



City of Miami Springs, Florida
City Council Meeting

Regular Meeting Minutes
Monday, August 11, 2014, 7:00 p.m.

Council Chambers at City Hall
201 Westward Drive, Miami Springs, Florida

1. Call to Order/Roll Call: The meeting was called to order by the Mayor at 7:05 p.m.
Present were the following:

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

City Manager Ronald K. Gorland
Assistant City Manager/Finance Director William Alonso
City Attorney Jan K. Seiden
Police Captain Jonathan Kahn
Building & Code Compliance Director H. "Tex" Ziadie
City Clerk Erika Gonzalez-Santamaria

2. Invocation: Offered by Councilman Bain.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

A) August Yard of the Month – 560 Quail Avenue – Herman J. & Marilyn Steffen

Herman and Marilyn Steffen were not present to receive the award.

4. Open Forum: The following members of the public addressed the City Council:
Beatrix Obermann, 449 Swallow Drive, Rodolfo Hernandez of Star Babies Learning Center,
77 Hook Square, Jim Watson, Miami Springs Historical Society, and Lindsey Baker,
Executive Director of the Laurel Historical Society, Laurel, Maryland.

5. Approval of Council Minutes:

- A) June 23, 2014 – Regular Meeting
- B) July 2, 2014 – Special Meeting
- C) July 24, 2014 – Special Meeting

Minutes of the June 23, 2014 Regular meeting, July 2, 2014 Special meeting and July 24,

2014 Special meeting were approved as written.

Councilman Bain moved to approve 5A, 5B and 5C. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

6. Reports from Boards & Commissions: None at this time.

7. Public Hearings:

A) Ordinance – Second Reading – An Ordinance Of The City Council Of The City Of Miami Springs Amending Code Of Ordinance Section 150-015, Parking Of Commercial Vehicles In City Limits, To Update And Clarify Which Commercial Vehicles May Or May Not Be Parked In The Residential, Multi-Family Residential, Business, And Commercial Zoning Districts Of The City; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

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

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

City Manager Ronald K. Gorland read a written statement into the record from Donna Hernandez regarding the commercial vehicle ordinance.

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

Councilman Bain moved to approve the ordinance as read. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, and Mayor Garcia voting Yes, and Councilman Petralanda voting No.

B) Ordinance – Second Reading – An Ordinance Of The City Council Of The City Of Miami Springs Creating Code Of Ordinance Section 103.02, Regulations Against Squatting; Providing Definitions; Prohibiting Squatting; Creating Duty To Prevent Squatting; Establishing Penalties; Providing Authority To Remove Squatters And File Liens; Delineating A Notice And Hearing Process; Creating A Presumption Of Squatting; Providing Cumulative Remedies; Establishing Immunizations Of City Officers And Staff; Severability; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Directions To Codifiers; Effective Date

City Attorney Seiden read the title of the ordinance.

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

Vice Mayor Lob moved to pull the item until the next Council meeting.

After discussion, **Vice Mayor Lob withdrew his motion.**

Councilman Bain moved to approve the ordinance as proposed. Vice Mayor Lob seconded the motion.

Nery Owens of 169 Corydon Drive came forward to speak on the proposed ordinance.

The motion was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

8. Consent Agenda: (Funded and/or Budgeted)

A) Approval of City Attorney's Invoice for July 2014 in the Amount of \$12,433.50 as Funds were approved in the FY 13/14 Budget

B) Recommendation by Golf that Council award a Bid to Florida Superior Sand, utilizing Miami Dade County Bid # 9408-1/14-1, in the amount of \$26,000 for medium grade sand as funds were approved in the FY13/14 Budget, pursuant to Section §31.11 (E)(5) of the City Code

C) Recommendation by Golf that Council approve an expenditure to Titleist, as a sole source provider, in the amount of \$ 10,000.00 for merchandise as funds were approved in the FY13/14 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

D) Recommendation by Golf that Council approve an expenditure to RLJ Services, as a sole source provider , in the amount of \$5,000.00, for fertilizing and topdressing the tees and fairways as funds were approved in the FY13/14 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

E) Recommendation by Golf that Council approve an expenditure to Hector Turf, as a sole source provider , in the amount of \$2,000.00, for parts needed to make repairs on Toro equipment as funds were approved in the FY13/14 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

