinance No. 1056-2013 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 113-04, Business Taxes-Schedule of Fees, By Providing a Five (5%) Percent Increase in the Cost of All City Business Taxes; Repealing all Ordinances or Parts of Ordinance in Conflict; Effective Date (First Reading: 08-12-2013 – Advertised for second reading: 08-15-2013)

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

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

Councilman Lob moved the item. Vice Mayor Windrem seconded the motion.

Councilman Lob stated that after hearing the amount of funds that were raised last year, Council needs to think about this decision since it would raise the costs for businesses.

Building and Code Compliance Director Harold "Tex" Ziadie said that the Department as a whole anticipates an excess of revenues totaling \$198,000. For Code Compliance itself, they are currently running a revenue excess of \$38,000.

City Manager Gorland clarified that the funds would go into the general fund.

Mr. Ziadie corrected a statement that he made at the last meeting. He told Council that Occupational Licenses would be approximately \$3,500 but in reality that was based on last year's Occupational License budget which was \$70,000. Next year's budget was increased to \$90,000 based on a vigorous year for Occupational Licenses this year which would be \$4,500 at 5%.

Mayor Garcia commented that the questions and concerns he had at the last meeting were answered.

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

Mr. Ziadie showed Council the new Council Meeting sign that will replace all of the signs throughout the City.

8. Consent Agenda:

8A) Recommendation that the City Renews its Management Contract with Little Smart Arts, LLC., to Utilize the Multi-Purpose Room on the Third Floor of the Community Center on Tuesday Afternoons from 4:00 p.m. to 6:30 p.m. for the Operation of the Little Smart Arts Program

City Manager Ronald K. Gorland read the recommendation.

Vice Mayor Windrem moved the item. Councilman Petralanda seconded the motion

Mayor Garcia commented that he is very impressed with this program. He thought the program was only arts and crafts but they are actually teaching children about art techniques. He is glad to see that the City has a program like this and would like to see it promoted more.

To answer Councilman Bain's question, City Attorney Seiden read the following:

"Little Smart Arts agrees to pay to the City a quarterly use fee equal to \$20 for each participant during each of the four eight-week sessions with a maximum of 15 participants per session. Payments shall be made to the City on October 1st, January 1st, April 1st, and July 1st."

Vice Mayor Windrem asked if this was the same agreement as the last one and City Attorney Seiden replied affirmatively.

To answer Councilman Bain's question, City Manager Gorland said that this is a negotiated contract.

Councilman Petralanda asked if this organization is a non-profit and City Attorney Seiden replied that it is a limited liability corporation.

The motion was carried 5-0 on roll call vote.

9. Old Business:

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

Councilman Petralanda re-appointed Jo Ellen Phillips to Historic Preservation Board for an unexpired term ending on January 31, 2016.

9B) Rescinding of Prior Golf Cart Lease Approval

City Manager Ronald K. Gorland read the recommendation memorandum. At the request of Golf Director Paul O'Dell, Club Car, E-Z-Go, and Yamaha were asked to provide quotes for 75 gas powered golf carts. On June 6th, a memo to Council was prepared by Golf Director O'Dell which contained the supporting documents provided by each of the respondents.

City Manager Gorland explained that per Attachment A, a recommendation was made to waive the competitive bid process due to the condition of the existing golf cart fleet and approve an award to Club Car. Council approved an award on June 24th and on July 16th, Yamaha protested the award via email submittal which is Attachment B. Mr. Dee, District Manager of Yamaha stated that the award was not valid because the carts selected were not consistent with the model which he quoted, and therefore, the quotes were not compatible to one another.

City Manager Gorland stated that after further review, Staff agreed that the models quoted were not comparable and Club Car, E-Z-Go, and Yamaha were immediately notified. The Attachment C e-mail was sent on July 30th to each vendor regarding the City Administration's intent to request the City Council to rescind the prior award and to submit re-quotes for new carts.

City Manager Gorland said that each of the three vendors was given the opportunity to re-quote, which is Attachment D, and to respond no later than August 12th. This Request for Quotes requested standard gas cart models with all the options along with early lease and damage cart payouts. Since the City has asked for re-quotes, the Administration asked that Council rescind the prior approval for the Club Car lease and a new recommendation will follow. Club Car stated that they will not protest the decision to rescind the prior approval for the golf cart lease which is Attachment E.

