



**AGENDA INFORMATION  
CITY OF MIAMI SPRINGS  
CITY COUNCIL**

**Regular Meeting**

**Monday, March 12, 2012**

**7:00 p.m.**

**Council Chambers – City Hall**

**201 Westward Drive, Miami Springs**

**Mayor Xavier Garcia**

**Vice Mayor Dan Espino**

**Councilman Bob Best**

**Councilman George V. Lob**

**Councilwoman Jennifer Ator**

**City Manager Ronald K. Gorland**

**City Attorney Jan K. Seiden**

**City Clerk Magalí Valls**



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

**Mayor Xavier M. Garcia**

**Vice Mayor Dan Espino**  
**Councilman George V. Lob**

**Councilman Bob Best**  
**Councilwoman Jennifer Ator**

**Decorum:** "Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium".

### **AGENDA** **REGULAR MEETING** **Monday, March 12, 2012 – 7:00 p.m.** **Council Chambers – City Hall** **201 Westward Drive – Miami Springs**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Councilman Best  
  
**Salute to the Flag:** Students from Blessed Trinity Catholic School will lead the audience in the Pledge of Allegiance to the Flag
- 3. Awards & Presentations:** None
- 4. Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins
- 5. Approval of Council Minutes:**
  - A) 02-27-2012 – Regular Meeting

**6. Reports from Boards & Commissions:**

- A) 02-02-2012 – General Employees Retirement System – Minutes
- B) 02-02-2012 – Police and Firefighters Retirement System - Minutes
- C) 02-13-2012 – Recreation Commission – Cancellation Notice
- D) 02-21-2012 – Education Advisory Board – Minutes
- E) 02-28-2012 – Ecology Board - Minutes
- F) 03-06-2012 – Code Enforcement Board – Cancellation Notice
- G) 03-07-2012 – Architectural Review Board – Cancellation Notice
- H) 03-05-2012 – Zoning and Planning Board – Cancellation Notice
- I) 03-05-2012 – Approval of Actions Taken by the Board of Adjustment at their Meeting of March 5, 2012, Subject to the 10-day Appeal Period

**7. Public Hearings:**

- A) Second Reading – Ordinance No. 1032-2012 – An Ordinance of the City Council of the City of Miami Springs Amending the Comprehensive Plan, Based on Updated Data and Analysis, Including Deleting Concurrency Provisions Relating to Transportation, and Recreation and Open Space; Other Amendments to the Text of the Future Land Use, Transportation, Housing, Infrastructure, Conservation, Recreation and Open Space, Intergovernmental Coordination, and Capital Improvements Elements of the 1998 Comprehensive Plan as Amended; to Revise and Update the Existing Goals, Objectives, and Policies in Accordance with the Mandates set forth in Chapter 163, Florida Statutes, Authorizing Transmittal of These Amendments to the South Florida Regional Planning Council, State Land Planning Agency, and Other Applicable Agencies for Review and Comment as Required by Florida Statutes; Providing a Conflicts Clause and Severability Clause, and Providing an Effective Date (First Reading: 12-12-2011, Advertised: 3-2-2012)

**8. Consent Agenda:**

- A) Approval of the City Attorney's Invoice for February 2012 in the Amount of \$12,744.00

**9. Old Business:**

- A) Discussion of Proposed Charter Amendments and Ballot Question Language Regarding Changes to the City Election Procedures (Continued from 2-27-12 Meeting)
- B) Appointments to Advisory Boards by the Mayor and Council Members

**9. Old Business: (Continued)**

- C) Authorization for Renovation and Redevelopment of Former Pilot House Restaurant and Bar Pursuant to Code of Ordinance Section 150-164
- D) Recommendation that Council Approve Additional Funding in the Amount of \$3,440.00 for Referee Fees, as Requested by the Miami Springs/Virginia Gardens Soccer Club (Tabled: 2-27-2012)
- E) Funding Request from Otto Camejo – Miami Springs Little League

**10. New Business:**

- A) Education Advisory Board Recommendation Regarding Letters to Students Recognizing Exemplary Citizenship
- B) Consideration of Proposed Retainer Agreement from Weiss Serota Pastoriza Cole & Boniske, P. L. for Preparation of Adult Use Regulations
- C) Proposal Regarding Use of the Miami Springs Golf Course Owned Parking Lot Property that Adjoins 627 Eldron Drive (Previously Dr. James Clinic)
- D) Recommendation that Council Approve a Bid to Maroone Dodge of Pembroke Pines, Utilizing Florida Sheriffs Association Bid Award Announcement # 11-19-0907, in the Amount of \$46,968.00, for Two 2012 Dodge Charger Patrol Vehicles, Pursuant to Section 31.11 (E) (5) of the City Code and \$9,209.76 to Various Vendors, as Provided in Section 31.11 (C) (2) of the City Code
- E) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount not to Exceed \$4,500.00 to Foot-Joy for Purchase of Items for Resale in the Pro Shop, pursuant to Section 31.11 (E) (6) (g) of the City Code.
- F) Recommendation that Council Approve a Proposed Budget Amendment to Fund the New Finance-Professional Services Division Through the End of the Current Fiscal Year, as Well as Approval of the Funding for the Printing and Distribution of a Proposed Quarterly Newsletter and Monthly Fact Sheets

**10. New Business: (Continued)**

- G) Resolution No. 2012-3538 – A Resolution of the City Council of the City of Miami Springs Authorizing the City to Apply for, and Accept, if Awarded, a \$10,000 2012 Urban and Community Forestry Grant with the State of Florida on an Equal Matching Amount Basis, Directing the Proper Officers and Officials of the City to Execute the Grant Memorandum of Agreement with the State of Florida, Department of Agriculture and Consumer Services, Division of Forestry; Effective Date
- H) Ecology Board Recommendation Regarding a Statement they Want Added to the Special Events Application Stating that Supplying Recycling Containers is Mandatory at all Events

**11. Other Business:**

- A) Vote of Confidence for the City Attorney as Required by Section 8.01 (1) of the City Charter
- B) Vote of Confidence for the City Clerk as Required by Section 8.01 (1) of the City Charter

**12. Reports & Recommendations:**

- A) City Attorney
- B) City Manager
- C) City Council

**13. Adjourn**

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 If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.  
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In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than (7) days prior to the proceeding.  
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Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.  
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**DRAFT**

## *City of Miami Springs, Florida*

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, February 27, 2012, at 7:00 p.m.

### **1. Call to Order/Roll Call**

The meeting was called to order at 7:03 p.m.

The following were present:

Mayor Xavier M. Garcia  
Vice Mayor Dan Espino  
Councilwoman Jennifer Ator (arrived at 7:31 p.m.)  
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  
Golf Director Michael W. Aldridge  
Golf Superintendent Sandy Pell  
Recreation Director Omar L. Luna  
Public Works Director Robert Williams  
Public Works Administrative Assistant Aly Paz  
Building & Zoning Office Supervisor Harold "Tex" Ziadie  
Deputy City Clerk Suzanne Hitaffer

### **2. Invocation:** Mayor Garcia offered the invocation.

**Salute to the Flag:** Students from Miami Springs Middle School led the audience in the Pledge of Allegiance to the Flag.

Mayor Garcia presented baseball caps to the students who participated in "I Led the Pledge".