F) Recommendation by Golf that Council award a Bid to Howard's Fertilizer and Chemical, utilizing Town of Davie Bid # B-12-34-3, in the amount of \$3,500 for pre-emergent fertilizers as funds were approved in the FY13/14 Budget, pursuant to Section §31.11 (E)(5) of the City Code

G) Recommendation by Public Works that Council waive the competitive bid process and approve an expenditure to Vector Fleet Management for fleet maintenance services for \$193,603.00, pursuant to Section §31.11 (E)(6)(g) of the City Code and pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

H) Public Works requests Council approve a change order to increase PO 140454, to Wrangler Construction in the amount of \$2,170.95, for DERM required modifications of two storm water catch basins for the Plover alley drainage project. Council

approved \$49,465.00, January 27, 2014. Funds were approved in the FY 13/14 Budget, pursuant to Section §31.11 (F)(11)(b) of the City Code

I) Recommendation by Public Works that Council Award a Bid to Wrangler Construction, utilizing Miami Dade County RPQ # 20130171, in the amount of \$41,760.00, for the repair of damaged curbing and sidewalk on main circle, pursuant to Section §31.11 (E) (5) of the City Code

J) Recommendation by Public Works that Council award a bid to Wrangler Construction, utilizing Miami Dade County RPQ # 20130171, in the amount of \$16,016.00, for repair of roadway damage on the main traffic circle, pursuant to Section §31.11 (E) (5) of the City Code

K) Recommendation by Public Works that Council award a bid to Metro Express, utilizing Miami Dade County contract # 20130244, in the amount of \$170,050.00, for Mokena Drive stormwater project, pursuant to Section §31.11 (E)(5) of the City Code. Funds available in the stormwater fund.

L) Recommendation by Building and Code Compliance that Council waive the competitive bid process and approve an expenditure to Angel M. Alvarez, on an "as needed basis" in the amount of \$8,000, for Roofing Plan Reviews, and roofing and building inspections as funds were approved in the FY 13/14 Budget, pursuant to Section §31.11 (E)(6)(g) of the City Code

Councilman Windrem moved to approve the consent agenda. Vice Mayor Lob seconded the motion.

In response to a question that was raised by Councilman Bain regarding items 8B, 8C, 8D, 8E and 8F, Finance Director Alonso clarified that the funds would be spent before the end of the fiscal year.

The motion was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

9. Old Business:

A) Presentation by Bermello Ajamil & Partners (B&A) on their updated floor concept for the Aquatic Facility

Project Manager Jorge Ferrer of Bermello Ajamil & Partners presented an update on what had transpired since the previous meeting when Council approved Concept No. 2. A PowerPoint presentation was made showing the latest master plan with an option for two single-story buildings connected by a breezeway and a walkway between the community center and the pool facility. The proposed pool building is located east to west facing the parking lot and community center, with one main point of control into the facility.

Mr. Ferrer explained that costs were reduced since the new proposal eliminates the stairs, elevator and observation deck; there is an overall reduction of 4,000 square feet. Documentation was submitted to the cost estimator who is evaluating the scheme and the cost results should be ready next week. The intent is to allow more flexibility in making future decisions for the pool.

Mr. Ferrer indicated that B&A would complete their work in September; the RFP could be issued in October, the contract signed in December, and the ground breaking in January.

10. New Business:

A) Resolution – A Resolution Of The City Council Of The City Of Miami Springs Providing For The Fourth Budget Amendment To The FY 2013-2014 Budget; By Increasing The Fund Balance And Recreation And Culture Budgets Of The General Fund; Recording The Con Edison Energy Conservation Project, Aquatic Facility Project Consultants Contracts And Costs Associated With The Aquatic Facility Project In The Capital Projects Budget Of The Special Revenue And Capital Projects Fund; Providing Intent; Specifying Compliance With Budgetary Processes And Procedures; Effective Date

City Attorney Seiden read the title of the resolution.

Vice Mayor Lob moved to approve. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

B) Discussion concerning in-house processing of M-DC Traffic Engineering requests Ludlam Road - Linwood Intersection Parking Issue resulting in M-DC Traffic Division Involvement

The agenda item was requested by Councilman Bain who explained that the issue had been resolved and the City Manager now has measures in place to handle future requests involving M-DC Traffic Engineering.

City Attorney Seiden suggested that the City Manager send a letter to Dr. Shen at Miami-Dade County Public Works and request that they notify the Administration of any projects planned in the City. He added that an official resolution could be adopted if the City does not receive a response to the request.