Councilman Bain moved the item. Councilman Lob seconded the motion

City Attorney Seiden referred to Attachment E and explained that as Golf Director O'Dell stated in the e-mail, Club Car was gracious for not making a bigger issue and allowing the matter to be re-bid. He is sure that Golf Director O'Dell's relationship with Mr. Kelly at Club Car had something to do with it. There was certainly a mistake made and it was able to be corrected without any issues. He thanked Golf Director O'Dell for all of his hard work.

The motion was carried 5-0 on roll call vote.

9C) Recommendation that Council Waive the Competitive Bid Process and Approve a Lease Agreement with Yamaha Commercial Customer Finance, in the Amount of \$252,975.00, for Seventy-Five (75) 2014 Gasoline Powered Carts at \$54.75 Per Cart, and One (1) Concierge 4-Passenger Transportation Vehicle at \$110.00, for a Five-Year Term, Pursuant to Section 31.11 (E) (6) (g) of the City Code

City Manager Ronald K. Gorland read the recommendation. The current contract with Yamaha for leased golf carts is due to expire in February 2014. Quotes were requested for a new lease due to the conditions of the existing carts. Yamaha was the lowest quote of \$54.75 per cart.

Yamaha also proposed the following:

- Option of using existing beverage and utility vehicle at no cost or leasing brand new vehicles: beverage cart for \$182.00 and utility vehicle for \$84.00.
- Terminating the current lease agreement as of Sept. 15, 2013 at no further cost to the City.
- Picking up all currently leased golf carts at no cost to the City.
- To accept all golf carts and chargers, whether damaged or not, at no cost to the City.
- Deliver on or before October 1st the new fleet to be in place for our busy season.

The new quote has a reduced savings of \$9.80 per cart from the current lease agreement with Yamaha for an additional savings of \$44,100.00 for the five-year term. Additional potential savings are:

- Only 30 of the 75 carts are in operational order. The remaining lease on the carts would be \$9,682.50. In most cases the cost for repairs is very high so by terminating the lease early the City not paying for carts not in use.
- There are several carts that require battery replacement as well. Each cart requires six batteries. The cost of each battery is approximately \$80.00 so the cost to replace all six batteries per cart is \$480.00.

The cost of the golf carts is \$246,375.00; the passenger transportation vehicle is \$6,600.00, for a total of \$252,975.00. Funds are budgeted in Golf Pro Shop/Rental & Leases.

Vice Mayor Windrem moved the item. Councilman Bain seconded the motion.

Mayor Garcia asked if the beverage cart is new as part of the fleet and Golf Director O'Dell responded that it is the existing beverage cart.

Councilman Bain asked if the new carts would be received on or before September 1st and Mr. Odell responded affirmatively.

Councilman Bain asked if Mr. O'Dell was okay with the number of carts he has now and Mr. O'Dell said that he has fifty carts in operation and sometimes they run out of carts. They brought in 24 additional gas carts at no monthly charge and they will be returned when the new carts arrive.

Golf Director O'Dell added that they were able to reduce the charge by \$9.80 per cart, per month and pick up the transporter unit that will increase customer service. The beverage virtually has not been used.

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

Mayor Garcia commented that he still receives calls about the golf course, but instead of receiving complaints people are saying that they are seeing the course turn around.

Vice Mayor Windrem added that he received four calls today from people who have seen an improvement in the golf course.

Golf Director O'Dell stated that last weekend they actually doubled the revenue they had been recognizing over the last several months.

To address Councilman Bain's concern, Mr. O'Dell explained that when dealing with 75 golf carts it means that there are 150 golfers and that is all that can play on the golf course during any four to five hour period. He said that 75 carts is the standard amount of carts for an 18-hole golf course and they will be maintained.

Councilman Petralanda commented that he was at an event when someone commented about the great job Paul O'Dell is doing. He explained that he is a proponent of getting away from fossil fuels, but in regard to everything else he is very happy with what Mr. O'Dell is doing and he offered his support.

10. New Business:

10A) Resolution No. 2013-3592 – A Resolution of the City Council of the City of Miami Springs Approving and Authorizing Clerks for the City's Red Light Camera Process/Procedures: Authorizing the Clerks to Act in All Matters Related to the Administration of the City's Red Light Camera Program; Effective Date

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

City Attorney Seiden stated that in the prior resolution that was adopted when the legislation came into effect the City Clerk's Office was authorized, generally, to be the representatives of the program. To be on the safe side, he wanted Council to specifically authorize the three employees that are listed in the resolution so that no one could appeal since two are not members of the City Clerk's Office. The current Administrative Assistant in the Clerk's Office will become the Assistant City Clerk as soon as the Pay Plan is approved.