**3. Awards & Presentations:** (Agenda Item 3A was presented after Open Forum)

**3A) Presentation from the Student Working Against Tobacco (SWAT) Organization**

Rochelle Theodore of 6950 N.W. 186<sup>th</sup> Street, coordinator with Students Working Against Tobacco (SWAT) introduced the students who were going to make a presentation to Council.

Catherine Fuentes of Westland Hialeah High School read information regarding candy flavored tobacco products that targets new users, the majority of which are kids. She said that candy flavored cigarettes are banned in the United States, but deadly tobacco products are still sold that are packed with candy and fruit flavors that attract youth. They want to prevent use from the beginning by removing them from the shelves.

To answer Mayor Garcia's question, Ms. Theodore replied that the students have gone to Council meetings in other cities, including Hialeah, Bal Harbour and Sunny Isles Beach.

Mayor Garcia asked Ms. Theodore to provide a copy of a resolution that was adopted by the City of Hialeah so that Council can consider adopting a similar resolution in Miami Springs.

**3B) Community Service Presentation – Rebecca Shultz**

Rebecca Shultz of 100 Sunset Way asked Council for permission to go forward with her Miami Springs Tot-Lot restoration project to repaint the names on the wood pickets and other painted objects in the park to make it more visually appealing for the children who use the park.

Ms. Shultz, through a PowerPoint presentation, showed what would be restored inside the park. She explained that she would ask Home Depot, Lowe's, Village Hardware and local businesses for donations of paint and materials, as well as using her own funds to pay for some of the expenses.

Mayor Garcia asked Ms. Shultz to speak with the City Manager regarding the project and advised her that she has Council's approval. He noted that the Schultz family is very involved in community projects.

City Manager Gorland said that the Administration would also help in any way they can and they are grateful that Ms. Schultz is willing to do the project.

#### **4. Open Forum:**

##### **Funding Request**

Liset Icaza, Teacher at Miami Springs Senior High School, explained that some students who are members of the Health Occupation Students of America (HOSA) are going to a competition in Jacksonville on March 29<sup>th</sup> through April 1<sup>st</sup> and they are in the process of fundraising to help pay for hotel accommodations and the registration. She noted that 26 students are attending the competition and they will be chaperoned by three parents.

Ms. Icaza mentioned that the students have done community awareness projects and they presented samples of their portfolios that will be taken to the state competition. She requested support from the community and the City Council in helping to finance the trip. She added that they are currently holding bake sales, a garage sale was held last weekend and they are fundraising at a school event on Saturday, March 3<sup>rd</sup>. She reiterated that they would appreciate any possible support in raising \$3,354.00 for the hotel accommodations.

Cesar Castillo of 831 S. E. 7<sup>th</sup> Place, Hialeah, explained that Health Occupation Students of America (HOSA) are future doctors that will be saving lives and his team is the stroke awareness team. He stated that his team's job was to give awareness throughout Miami-Dade County about strokes and how to prevent them. He asked for the support of the community in order to take the project to the state level.

Mayor Garcia asked Ms. Icaza to contact the City Clerk's office with the information regarding the group and hopefully they can reach out to community and business partners in the City. He asked that she put together a letter requesting sponsorship that could be distributed to some of the City's contacts to see if they would be willing to help.

##### **Little League Request**

Little League President Otto Camejo, of 751 Wren Avenue discussed a recent e-mail in regard to funding not being granted for this year's Little League Opening Day activities. He distributed a copy of a "wish list" of improvements and associated funding that would help to make the League better.

Mayor Garcia stated that Council cannot discuss the topic because it is not an agenda item.

Mr. Camejo asked if field requests by the different youth leagues could be added to the agenda. He expressed his concern with not having field space and requested to use Stafford Park during baseball season from mid-February to July 31<sup>st</sup>, Monday through Thursday, from 6:00-9:00 p.m. and all day Saturday for games.

Mayor Garcia asked Mr. Camejo to contact the Recreation Director so that his request could be considered as an agenda item. He explained that all the information is needed in order to make a decision and he feels that the request is definitely worthy of consideration.

Vice Mayor Espino commented that an item on tonight's agenda included a request to allocate funds for additional soccer referees. He asked if it would be appropriate to consider Mr. Camejo's request regarding an increase for umpire rates.

City Attorney Seiden stated that Council can deal with the items that are on the agenda and what is not on the agenda should be properly noticed before consideration at another time.

Vice Mayor Espino said that he would like to consider the allocation of referee funds for soccer and baseball and City Attorney Seiden asked to wait until the item is considered.

### **Alcoholic Beverage Request**

Helen Lawrence of 641 Nightingale Avenue referred to Agenda Item 10D recommending that Council approve a request from Curtiss Mansion, Inc. to serve alcoholic beverages. She believes that the alcohol limit should be restricted to three drinks per person and asked that Council take her suggestion into consideration.

\*Councilwoman Ator arrived at this time.

### **5. Approval of Council Minutes:**

#### **5A) 02-13-2012 – Regular Meeting**

Minutes of the February 13, 2012 Regular Meeting were approved as written.

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

### **6. Reports from Boards & Commissions:**

#### **6A) 02-08-2012 – Golf and Country Club Advisory Board – Minutes**

Minutes of the February 8, 2012 Golf and Country Club Advisory Board meeting were received for information without comment.

#### **6B) 02-09-2012 – Board of Parks and Parkways – Minutes**

Minutes of the February 9, 2012 Board of Parks and Parkways meeting were received for information without comment.

**6C) 02-14-2012 – Recreation Commission – Cancellation Notice**

Cancellation Notice of the February 14, 2012 Recreation Commission meeting was received for information without comment.

**6D) 02-16-2012 – Historic Preservation Board – Minutes**

Minutes of the February 16, 2012 Historic Preservation Board meeting were received for information without comment.

**6E) 02-20-2012 – Revitalization and Redevelopment Ad-Hoc Committee – Minutes**

Minutes of the February 20, 2012 Revitalization and Redevelopment Ad-Hoc Committee meeting were received for information without comment.

**6F) 02-23-2012 – Code Review Board – Cancellation Notice**

Cancellation Notice of the February 23, 2012 Code Review Board was received for information without comment.

7. **Public Hearings:** None.

8. **Consent Agenda:** None.

9. **Old Business:**

**9A) Discussion Regarding the Marketing of the Golf Course; Presentation from Luis Sardina from the Greater Miami Visitors Bureau**

City Manager Ronald K. Gorland read the agenda item as follows:

*“We have done the following marketing to promote golf rounds:*

- 1. Continued advertisement in local River Cities Gazette weekly.*
- 2. Continued advertisement in the Miami Herald Neighbor’s Sunday section for promoting our Senior weekday special in the Sport section of the Miami Herald and Nuevo Herald for 5 consecutive Saturdays.*