By consensus, Council requested the City Manager to write a letter to the County, as suggested by the City Attorney.

C) Curtiss Mansion Inc. (CMI) Proposed Agreement Amendment - Increase City usage to 15 times a year and include local schools and other non-profits

The agenda item was submitted by Councilman Petralanda who said he would like CMI to allow more uses of the Mansion and to include non-profit organizations and local schools who would like to use the facility. He feels that this proposal would benefit CMI by promoting the rental of Mansion for other events.

CMI President Jo Ellen Morgan Phillips of 372 DeLeon Drive explained in detail the efforts of CMI and the many activities that take place during the year at the Curtiss Mansion. She announced there are many upcoming events planned and bookings extend into 2016. CMI has hosted many visitors at the Mansion, including local, state and county dignitaries.

Ms. Morgan Phillips acknowledged CMI's volunteers who assist with tours of the Mansion and are the caretakers of the grounds. She explained CMI had been honored with annual rewards from Dade Heritage Trust and Miami-Dade County Historic Preservation Board.

Councilman Petralanda asked to amend the contract with CMI to increase the number of annual events from seven to fifteen in order to allow use by the local schools.

City Attorney Seiden clarified that there could only be two parties to the agreement with CMI because of the historic tax credit transaction and any additional requests would have to be vetted by the City.

No action was taken regarding this item.

11. Other Business:

A) Presentation – PACE South Florida and Clean Green Energy Corridor program by Rafael Perez (*Item was deferred to August 25, 2014 Council Meeting*)

B) Aquatic Facility Financing Options

Nery Owens of 169 Corydon came forward to speak on the item.

City Attorney Seiden stated that Council is being asked for conceptual approval dealing with delaying the closing of the loan transaction until all the information is available, which is believed to be around December 15, 2014. The recommended option guarantees a funding source, without having to borrow the funds until further along in the process.

Assistant City Manager/Finance Director Alonso read the memorandum into the record recommending that Council authorize the acceptance of the term sheet from SunTrust Bank for the financing of the aquatic facility project, in an amount up to \$5,660,000. He requested conceptual approval.

Councilman Bain moved to grant conceptual approval to continue moving forward along the same lines as indicated on the term sheet as provided by SunTrust. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote.

The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

Mayor Garcia recessed the meeting at 9:06 p.m. The meeting was reconvened at 9:17 p.m.

C) FY 2013-2014 3rd Quarter Budget Report

Assistant City Manager/Finance Director presented the 3rd quarter interim budget report for FY 2013-2014, indicating that the City is within the budgeted revenues and expenditures and the projection is to maintain a surplus of \$190,000. As of June 30th, the golf course is reporting a year-to-date loss of approximately \$556,000, for a total projected loss of almost \$727,000 due to an increase in the maintenance budget.

D) FY 2014-2015 Budget Update Discussion

The item was deferred.

12. Reports & Recommendations:

A) City Attorney had no report at this time.

B) City Manager reminded everyone that the City was incorporated on August 23, 1926 and will celebrate its 88th Birthday. He announced that the next budget workshop will be held on Monday, August 18th at 6:00 p.m.

C) City Council

Councilman Windrem had nothing to report at this time.

Vice Mayor Lob reported he is moving his daughter to Boston on Friday and he wished everyone a good night.

Councilman Petralanda had nothing to report at this time.

Councilman Bain said that it was a nice meeting; Council moved forward and is making sound decisions. He wished everyone a good evening.

Mayor Garcia said that there are certain groups who are more vocal than others and regardless of the actions that Council takes some people always have a complaint. He has heard a general consensus within the community that people are happy the City is moving forward; even though they would like to reduce taxes, they are happy the funds are being used to improve the City. He mentioned the recent passing of Nohely Pachardo and asked everyone to keep her and her family in their prayers.

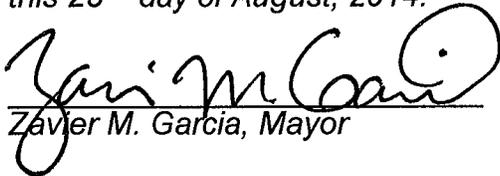
13. Adjournment

There being no further business to be discussed the meeting was adjourned at 9:23 p.m.

Respectfully submitted:


Erika Gonzalez-Santamaria, CMC
City Clerk

*Adopted by the City Council on
this 25th day of August, 2014.*


Xavier M. Garcia, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.