Councilman Bain moved to adopt the resolution. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote.

10B) Resolution No. 2013-3593 – A Resolution of the City Council of the City of Miami Springs Approving and Authorizing the City Administration's selection of Local Hearing Officers for the City's Red Light Camera Program; Authorizing the Local Hearing Officers to Act in All Matters Related to the Hearings Conducted Pursuant to the City's Red Light Camera Program; Effective Date

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

City Attorney Seiden said that Jon Gurney and David Alschuler were selected as the two Hearing Officers. The Chief of Police and the Administration stepped away from this decision in order to avoid potential conflicts. He decided to make the selection by conducting interviews over the telephone and these two gentlemen were selected for a couple of reasons. There is a State Constitutional provision that states you cannot be an officer in more than one place at one time. It was originally thought that the County would share their skilled people with the City and they immediately refused, so it turns out that it would have been an issue.

City Attorney Seiden explained that Mr. Gurney is a local attorney and he also has been a prosecutor in a red light camera process in Atlanta; he is a certified arbitrator of the Florida Supreme Court. Mr. Alschuler has run for judge and has been a defense lawyer in regard to the red light camera cases. Both gentlemen met with the Administration and the Chief of Police and they are ready to begin on October 17th. It was originally thought that the hearings would begin on September 19th but there were no appeals to the tickets written during the interim period. There is also a 60-day window as opposed to a 30-day window.

City Attorney Seiden said that Miami Springs is fully prepared to begin the hearing process. The Chief of Police and his Staff have done a great job and American Traffic Solutions (ATS) is doing their part to train the two hearing officers over the internet.

City Manager Gorland reported that the City had received the first appeal.

City Attorney Seiden added that the hearings are set for 4-hour sessions on Thursdays from 5:00 p.m. to 9:00 p.m. and they will hear 10 cases per hour.

Councilman Lob moved to adopt the resolution. Councilman Bain seconded the motion which was carried 5-0 on roll call vote.

10C) Resolution No. 2013-3594 – A Resolution of the City Council of the City of Miami Springs, Florida Determining the Necessity and Appropriateness of the Acquisition of Equipment Pursuant to a Master Lease with SunTrust Equipment Finance and Leasing Corporation; Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 04; Authorizing the City Manager and Other Authorized City Officers to Execute the Lease Documentation, Evidence the Validity of the Lease Documents, and Affix the City Seal Where Required; Directing the Execution of Any Additional Lease Documentation by the Proper Officials and Officers of the City in Order to Effectuate the Subject Transaction; Declaration of Transaction Compliance With Internal Revenue Service Regulations; Effective Date

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

Attorney Seiden stated that the resolution is required in order to borrow the funds from SunTrust for the garbage trucks that Council approved at the last meeting. He noted that the resolution refers to a Master Lease, which the City entered into with SunTrust years ago. In the format of the transaction the City is allowed to have individual transactions within that same Lease Agreement and this is Schedule No. 04 within the framework of the Lease.

City Attorney Seiden said that the documentation is ready for execution; he must sign an opinion and the resolution must be part of the closing documentation.

Councilman Bain moved the item. Councilman Petralanda seconded the motion.

City Attorney Seiden referred to a resolution certification that goes along with the resolution and is signed by the City Manager and Acting City Clerk.

The motion was carried 5-0 on roll call vote.

11. Other Business:

11A) Fiscal Year 2012-2013 Third Quarter Budget Status Report (Unaudited)

Mr. Alonso stated that this report is as of June 30, 2013. The reason it was deferred from the last meeting is because he wanted to update the information based on the information that he received from the tax collector regarding the ad valorem collections this year. He is projecting the year end reserves to be approximately \$3.8MM which will reduce the hurricane contingency and designated fund balance to approximately \$300,000 after the City takes the \$3.5MM that they are required to maintain in minimum reserves. The final numbers will not be known until he receives the audited financials from the auditors sometime in January.

Mr. Alonso clarified for Mayor Garcia that the ad valorem collections are going to be approximately \$200,000 under budget.