3. *Registered PGA 2012 Winter Golf Pass October 1, 2011 - April 30, 2012.*
4. *Created a database with emails and golfers' place of residence with Groupon and Living Social patrons and also sent over 800 emails to golfers personally thanking them for playing the course and inviting them to play again.*
5. *Advertise half page ad in Le Soleil French newspaper (12 issues) two times per month. Distributed and posted over 1000 French flyers at frequented Canadian locations Hallandale, Hollywood and Sunny Isles. Placed annual advertisement in French Canadian travel guide "Access Florida".*
6. *Met with Johnny Laponzina owner of Premier Card and joined the South Florida Canadian Golf Pass and obtained an email database of 4000 Canadian golfers' emails.*
7. *Advertised in Greater Miami Visitor's Bureau in Vacation Planner, Travel Planners placed in Miami/South Beach hotels with Video scoreboard of golf course, scorecards with touch screens located on concierge desks and hotels lobbies. Submitting ad for photo of the day on [SocialMedia@GMCVB.com](mailto:SocialMedia@GMCVB.com).*
8. *We are using internet tee time services through Golf.Now.com which is owned and operated through the golf channel and Tee Time USA.*
9. *We have placed fish bowl on counter in pro shop to collect business cards with a monthly drawing of greens fees and carts. Golfers can visit [Miamispringsgolfcourse.com](http://Miamispringsgolfcourse.com) to look up monthly winners. This will also assist with obtaining additional emails.*
10. *Joined Latin Business Club of America with a quarter page ad in four magazine issues and ads online magazines. Exhibitor tables at six networking events of our choice with four quarterly ads on their online e-newsletter.*

Luis Sardina from the Greater Miami Convention and Visitors Bureau distributed a Travel Planner, a Visitors Guide and a Vacation Planner to Council. He stated that this effort saturates tourism into Miami. The idea is to promote golf to the City of Miami and to the Miami Springs Golf Course. Last year an agreement was made with Miami Springs Golf Course based on a rate negotiated by Golf Superintendent Sandy Pell.

Mr. Sardina said that the Travel Planner is what the City of Miami uses as an industry piece with travel and tour group operators who are already sending many people into Miami in groups. The people who receive the magazine are travel planners and coordinators for those groups that already have called the Greater Miami Convention and Visitors Bureau. The Vacation Planner is what the City uses to sell itself globally. He noted that it is also what is mailed out in response to radio TV or print.

Mr. Sardina explained that Miami Springs Golf Course is listed under the tee off section for golf. The Visitors Guide is in over 160 hotel rooms including the Ritz Carlton and Best Western. He stated that they have also engaged in digital media which is interactive and provides information for exactly what the person is looking for. Mr. Sardina presented a PowerPoint presentation regarding the digital media kiosk.

Golf Director Aldridge commented that he would attend Council meetings every three to four months to advise Council of what is being done to market the Golf Course.

Councilman Lob asked if the digital media is in any of the hotels on 36<sup>th</sup> Street and Councilwoman Ator replied that she has seen one at the Hilton.

Mr. Sardina added that guests can also scan the kiosk with a mobile device that is compatible with the barcode scanner to use the program on their mobile device.

Councilman Best asked if the system has been in existence long enough to take a barometer of how it had assisted or driven the rates up on other golf courses and Mr. Sardina responded that it has not been in existence long enough but eventually they will be able to track the digital media.

Councilman Best asked how long the digital media kiosk has been in service and Mr. Sardina replied that he has been doing the digital media for ten years.

Golf Director Aldridge said that he interviews all new guests who come to the front desk and quite a few have mentioned that they have seen the kiosk in the lobbies of hotels. There are not many golf courses on the kiosk and since the price range is lower than the Doral it attracts many guests.

To answer Vice Mayor Espino's question, Golf Director Aldridge replied that he pays \$730.00 a month for the whole package.

Mr. Sardina explained that he normally sells the magazines and video machines separately and he has a different arrangement with the Miami Herald and The Greater Miami Convention Visitors Bureau. He noted that Miami Springs has discounted prices for the half page Visitors Guide and the half page Vacation Planner and Travel Planner is free. The video is also free and was filmed at no charge.

City Manager Gorland commended Golf Superintendent Sandy Pell for the condition of the golf course. He said that the golf course is getting great feedback on the exceptional experience.

Golf Director Aldridge noted that the golf rounds and revenue have increased.

**9B) Recreation Department User Fees Discussion (Deferred: 2-13-2012)**

City Manager Ronald K. Gorland stated that there is a great host of user fees that the City charges and they are reviewed annually for pricing and brought back to Council periodically. He said that there are some ideas for additional user fees and for capital expenditures that would result in pay back in seven years.

Mayor Garcia asked which user fees were new that have not been charged before and Recreation Director Luna replied that they were on the fifth page of the support documentation.

Recreation Director Luna noted that a resolution for user fees was created in 2010, and he added proposed user fees for Council to consider, as well as estimates for new infrastructure like a 20'x 20' shelter that could assist with generating revenue.

Vice Mayor Espino stated that a great number of residents had asked to rent facilities in the community. He found that initial prices seem to be very reasonable and if someone were to go to another park, they would be paying a lot more than what the City would be asking.

Mayor Garcia had a potential issue with renting the entire playground and the equipment.

Recreation Director Luna said that he wanted to include everything as a possibility so the user fees would not have to be revisited again. He has checked with many parks departments and none rent their playgrounds. He wanted to include the rental because it could be an option for Miami Springs to provide that type of service.

Recreation Director Luna believed that there is one City that rents out their playground and they charge a large amount. He personally does not recommend that the City rent out the playgrounds. A staff member would need to be present during the event to ensure that the guest is receiving the exclusivity of the space that they paid for.

Mayor Garcia asked City Attorney Seiden if the City would be required to rent out the playgrounds if it was included in the schedule of fees.

City Attorney Seiden replied that the rental would be subject to the schedule of the Recreation Department and whether or not the playground is available. He stated that it should be differentiated as to whom it can or cannot be rented to and rules and regulations would need to be developed.

City Manager Gorland explained that the only two playgrounds that can be considered for rental are Peavy/Dove and Stafford Park. The Let's Build it Tot-Lot was constructed and donated by a citizens' group and he believes that the City is not in a position to rent it because it would not be in good faith.

Councilman Best agreed that renting of the Tot-Lot would not be a good idea because there would be various events going on and small children might want to go to the playground while their siblings are playing in the various sports activities at the park. He does not believe that it is right to charge someone to use a playground under those circumstances.

Councilwoman Ator does not believe that there is anything wrong with renting out the Tot-Lot playground because the pool is rented for events and that causes more of an impact than losing the playground. She agrees with the Attorney that there should be specific rules and regulations for renting the playgrounds and it is a way to increase income.

Councilman Best does not believe that the City is in such need of revenue that children should be charged to use a playground. He cannot go along with that idea, except in a situation where a mass group plans an event ahead of time.

Mayor Garcia clarified that there is a fee for a large group to rent out the playground in advance exclusively to them. His only issue is if during that time a parent brings their children to play they will not be able to.

City Attorney Seiden commented that it is not like Greynolds Park where it was built for the purpose of renting out.

Vice Mayor Espino said that issues may arise when residents who pay for the park are not able to use the park. He believes that the playgrounds should remain open to everyone and not be rented out.

By consensus, Council **agreed** not to rent out the playgrounds.

Vice Mayor Espino asked how the batting cage rentals worked for the sports teams who use them and if some type of policy will need to be implemented.

Recreation Director Luna replied that all user fees in the resolution will have some type of policy. In regard to the batting cages, if a parent wants to use the batting cage it is opened for their use free of charge. He noted that there had been inquiries about renting the batting cages for a couple of hours and he added this use to the fees in case someone wanted to rent it on a Saturday morning. Otherwise, the use of the batting cage is on a first come, first serve basis.

Councilman Lob suggested that the leagues should have first use of the batting cage and Recreation Director Luna agreed.

To answer Councilwoman Ator's question, Recreation Director Luna clarified that if a public event is being held at the Gazebo that is approved by Council or the City Manager, the fee could be waived. He has received phone calls from persons interested in renting the Circle and the Gazebo for a wedding.