11B) Remaining FY 2013-2014 Budget Issues (continued from 08-19-2013 Workshop Meeting)

Mr. Alonso read a letter that was sent on August 13, 2013 to City Manager Gorland from former Mayor Richard Wheeler clarifying the funding of \$475,000 as follows:

"I must acknowledge that the analysis that I provided to Council on Monday night concerning the previous funding of the Mansion and funds was in error. That was my mistake and I apologize for the incorrect information. To clarify, the City provided previous funding of \$475,000 for the completion of the interior construction last year. That amount was paid to various vendors for the final tasks after grant funding paid for the early stages. The cooperation of Public Works over the years is also noteworthy.

My review of Mr. Alonso's closeout report of the Historic Tax Credit transaction and my own notes from last year's budget discussions verified that no Tax Credit funds offset the above investment by the City of Miami Springs. Additionally, the 2006 funding of \$9,000 in relation to a State grant was not recovered. I do not often misinterpret financial transactions so this occurrence has me talking to myself this morning.

Based on Council comments, it is apparent that they would like to handle any funding of the Mansion operation as part of the 2013-2014 budget workshops and not as a current item. For that reason, CMI asks that the two requests for funding listed in our Annual Report be combined and considered during your current workshops. The description for the initial \$10,000 remains the same. The detail for the \$25,000 would be assistance in meeting expense obligations for building and grounds maintenance, utilities and insurance. CMI anticipates severe shortfalls in revenue resulting in a deficit for operations over the next six months, partially due to start up and partially due to upcoming site construction.

I thank you for your assistance and again apologize for the inaccuracy of the report provided."

Councilman Bain said that he still feels that the funds should not be fronted until Mr. Wheeler finds out about the warranty. He would be willing to consider the costs if the fact is that the beams are not warranted.

Mayor Garcia stated that Mr. Wheeler had mentioned previously that he needed the funds to fix the issues before they can figure out whether the beams are warranted or not.

City Attorney Seiden commented that since the last meeting, correspondence has been received from Project Manager Roy Rodriguez. Mr. Rodriguez has found a local testing company that will test to determine whose fault it was which will deal with the warranties. One of the beams is going to be submitted to a local company who will then test the beam to determine if the proper or improper sealant was put on the wood. If it was an improper product or improperly applied, then it will clearly be part of the warranty.

City Attorney Seiden said that if the sealant was the same type that was dictated and the wood that was suggested by the architect was defective, it would probably be something outside of the warranty. Stucco repair has already begun according to some of the correspondence that has been received.

Vice Mayor Windrem stated that the Curtiss Mansion is City property. As long as the City is going to go through investigations and determining liability and warranties, then funds should not be spent unless they are used to keep the severity from increasing.

City Attorney Seiden commented that if the budget is passed and the work needs to be done, and there is no determination date, then the work can be done as long as it is a budgeted item. If Council finds out sometime shortly thereafter that in fact it was a warranted item, he would think that the City would be reimbursed.

Mayor Garcia stated that he is in favor of budgeting the funds for the repairs and the request for the \$25,000 in expenses that CMI will put into the budget for Fiscal Year 2013-2014.

Councilman Bain said that he is not going to vote to approve any funds until he has a legitimate report on what the funds are needed for. He does not want to put \$25,000 into the budget if he does not know what CMI is spending it on.

Mayor Garcia clarified that the funds can be placed in the budget and they do not have to be paid out and City Manager Gorland replied affirmatively.

Councilman Bain commented that the funds would be included in the millage rate that is passed on to the residents.

Councilman Petralanda agreed with Councilman Bain with regards to the millage. If CMI needs the funds throughout the year, they can come to Council and the funds can be allocated to them at that time.

Mayor Garcia noted that if the funds are allocated to CMI, it would come from reserves.

Councilman Petralanda expressed his concerns about adding more funds to the budget and increasing the millage rate.

City Manager Gorland read the memorandum into the record. He said that it is important to note that the target increase in reserves for next year should be approximately \$300,000 since the City needs to cover the \$200,000 shortfall in property tax collections. The City also needs to add \$100,000 to reserves at year end in order to begin the process of rebuilding the reserve fund. The budget shows a surplus of \$190,057 at a millage of 7.6995.

City Manager Gorland noted that one of the more important topics is that the budget process has not included direct considerations to the potential significant needs of the pool, DERM golf course requirements, commercial redevelopment, or the \$35,000 funding request from CMI.

Mayor Garcia asked if the changes that were made in the Public Works Department regarding the trees are reflected in the current budget and Councilman Lob responded that it is not reflected in the budget.

By consensus, Council removed \$17,000 from the Public Works Department.

Councilman Bain referred to the Information Technology (IT) Assistant salary and he was of the opinion that a salary of \$49,000 with benefits would attract the right person for the job.

Mayor Garcia commented that Mr. Fonseca was not present to reiterate what he said at the last meeting regarding other municipalities hiring for the same position. He wanted to make it clear that Council asked Mr. Fonseca if he could find the right person who could do the job at \$49,000 and he agreed. He prefers that the funds remain in the budget so that salary does not become an issue in case Mr. Fonseca finds a few good candidates.

Councilman Bain stated that he stands by what he said at the last meeting when a statement was made regarding other municipalities and someone who was watching at home commented that those other municipalities are going out of business because they have no funds.

Councilman Bain understands what Mayor Garcia is trying to do by setting funds aside. He is looking out for not only the residents, but himself because he lives here as well. Since the City is looking at providing funds to CMI, other funds need to be cut in order to be able to pay for something else.

Mayor Garcia agreed with Councilman Bain and said that every dollar counts. Council is lucky to have someone who works in that profession and when Councilman Lob stated how difficult it would be to find someone within that salary range, he took that opinion to heart and he also took the opportunity to speak with Mr. Fonseca.

Mayor Garcia commented that Council is not telling Mr. Fonseca to spend the full amount of his budget. The funds that are not being used are going back to replenish a surplus that needs to be replenished because the City is still not sound when it comes to infrastructure or capital improvements.

Mayor Garcia asked Councilman Bain if he was considering reducing the millage rate and Councilman Bain replied that he was asking for Vice Mayor Windrem's opinion since he was not present at the last meeting.

Councilman Bain said that he believes Council received Vice Mayor Windrem's opinion on the \$17,000 for the Public Works Department and Vice Mayor Windrem responded affirmatively.

Councilman Bain stated that all of the Departments worked hard to come up with 3% reductions in their budgets.

Councilman Bain asked what is the total amount of funds that were reduced by the Departments and Mr. Alonso replied that the total amount was \$400,000.

Mayor Garcia said that he wanted to consider all of the hard work that Departments did beforehand and the budget that Staff presented to Council originally which considered cuts already.

Discussions ensued regarding the salary for the Assistant IT Director.

Councilman Petralanda stated that he asked Mr. Fonseca if he could find someone with a salary of \$50,000 and he replied in agreement.

Councilman Lob commented that the requirements that the City is asking for the position are not requirements that someone who just finished school will be able to do. Those requirements come with experience in the field and are critical to the City's needs.

City Manager Gorland explained that he implemented the IT Department and Mr. Fonseca was selected for the first full-time position. He has worked a great deal with IT people and the position that is being discussed would probably be a \$49,000 salary job. The exception is the Police Department due to highly sensitive systems and if Mr. Fonseca can find someone below the salary then he will do it.

To answer Councilman Petralanda's question, the prior employee's salary was \$54,000 after approximately four years of employment.

City Manager Gorland commented that there were no pay raises or cost of living increases in the period of time that the employee was in the position.

Chief of Police Baan explained that this position is extremely complicated and the security issues are a big deal with the Police Department.

Council agreed to keep \$54,000 in the IT Department budget for the Assistant Director.

Vice Mayor Windrem asked if the CMI discussion could be deferred to another meeting so that Councilman Bain can receive the information he requested and City Manager Gorland replied that the Administration would obtain the information that was requested as quickly as possible and bring it back to Council.

Vice Mayor Windrem suggested allocating \$35,000 for CMI, but condition it upon the information that CMI provides to Council.

Mayor Garcia said that the CMI request could be an open item at the next meeting.

Councilman Lob stated that he may want to keep \$35,000 out of the budget and suggested taking it from the surplus, if needed, conditioned upon the information that is presented to Council at a later date.

Mayor Garcia would ask that the funds be placed in the budget from now until the next meeting and if Council does not receive sufficient information, changes can be made at that time.

City Attorney Seiden asked what information Council is looking for from CMI and Councilman Lob replied that Council wants to know what the money is going to be spent on.

Mayor Garcia stated that CMI already provided that information.

City Attorney Seiden said that he believes all of the information is already in front of Council. The only question that Council may have is in regard to the \$5,000 for the beams and whether the work is going to be warranted or not.