City Manager Gorland commented that there is a fee for weddings and such events. He explained that it is primarily in the interest of safety.

To answer Councilwoman Ator's question, City Manager Gorland clarified that there are user fees for commercial shoots, weddings and things of that nature. There are no fees being waived for churches or others to use the Circle for fundraisers and other events.

City Manager Gorland stated that the proposed user fee is aimed more towards groups who are not paying for it now and could be charged. He said that the River Cities event is an independent event that makes quite a bit of money and at this point there is no fee for the Circle.

Councilman Lob said that the Springs River Festival event was not a good example because the City gives the Committee \$6,000.

City Manager Gorland advised Council that the \$6,000 is used to compensate the Police, Public Works and other miscellaneous services at a direct cost to the City so it becomes a pass through and that is different than charging for the use. This is one area that the City might want to be more specific about charging for under certain conditions.

Councilwoman Ator asked if the \$50.00 for the participation in the 4<sup>th</sup> of July parade was a new fee being proposed and Recreation Director Luna replied affirmatively.

Councilwoman Ator asked if the non-profit organizations that will not be charged for participating in the 4<sup>th</sup> of July parade only included the 501-C-3 organizations.

Recreation Director Luna responded that the proposal is being presented for discussion and he could come back with the exact details. He commented that non-profit organizations would need to provide documentation to show that they are actually not for profit entities.

Councilman Lob asked if the City is going to charge for the Movie Nights on the Circle and City Manager Gorland replied that All Angels is a non-profit organization and would not be charged.

To answer Councilman Best's question, Recreation Director Luna stated that renting the Dog Park might not be possible because of the way that the Dog Park was established and he has had people inquire about dog parties so that is why he included the proposed fee.

Recreation Director Luna explained that one of the quotes he provided is for a 20' x 30' shelter for approximately \$39,283 and the other quote is for a 20' x 20' shelter for approximately \$29,987. The shelter is a pavilion on a concrete pad that could be ready to go with a complete turn key. He noted that he will probably need an additional \$4,000 for tables and minor amenities.

Councilman Lob asked if barbeques were considered for the pavilions.

Recreation Director Luna responded that the pavilions that have the barbeques built into them are costly, but small barbeques can be installed on the side of the pavilions. He said that he has no issue with barbeques as long as there is an awareness of when they are being used so that specific precautions are taken.

Mayor Garcia stated that there had been a lot of requests for rentals and it is something that Mr. Luna could bring back during the budget process.

**9C) Stafford Park Fence Line Tree Beautification Proposal (Deferred: 2-13-2012)**

Recreation Director Omar Luna explained that he and the Public Works Staff drafted the memo that was presented to Council, outlining their proposal for landscaping trees for Stafford Park. Their idea is to implement a program where residents or local business owners could purchase a tree and the City would attach a plaque recognizing the person who donated the tree.

Recreation Director Luna stated that there is some funding in the Public Works budget for tree planting and hopes to get started with eight trees with Council's approval.

Mayor Garcia asked Mr. Luna if he is requesting only \$2,610.00 to plant the eight trees and Mr. Luna replied in agreement.

Councilwoman Ator clarified that Mr. Luna is using funds from the Public Works budget and City Manager Gorland agreed that they are not asking for additional funds.

Councilwoman Ator asked how many other trees have been planted this fiscal year and Mr. Williams responded that they have planted one tree so far on Chippewa Street. He distributed copies of a tree planting list to Council.

Councilwoman Ator asked Mr. Williams to send her the list by e-mail.

**Councilman Best moved to approve. Councilman Lob seconded the motion, which carried 5-0 on roll call vote.**

**9D) Recommendation that Council Approve Additional Funding of \$3,000.00 for Referees for the Miami Springs/Virginia Gardens Soccer Club**

City Manager Ronald K. Gorland read the letter from the Village of Virginia Gardens:

*"Our actual FY2011/2012 budget for referees for the Miami Springs/Virginia Gardens Soccer Club was \$7,000.00. We compiled an average from FY 2009/2010 and FY 2010/2011 to come up with dollar amount budgeted. This year registration has increased and the program has more participants, therefore, we have had an increase in games played. The program has ten (10) more teams, which leads to about an average of an additional thirty (30) more games".*

City Manager Gorland said that in the past the City had paid a certain amount for referees. This particular request is because it is a relatively new program and there was no certainty of how large it would grow or how many post season games would be played. The estimate that was determined for the budget process was short \$3,000.

City Manager Gorland stated that he spoke with Virginia Gardens Mayor Spencer Deno regarding joint budgeting for the programs in the future. He will begin working with Mayor Deno in June to determine the costs to run a soccer program, including the detailed expenses and revenues.

**Councilman Lob moved to approve. Councilman Best seconded the motion.**

Councilwoman Ator mentioned that she spoke with the City Manager regarding this topic and he was going to ask Mr. Carter to come to the Council Meeting to answer questions, but he is not present.

City Manager Gorland stated that he did request Mr. Carter's presence but the notice was too short.

Councilwoman Ator commented that she has a difficult time approving items such as this when she does not have all of the information. In addition, she said that this request comes on the heels of a request for funds for a banquet. She felt that the request for additional funds for referees without any back up or any explanation is simply another way to receive the funds that they asked for the banquet and did not receive.

Councilman Best asked City Manager Gorland if there were enough members from the Town of Medley to include them in the discussions and if it were possible that they would infuse funds into this request.

City Manager Gorland replied that the City had worked with the Town of Medley in the past. The City offered use of the swimming pool to them and he was uncertain if they were charged or not. He offered to speak with the Town of Medley officials to find out.

Councilman Lob explained that the City compensates the referee fees based on a paper that is handed in by a coach that has paid for the referee. He clarified that the approximate \$3,000 is based on whether there are more or less games and on how far the teams advance in certain tournaments.

Mayor Garcia noted that the soccer season was over and the request for the funds were for games that had already been played.

Councilman Lob asked if there was paperwork for the \$3,000 and Recreation Director Luna replied that there was no paperwork available.

**The motion to approve was withdrawn by Councilman Lob. Councilman Best withdrew his second.**

**Vice Mayor Espino moved to table the item. Councilwoman Ator seconded the motion, which carried 5-0 on roll call vote.**

Vice Mayor Espino stated that Council would like to see the backup substantiating the \$3,000.

Recreation Director Luna explained that the backup will be a projection because the soccer club had already reached the \$7,000 that was allocated in the budget. The funds that are being requested are for games that are coming up in the next couple of months. He offered to provide a projection based on how many referees are needed for the remaining games. He explained that if the teams advance in their tournaments or playoffs it could cost more and if they get eliminated in the first round it could be less.

City Manager Gorland stated that there are other considerations because some referees do not turn in their charges on time or some games are rained out.

Council **requested** additional information and the presence of a representative from the Miami Springs/Virginia Gardens Soccer Club at the next meeting.

*(Agenda Item 9E was considered after 9H)*

**9E) Review of the Elimination of the City's FY2012 Longevity Payments and the 3% Reduction in Salary for All Department Heads and Assistant Department Heads, which was Approved by Council in the FY 2012 Adopted Budget (Deferred: 2-13-2012)**

City Manager Gorland reviewed a memorandum from the Finance Director on the elimination of the City's FY 2012 Longevity Payments and the 3% reduction in salary for all Department Heads and Assistants, which was approved by Council in the FY 2012 adopted budget. He read the list of departments, number of employees and the total amounts for the General Fund totaling \$41,500.00 for thirty-six employees and the Sanitation Fund totaling \$16,250 for eleven employees.