Mayor Garcia commented that Mr. Wheeler explained at the last meeting that he was trying to expedite the replacement of the beams before he found out whether it would be covered under warranty.

City Attorney Seiden explained that the beams Mr. Wheeler was talking about were the beams that were removed because they were falling down.

Mayor Garcia said that the other beams need to be replaced also.

City Attorney Seiden stated that the replacement of all of the beams will not be done with \$5,000. He believes that the \$5,000 that was earmarked was just for the beams that were removed. The rest of the issue is a warranty issue that the City will have to deal with separately. He believes that Mr. Wheeler would like to replace the beams in order to be able to promote the Mansion and make it look better.

City Attorney Seiden asked that Council make a motion on every item that was discussed tonight. He asked for clarification on the decisions that had been made so far.

Council agreed to remove \$17,000 from the tree planting budget.

Council agreed to keep \$54,000 budgeted in the IT Department budget for the Assistant position.

City Manager Gorland commented that he has spoken to each Council member and they each have different questions for CMI. He believes that Council wants more detail regarding the broad classifications that were given to Council in a letter requesting \$10,000 and \$25,000.

City Manager Gorland read the following from the letter from CMI:

- Income from operations - \$78,400
- Historic Tax Credit funding - \$108,500
- Improvements to Property - \$35,000
- Property Maintenance in Operations - \$51,000
- Management - \$50,000
- Marketing - \$22,000

City Manager Gorland noted that there were no details behind those numbers.

To answer City Attorney Seiden's question, Mr. Alonso stated that the numbers are CMI's financial summary for their fiscal year ending on June 30th. The City is expected to get the audited financials by the end of September.

Councilman Bain said that CMI is asking for \$10,000 for this budget.

City Attorney Seiden asked if the details were provided for the \$10,000 and Councilman Bain replied in agreement.

Councilman Lob stated that there is \$25,000 that CMI is requesting and Council does not have the details for that amount.

Mayor Garcia clarified that the details were provided for the \$25,000. CMI said that they needed the \$25,000 for next year's budget because they were going to be short. If someone would like more detail they should ask for it.

Councilman Petralanda said that in an e-mail from Mr. Wheeler it noted that there was \$50,000 for events. He would like to have a breakdown for the different type of events.

To answer the Mayor's question, Councilman Petralanda said that he would feel more comfortable putting the funds in at a later time, once Council receives more detail. He would like to reduce the budget.

Councilman Lob stated that he would like to discuss the \$110,000 that the Administration has asked Council for, before they make a decision on CMI. There is \$200,000 to compensate for the shortfall and \$100,000 to put in reserves. Council has come up with \$190,000 and he would like to know where the rest of the funding is going to come from.

Mayor Garcia clarified that the City would like to put the \$200,000 back that the County had miscalculated but the City is still over the required minimum amount in reserves.

Councilman Lob commented that it has been said before, that if the City taps into the emergency funds, the City must show how they are going to bring that money back in and he would rather not get to that point.

Councilman Petralanda agreed with Councilman Lob in wanting to look at all the funds before making the decision on CMI.

Mayor Garcia stated that the City does not have to come up with the \$200,000 to cover the ad valorem shortage. Now that Council sees that there is an infrastructure problem within the City, Council needs to start putting more funds into the reserve.

Councilman Petralanda said that he would rather put \$30,000 into the reserves instead of giving the funds to CMI.

Mayor Garcia reiterated that the budget process has not included direct consideration to potential significant needs of the pool, DERM golf course requirements, commercial redevelopment, or the \$35,000 funding for CMI.

Mayor Garcia explained that Staff would like to put \$500,000 back into the reserves and so would Council, but they need to be realistic. The funds will be put into the reserves and other people will come back to Council and he is going to advise those people that if Council did not put it in the budget, they are in no financial position to be giving money back to them.

City Manager Gorland read the CMI request as follows:

"It is unclear at this time how CMI will bridge the gap until full event rentals can fully fund all expenses. The board has authorized the director to make requests of three sources. City of Miami Springs requested the City providing for funding of the CMI operations expenses in a minimum amount of \$25,000 in the coming fiscal year and contribute from their current fiscal year \$10,000. They will also be going to Miami-Dade County seeking the same levels of funding from cultural budgets of the County. CMI Board members are being asked to contribute financially in addition to their donations of time and professional service. They also have the task of approaching friends, family, and business associates."