City Manager Gorland explained that the impact on the General Fund was \$49,800 fully burdened. The Sanitation amount of \$16,250 does not affect the General Fund or the fund balance because it is an enterprise fund that is fully self sufficient.

City Manager Gorland reviewed a list of ten Department Heads and Assistant Departments Heads that were affected by the 3% salary reduction in an amount totaling \$27,278.00. The total cost to the General Fund to reverse both the longevity payments and the 3% reduction totals approximately \$82,736.00, and funding can be offset with the \$117,000 savings to be realized from the proposed re-organization plan.

Councilman Best asked if the 3% reduction listed for the Public Works Director is pertinent to the discussion since the position is vacant.

City Manager Gorland responded that the person that previously filled the Public Works Director's position is still working for the City.

Councilwoman Ator thought that the former City Manager was also included in the list of employees and she asked if City Manager Gorland would be affected by the reinstatement of the 3%.

Finance Director Alonso clarified that City Manager Gorland would not be included. He added that Mr. Gorland was Assistant City Manager for a quarter of the year and his salary as of January 2, 2012 was based on the salary set by Council. He calculated that one quarter of \$3,367 fully burdened is approximately \$1,100 and that will reduce the \$82,736 by approximately \$3,200.00.

Mayor Garcia asked each Council member to clarify whether or not they would consider giving back 3% to the Department Heads. He stated that his answer is "no."

Councilwoman Ator confirmed that she would consider giving back 3%, while Vice Mayor Espino and Councilman Best responded "no."

Mayor Garcia reiterated that he is not willing to consider giving back 3% to the Department Heads that had volunteered to give it up during the budget process. He asked Council to address the longevity payments.

City Manager Gorland commented that morale is an issue and that is why the Administration requested the review of the longevity payments.

Mayor Garcia added that he asked the City Manager to revisit longevity based on the budget numbers.

Vice Mayor Espino said that he is sensitive to the morale issue, but there are different factors to consider. He pointed out that the City Clerk makes a significant salary and she is listed as having a longevity bonus of \$1,500, and this affects her differently than someone making \$30,000 or \$40,000. He said that 3% was taken from the highest earners because times are tough and Council will make a judgment call on giving back longevity bonuses. In making this decision, he wants it to be based on the employees that need the money, and not for those who do not.

Vice Mayor Espino explained that Council wants to take care of the employees and many live in the City, but to give longevity back to everybody is a hard decision. He understands that it is based on how long employees have worked for the City.

Finance Director Alonso clarified that the employee in the City Clerk's Office that is listed as \$1,500 is actually the Deputy City Clerk. The City Clerk's longevity bonus is \$1,750.00 and she is listed under the Department Heads.

City Attorney Jan K. Seiden stated that Council is allowed to waive a provision in the Code by restricting longevity payments, but there is definitely a problem with approving longevity on a selective basis.

Councilwoman Ator agreed that selective longevity payments would open the door to all kinds of liability issues. She does not support longevity payments because bonuses should be based on a review and not sitting in a chair for a certain number of years. She feels that increases should be based on merit and how hard an employee works.

City Attorney Seiden advised Council that there is a difference between longevity pay and merit increases.

Vice Mayor Espino reiterated that there is a big difference between earning a merit bonus based on hard work as opposed to coasting through a particular job and being employed for a number of years. He would rather compensate those employees who are going above and beyond the call of their duties and look at bonuses the same way as a private sector employer.

Councilman Best said that while he agreed to maintain the salary reduction for all the Department Heads, he would take the opposite approach to longevity because the employees have justly earned the money and they are not the top echelon; they are a by-product of it. He has some degree of confidence in the City Manager's proposed re-organization plan in regard to covering the cost of the longevity payments. He reiterated that the employees are entitled to the funds and he will give them his support.

Councilman Lob understood the point made by Councilman Espino about longevity for the Department Heads, but he cannot justify saying "no" to the other employees because of \$7,250.00. He would like to be able to separate the longevity payments, but it is not possible, and he will still support the payments because the other employees need the money.

**Councilman Lob moved to approve the longevity. Councilman Best seconded the motion.**

Mayor Garcia commented that the City Attorney had said that there would be an issue with separating the list of departments or employees that receive longevity.

City Attorney Seiden clarified that it would be a problem because the Code provides for longevity. Council can waive longevity for everyone, but there is no legal justification to differentiate between employees. He understands the common justification that some employees are higher paid than others, but the ordinance deals only with years of service.

Councilwoman Ator added that even though the 3% was ignored, during the budget process the Chief of Police said that he would give up new cars if no employees had to take a pay cut. Council eliminated the cars and they imposed the pay cuts too, which she feels is wrong.

Mayor Garcia said that he could not understand why Councilwoman Ator is saying "no" to longevity and still advocating for the 3% for Department Heads that are making high salaries during difficult times.

Councilwoman Ator responded that funds should not be taken away from people who are the leaders and even though the Mayor has said it was voluntary, she does not feel it was voluntary. She does not support longevity because there should be merit raises or bonuses based on performance reviews instead of flat payments for sitting in a chair for a certain number of years.

Mayor Garcia disagreed with Councilwoman Ator that the department heads were forced to take a 3% reduction, because he has spoken with them and they said that they do not want the money back. He said that the department heads are either lying to him or to Councilwoman Ator.

Councilman Best added that he also heard the same comment from those department heads he spoke with.

Mayor Garcia said that Council made a very difficult decision about taking funds away and the only reason he asked the City Manager to bring back the item for consideration is because of the current budget numbers. He agrees that the ordinance should be amended in order to have the ability to be selective about longevity payments and there should be a process or more criteria.

City Attorney Seiden advised the Mayor that the ordinance has a lot of criteria; longevity is simply based on the number of years worked and merit is based upon evaluations and certain percentages for increases. He said that Council could postpone longevity forever or remove the provision from the Code.

**The motion carried 3-2 on roll call vote with Vice Mayor Espino and Councilwoman Ator casting the dissenting votes.**

**9F) Resolution No. 2012-3537 – A Resolution of the City Council of the City of Miami Springs Approving and Adopting an Updated Amended and Supplemented City Employee “Pay Plan” for Fiscal Year 2011-2012; Reserving the Right and Authority to Amend or Supplement the Plan; Effective Date (Deferred: 2-13-2012)**

City Manager Gorland read his memorandum into the record recommending adoption of Resolution 2012-3537, approving and adopting an updated amended supplemental City employee Pay Plan for Fiscal Year 2011-2012. The subject was discussed at the February 13<sup>th</sup> Council meeting and Council delayed the vote on the resolution pending a decision on the reinstatement of the longevity pay and 3% director’s pay reduction.

City Attorney Seiden read the title of the resolution.

City Attorney Seiden said that Council should refer to Exhibit “A” that outlines the re-organization structure the City Manager is proposing, including the elimination of various positions and the addition of new positions under his leadership.

Councilwoman Ator asked if the 3% pay cut is included in the budgeted cost for the proposed director positions or if it is the full amount before the 3% reduction.

Finance Director Alonso clarified that the proposed salary ranges for the positions do not include the 3% reduction.

City Manager Gorland added that the 3% reduction does not change the salary range for the pay plan.