Mayor Garcia said that down the road, if CMI fails and it is in part of Council's lack of putting in \$25,000, he does not want to be a part of that issue. He believes that CMI will continue to fundraise, but if Council can put funds in the budget and CMI needs the funds then that is a smarter business move to make rather than having to take funds from the reserves.

Vice Mayor Windrem commented that he is in favor of budgeting \$35,000 for CMI because that is what they need and hopefully Council will get good news down the road.

Vice Mayor Windrem stated that Council can borrow funds and take from reserves but that means that they did not do their homework. Council should budget for what it will cost to run the City and provide a level of service. As far as \$35,000 for CMI, he would like to include the funds in the budget.

Vice Mayor Windrem moved to leave the funding in the budget for CMI. Councilman Lob seconded the motion which was carried 3-2 on roll call vote with Councilman Bain and Councilman Petralanda casting the dissenting votes.

Mr. Alonso advised Council that the current surplus is \$172,000 at a millage rate of 7.6995.

The Mayor asked if anyone had any suggestions for reducing the budget by eliminating requests that are not necessary and there were no responses.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Hurricane Preparation

City Manager Ronald K. Gorland reminded Council, employees and residents that September is the peak month for hurricanes. He urged everyone to be prepared and please do not take the matter lightly since storms do not take long to brew.

Sports Sign-ups

City Manager Gorland announced that this is the season for sport sign-ups. He urged residents to check the City website for further information.

Grants

City Manager Gorland reported that the City had received grants totaling more than \$700,000 and there is another \$120,000 grant that is pending. The Westward Drive median project accounts for most of the funds, as well as the Prince Field lighting project. There is also a grant for re-lighting at Stafford Park.

Mayor Garcia asked that Council be provided with an estimate of how much money will be saved as a result of the new park lighting.

12C) City Council

Wall of Fame

Councilman Bain announced that Doug Orr is the first nomination for the Community Center's Wall of Fame. He will present the information to the City Clerk so that it will go through the process. He offered to speak at the Recreation Commission meeting when the nomination is considered.

Florida League of Cities

Councilman Petralanda thanked Mayor Garcia for accompanying him to the Florida League of Cities conference that was very educational. He gave credit to the Mayor for making it a successful trip.

School Board Member

Councilman Petralanda informed Council that District 5 School Board member Susie Castillo will be present at the Education Advisory Board meeting on Tuesday, September 17th. He invited the local school principals and all have confirmed their attendance except for Springview Elementary and the AIE Charter School. He urged everyone to attend.

Archery Club

Councilman Lob hopes that everyone comes to the Archery Club grand opening at the Golf Course on Saturday, September 7th.

Florida League of Cities

Vice Mayor Windrem thanked Mayor Garcia and Councilman Petralanda for accompanying him to the Florida League of Cities Conference that was very educational and opened the doors for great opportunities.

Golf Tournament

Vice Mayor Windrem reported that he is working with the City Manager and Golf Director in an attempt to bring a golf tournament to town, possibly with the National Football League (NFL) through contacts he made during the trip to the Florida League of Cities Conference. His trip to the conference was followed by a five-day vacation and he is very happy to be back.

Archery Club

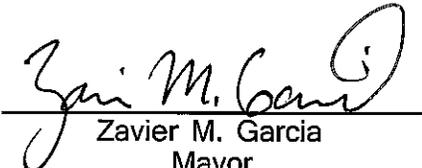
Mayor Garcia commented that the Archery Club is a great program and he continues to see new programs evolve in the City that do not cost the City to operate or maintain. These programs and their volunteers add to the quality of life for the residents and he is working with the City Manager to find a way to thank them for their service to the City.

Hialeah Park and Casino

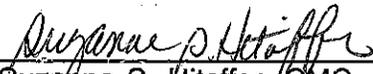
Mayor Garcia announced that the Hialeah Park and Casino is holding their grand re-opening on Friday, August 30th. He is happy to see that the City Council is attending. The local hotels have reservations for this weekend since people are coming to town to attend the event. He congratulated the Brunetti Family on the re-dedication of the Hialeah Park and Casino.

13. Adjournment

There being no further business to be discussed the meeting was adjourned at 9:14 p.m.


Zavier M. Garcia
Mayor

ATTEST:


Suzanne S. Hitaffer, CMC
Acting City Clerk



Approved as written during meeting of: 10-14-2013

Transcription assistance provided by Elora R. Sakal.

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