Finance Director Alonso explained that the Public Works Director's salary is currently \$92,925 with benefits. The proposed salary for the new Public Works Director is \$80,000.

Councilwoman Ator said that it was established that City Manager Gorland did not take the 3% pay cut. She asked if the new directors' positions would take a 3% cut.

Finance Director Alonso responded "no" and that the 3% cut was done at budget time for the Department Heads and Assistants that were there at that time. It was a one-time cut and it does not mean that from now on everybody is subject to a 3% cut. Council will have to make a decision during the budget process to do the same for next year.

Councilwoman Ator noted that the Recreation Director's current salary is \$78,680, while his new salary would be \$82,614 and right now he is receiving 3% less than \$78,680.

Finance Director Alonso confirmed that Councilwoman Ator was correct.

Councilwoman Ator asked if the proposal is to pay the Recreation Director 3% less than the \$82,614 and Mr. Alonso responded "no."

Councilwoman Ator explained that she continues to have a problem because there are a handful of directors that are not only getting a raise, but are getting back their 3% because of an adjusted pay range, while others who still realized the 3% cut will get nothing. She said that it is almost like selective enforcement or selective raise giving.

City Manager Gorland commented that the new positions play directly with what Councilwoman Ator mentioned earlier about recognizing people who have the ability to step up and do the job and have demonstrated that they can do so. They are being given a pay increase to accept the added responsibility.

Councilwoman Ator reiterated that the new directors are not going to have their salaries cut 3%, while others people's salaries are still cut. It is halfway through the budget year and everybody agrees not to give back the 3%, but now the recommendation is to give it back to half the people.

City Manager Gorland asked if Councilwoman Ator's recommendation is not to give a pay increase to the employees for the added responsibilities.

Councilwoman Ator responded that if someone worked for her and she changed their job description they would do what she asks them to do or they would not work for her anymore. She understands the City Manager's position to give some people raises, but her concern from a policy standpoint is that it creates a situation where the 3% was reinstated for a handful of people, while others are left out. Council made a decision that they were not reinstating the 3% and this is reinstating it for a selective few.

Vice Mayor Espino said that he has the same considerations as Councilwoman Ator. He stressed the point that in order for the work force to become smaller, people have to develop broader shoulders and he has told the City Manager that he would like to equip him with the things that are needed for him to succeed.

Vice Mayor Espino commented that if there are three managers and one is eliminated, the other two will be compensated accordingly once the company is in a better position and those team players who want to keep their job will agree to do what they have to do. He said that some associates would be happy just to have a job even though they have to work another fifteen hours a week.

Vice Mayor Espino said that the Department Heads and Managers are being asked to do a lot, but when times were good they were given cost of living increases, merit increases and longevity payments. He understands that as a good leader of an organization, the City Manager is trying to make good on his employees from a policy perspective, but it is not the right time. He understands the logic; he has a problem with the funding.

Councilman Best felt that a fair amount of thought had gone into the re-organization proposal and it makes a significant amount of sense. In terms of the aspect of taking over the job as City Manager, this proposal was not thought of overnight. He feels that the City Manager has made the correct call and he is operating within an approved budget and saving \$117,000, which has his support.

Finance Director Alonso clarified that there are only four Department Heads that were affected by the 3% pay cut and they are the Public Works Director, the Golf Director, the Finance Director and the Recreation Director. On the other side, the Public Works Director is actually getting a pay cut; the Golf Director's salary is staying the same and the only two salary increases are for himself and the Recreation Director.

Finance Director Alonso commented that his salary would increase because of additional duties as the City Manager mentioned and the Recreation Director's salary is increasing because he is taking over Golf.

Councilwoman Ator explained that the proposal adds new directors who are not subject to the 3% and they are a subjective group. She noted that they are the I.T. Director and Building and Code Director.

City Attorney Seiden commented that they were not directors at the time of the pay reduction.

Councilwoman Ator continued to express her concern and objection to reinstating the 3% pay cut to a subjective number of people. She added that Council set a budget for this year and even though there might be extra funds, she received an e-mail saying that the City owes \$150,000 for Workers' Compensation and the City spends money like water. She said that she cannot evaluate the whole picture and this is an amendment to what Council passed at the beginning of the fiscal year.

Finance Director Alonso agreed that Council is required to adopt a pay plan at budget time.

Councilwoman Ator emphasized that it is unfair, because it is partially done and some employees are not getting their 3% back, while others will get their full salaries.

Councilman Best disagreed with Councilwoman Ator because the Finance Director made it clear that only two positions fall under the auspices of what she is describing. He reiterated that more had been put into the thought process and how departments should be organized moving forward. He feels that it makes a lot of sense.

**Councilman Best moved to adopt the resolution. Councilman Lob seconded the motion for purposes of discussion.**

Mayor Garcia stated that there are six months left for implementing the structure and he is concerned about the perception of taking away from a group of people and giving back funds for another reason. After much thought, he feels that this is the structure the City Manager needs to manage the City the way that Council has asked him to do and to the best of his ability. He cannot question the proposal because it is not right to handcuff the man that was asked to run the City. He is willing to give him the opportunity until budget time when Council will have the ability to decide if it is working out or not.

Mayor Garcia added that with the proposal there is a savings and if Council does not approve the proposal it would cost \$117,000 more. The only issue is that some Department Heads will not be subject to the 3% pay cut, but they are taking on more responsibility. He feels that Council should give authorization to move forward especially because some employees are being asked to do the jobs that two people were doing and the new City Manager is managing differently.

Councilman Lob said that Council reinstated longevity payments based on the savings from the reorganization. He made a statement before that Council should wait until budget time, and now he does not know how the longevity will be funded if Council waits to do that. He clarified that the \$117,000 savings is the reason why Council was able to give back longevity.

Councilman Lob acknowledged that the employees in the proposed positions would be taking on added responsibility. He sees what Vice Mayor Espino means about the private sector and he realizes that it does happen because he himself had taken on added responsibility without compensation when employees left his company and he did not have a choice if he wanted to keep his job.

Councilman Lob personally does not know how he can reconcile this in his mind because he wants workers to have longevity that deserve it and the only way to do it is to say yes to the reorganization plan.

Vice Mayor Espino stated that it would be hypocritical to ask the City Manager to do a job and then tie his hands. He said that during budget time, Council would be able to implement the changes and review each line item, while now they are being asked to adopt a package, including things that he does not like. For example, the Golf Director will become Golf Pro and his administrative duties will fall upon the Recreation Director, while his salary is still \$90,000.

Vice Mayor Espino said that it is one thing to take on added responsibilities and it is another thing to receive a brand new position. One employee will realize a salary increase from \$73,000 to \$77,000, which is marginal for the added duties, while the Building and Code Manager's salary will increase from \$58,000 to \$72,000 and that is a significant increase.

City Manager Gorland commented that the Building and Code Manager is stepping out of the security of Civil Service into a Department Head position.

Councilwoman Ator reiterated that everyone should be treated fairly and she would like to reinstate the 3%. Council decided not to do that and now they are considering a decision to reinstate 3% to a selective few, and not make the new directors take the 3%.

Councilwoman Ator added that there has been discussion about the \$117,000 savings, which is not true because there is \$150,000 for eliminated positions. The longevity is paid for with the eliminated positions and all people being bumped up are receiving pay increases. She said that the City would save even more by not agreeing with the reorganization plan.

Mayor Garcia told the City Manager that come budget time there might be some reconsideration given to the pay plan. He understands Vice Mayor Espino's position about the Golf Director's salary.

City Manager Gorland responded that there must be a transition period because he needs the Golf Pro for his experience and the Recreation Director needs some time.

Mayor Garcia assured the City Manager that he agrees with his decision and the transition period, and come budget time he might have some questions depending on the situation.

**The motion carried 3-2 on roll call vote with Councilman Lob and Councilwoman Ator casting the dissenting votes.**

*(Agenda Item 9G was discussed after item 10C)*

**9G) Consideration of Recommendations from the Board of Parks and Parkways Regarding Ficus Trees (Deferred: 2-13-2012)**

City Manager Ronald K. Gorland read the recommendation from the Building and Code Supervisor regarding the prohibition of planting new or replacement ficus hedges.

City Manager Gorland explained that Council had asked to review the Code that prohibits the plantings of new ficus based on a Board of Appeals Case that was heard on November 14, 2011. Subsequently, the City Attorney drafted a revision that was considered at the December 12, 2011 Council meeting and the decision was made to refer the matter to the Board of Parks and Parkways.

City Manager Gorland stated that on February 6, 2012, the Board of Parks and Parkways advised Council that their recommendation would be to enforce the existing Code. It is also the recommendation of the Building and Code Compliance Department that Code Section 150-013 (A) (4) should be enforced with no revisions.

City Attorney Seiden explained that had the homeowner who appealed the case in regard to replacing his ficus plants gone to the Board of Adjustment promptly with a hardship, there would have been strong likelihood that it would have been considered for a variance due to extenuating circumstances that created the destruction of the plants and the fact that the yard was full of them.

City Attorney Seiden agreed with the recommendation to keep the ordinance as it is and said that if there were an incidence of similar nature dealing with ficus hedges in the future, then hopefully people will be directed to the Board of Adjustment as they should have been.

Councilman Best appreciated the Board of Adjustment's extensive discussion on this topic. He believes that it is an isolated incident that is being dwelled on. He does not recall any other item ever coming in front of Council, or the board itself. He agreed with City Attorney Seiden that had the homeowner gone to Board of Adjustment sooner, the variance probably would have been given. He said that he would not want to change the ordinance.

**Councilwoman Ator moved to accept the recommendation of the Board of Park and Parkways and not change the ordinance. Vice Mayor Espino seconded the motion which was carried 5-0 on roll call vote.**

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

Vice Mayor Espino appointed Joe Valencia to the Architectural Review Board for an unexpired term ending on October 31, 2012.

Vice Mayor Espino appointed Juan Saborido to the Revitalization and Redevelopment Ad-Hoc Committee.

Councilwoman Ator mentioned that former Architectural Review Board member Kathy Fleishmann had resigned from the Board and she has expressed an interest in serving again.

Councilman Best asked how long the Revitalization and Redevelopment Ad-Hoc Committee would continue to meet in the future and Council determined that they should meet until progress is seen with economic development.

## **10. New Business:**

### **10A) Discussion of Proposed Charter Amendments and Ballot Question Language Regarding Changes to the City Election Procedures**

City Attorney Jan K. Seiden stated that he took the notes from the discussion at the last meeting and prepared a number of Charter amendments. He also included one that he thought might be applicable, which is amendment # 5 and Amendment # 6 and # 7 were a result of his discussions with Councilwoman Ator. There is also a ballot question that is material if in fact Council decides to stay with the amendment question regarding the possible election date change from April to November.

Vice Mayor Espino asked if it would be possible to consolidate the questions or if they had to be addressed in this fashion.

City Attorney Seiden responded that the questions would need to be addressed in this fashion.

Vice Mayor Espino expressed his concern about the length of the proposed ballot.

Councilman Lob stated that in regard to moving the election from April to November, he had previously suggested putting the question on the ballot and letting the residents decide. In seeing how it affects the entire situation, he is reconsidering his decision because moving the election to November causes the addition of at least four questions. It also requires extended terms of seven or eight months and he feels that the easier the questions are the more likely the voters will approve them.

Mayor Garcia received some calls regarding the proposed questions, and the one question that has not had any wavering of opinion is the date change. He asked Council if there is a consensus to consider not including that question on the ballot.

City Attorney Seiden read the title of the question for Amendment No. 1:

*"Shall Charter Section 3.06(1) be amended to change the date of the General Municipal Election, beginning with the General Municipal Election of 2013, from the first Tuesday in April to the first Tuesday after the first Monday in November of each odd numbered year?"*

City Attorney Seiden said that he included a provision to clarify in what election the change will begin and he included language as stated in the Florida Statutes.

Councilwoman Ator commented that she is comfortable with her decision to place the question on the ballot to change the election date. She said that the General Election of 2013 is an off-year and it defeats the purpose of saving funds if there is no election. Her suggestion is to hold the regular General Election in April 2013, and another election in November 2014, when everyone would run for a shorter term.

Councilman Lob said that after speaking with a few people, he is willing to reconsider his original decision and will say “no” to the question of changing the election date.

Councilman Best clarified that by holding the election in 2013 as normal, if the question passes, the election would move to an even year.

Councilwoman Ator suggested that Amendment No. 1 could be placed on the ballot for the General Election in April and if the other questions do not pass, the answer is clear that changing the election date would not pass.

City Attorney Seiden confirmed that Amendment No. 1 is off the ballot. He continued to read Amendment No. 2:

*“Shall Charter Section 3.06 (4) be amended to change the terms of office for all council Members, excluding the Mayor, beginning with the General Municipal Election of 2013, from two (2) year terms to four (4) year terms?”*

City Attorney Seiden read Amendment No. 3:

*“Shall Charter Section 3.06(4) (b) be amended to change the proposed four (4) terms of Council members to staggered terms, beginning with the General Municipal Election of 2013, by requiring the Council Members elected in Groups I and Group II to serve only two (2) year initial terms and four (4) year terms in each subsequent election, while the Council Members elected in Groups III and IV to begin four (4) year terms with the 2013 election and thereafter?”*

City Attorney Seiden said that in order to have staggered terms the language must say when it will begin and there must be differentiation between the groups.

Vice Mayor Espino asked to reconsider Amendment No. 3 because the wording is confusing.

City Attorney Seiden read Amendment No. 4:

*“Shall Charter Section 3.06 (g) be amended to change the installation of newly elected officials, beginning in the General Municipal Election of 2013, from the day following the election, to the day following the certification of the results of the election, or as soon as practicable within seven (7) days of the certification of the election results?”*

City Attorney Seiden explained that he copied the language from the Code section that deals with the Special Meeting after the election.

Vice Mayor Espino suggested striking Section 3.06 (g) and stating the amended language.

City Attorney Seiden explained that he would like the citizenry to have as much information as possible and Vice Mayor Espino’s suggestion would only save a few words.

Councilwoman Ator agreed with Attorney Seiden that striking the Section would not provide enough information.

City Attorney Seiden stated that in regard to Amendment No. 5, there is a provision in the Code stating that if anybody serves any part of a term they are determined to have served the entire term. He said that this might not be as bad when considering two-year terms, but considering four-year terms, a partial term of six or eight months would be considered the same as serving the full four years. He is suggesting that it would have to be in excess of one-half or two years of the normal term of office.

Councilwoman Ator asked to re-visit Amendment No. 5 and consider it for the April ballot in order to see if the question passes on the extended terms.

Vice Mayor Espino felt that the question would have to be retroactive to whoever fills his seat for a partial term.

City Attorney Seiden explained that the current Charter impacts Vice Mayor Espino’s seat either way.

Vice Mayor Espino commented that someone will fill his vacant seat before the question is placed on the ballot and whoever fills his seat will have been deemed to serve a full term, even though it is only six months.

City Attorney Seiden said that if Amendments No. 2 and 4 pass in November, and Amendment No. 5 is not a part of it, then the problem would come into play for the other two seats. He felt that this is something to consider and there is still time for consideration.

By consensus, Council **agreed** to bring No. 5 back the next meeting.

City Attorney Seiden stated that there is never a good time for a Vote of Confidence and the timing for the City Attorney and City Clerk do not make sense because it takes place a few weeks before a new election. The Vote of Confidence for the City Manager in October might make more sense in November, and all three votes would take place at the same time. This is only for Council's consideration.

Councilwoman Ator noted that it would make sense to consider all three votes of confidence at the same time and she would suggest the second meeting in November. She explained that she and the City Attorney considered various times during the year and November seemed the best choice. The biggest issue is that the first meeting in October is right after the budget process and it is hard for Council to evaluate anything else besides the budget.

City Attorney Seiden added that the City Manager should stay on to implement his budget at least for a certain period of time and November is the least of all possible evils. He asked Council to think about the suggestion and he would bring it back at the next meeting.

City Manager Gorland commented that sometimes the second meeting in November is cancelled.

Councilman Best suggested the first meeting in December and Council agreed.

City Attorney Seiden noted that Ballot Question No. 1 is out automatically by virtue of eliminating Charter Amendment No. 1.

City Attorney Seiden will bring back the two amended questions for discussion before he drafts the resolutions. He added that he must protect the questions from possible attack and he would rather use the words that provide enough information. The point is to sell the questions by educating the electorate with an informational packet. This will come back to Council.

To answer Councilman Lob's question, City Attorney Seiden responded that the questions would probably be placed on a November ballot and the associated cost would be less than a stand-alone election.

Councilman Lob clarified that he was thinking of what would happen when Vice Mayor Espino resigns from his Council position and when that election would be held.

Vice Mayor Espino explained that the Code is very specific about filling a vacant position and it does not correlate with the other elections.

City Attorney Seiden commented that the Code provision for filling a vacant seat should probably be changed as well because the provision states that it be filled within 30-days, which is impossible.

**10B) Review of Code Section 150.025 (H) (1) (c) Regarding Free Standing Canopies in the Side and Rear Yards for Possible Amendment, Supplement or Repeal**

City Manager Ronald K. Gorland read the recommendation in the agenda packet that Council revise Code 150-025 (H) (1) (c) to allow free standing canopies under certain conditions. The following Code has not been enforced in recent years:

*“No self-supporting or free standing canopy or carport canopy is permitted in the required side yard setback or rear yard setback area. However, the City Board of Adjustment may grant a variance from this side and rear yard restriction if the requested awning or canopy will be properly screened from adjoining properties and streets, will not create a violation of the public health, safety and welfare, and is supported by the establishment of a “hardship” in accordance with the standards set forth in this Code.”*

City Manager Gorland said that most of the free standing canopies in the community now have not been permitted and could not be, as they do not have the structural stability for high velocity wind zones. Therefore, they are technically illegal under the current code, and one of the following should be accomplished:

1. Allow free standing canopies without permitting.
2. Revise the Code and allow free standing canopies with guidelines for permitting.
3. Enforce the Code as it is now and have the canopies removed.
  - Staff’s recommendation is to revise the code to differentiate between “permanent” free standing canopies and “portable” free standing canopies.
  - A “permanent” free standing canopy shall be defined as any canopy requiring anchoring to the ground with cement or by other structural means.
  - A “portable” free standing canopy shall be defined as a canopy which can be taken down completely and stored in the event of a major storm.
  - Allow “portable free standing canopies without a permit, but with rules for placement (no front yard as the Code currently states, minimum setbacks from side lot, etc.)
  - Require permits and variances for all “permanent free standing canopies under the current code guidelines.

Examples of canopies were presented as attachments to the memorandum.

City Manager Gorland stated that he and the City Attorney had reviewed and concur with Staff’s recommendation.

Councilman Best said that he is in favor of the recommendation as written in the memorandum supporting the agenda item.

**Councilman Best moved to approve the recommendation. Councilwoman Ator seconded the motion which was carried 5-0 on roll call vote.**

**10C) Recommendation from the Board of Parks and Parkways Regarding “Miami Springs Yard of the Month Program”**

City Manager Ronald K. Gorland read the memorandum from the Secretary of the Board of Parks and Parkways recommending that Council approve the “Miami Springs Yard of the Month” as follows:

1. A member of the Board of Parks and Parkways would select a yard to be recognized as the City of Miami Springs Yard of the Month.
2. A City employee would contact the resident for permission to include them and obtain permission to take a picture of their yard.
3. A Board member would take the photo for placement in the City Hall lobby and in the River Cities Gazette.
4. A “Miami Springs Yard of the Month” plaque would be placed on resident’s yard at the beginning of the month they are chosen to be recognized.
5. The resident would be presented with a certificate from the City at the first Council meeting in the month they have been selected to receive the recognition.

**Councilman Lob moved to approve the recommendation. Vice Mayor Espino seconded the motion.**

City Attorney Seiden stated that it is uncommon for an Advisory Board to take on this much responsibility. He has no problem with what the Advisory Board has set forth, but it would be better suited within Council’s discretion.

City Attorney Seiden noted that the yard should be selected and approved by Council at the next meeting and the City Clerk could contact the resident. The photo could be taken by City Staff. He said that the idea is good although it would be changing the standard operating procedure by simply allowing the Board to act on their own.

**Councilman Lob moved the recommendation as amended. Vice Mayor Espino seconded the motion.**

Councilwoman Ator mentioned that the members of the Board of Parks and Parkways are very excited about this idea and it was done many years ago. She asked if it would be possible if instead of Council approving the Yard of the Month, if the Arborist or the City Manager could approve the recommendation.

City Attorney Seiden commented that the policy of the City is that the boards only make recommendations and the City Council has the final decision. If Council would like to delegate the final decision making to someone else that is within their discretion.

Mayor Garcia asked if the Board of Parks and Parkways came up with this idea on their own or if it was proposed to them by Staff.

Councilwoman Ator explained that the Board of Parks and Parkways had discussed this idea before and this is the first time the recommendation was presented in a formal request.

Administrative Assistant for Public Works Aly Paz responded that when the Board was asked to come up with future plans, the "Yard of the Month" is a program they wanted to implement right away. Since the Board meets the second week of the month they were concerned about the time involved if the recommendation waits to be placed on a future Council agenda.

Discussion ensued regarding when Council would receive the recommendations from the Board of Parks and Parkways and at which meeting during the month Council would consider the "Yard of the Month".

Mayor Garcia stated that once the Board makes the recommendation, the Secretary could simply send the information in an e-mail to the City Clerk and it would be placed in the next agenda packet.

City Attorney Seiden said that Council should approve the recommendation; the City Clerk will contact the resident and Staff would take a picture of the yard.

To answer Mayor Garcia's question, City Attorney Seiden clarified that a member of the Board could notify a resident that their property is being considered for the nomination.

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

*(Agenda Item 10D and 10E were considered after 9D)*

**10D) Recommendation that Council Approve Alcohol Beverage Serving Request by CMI for their Upcoming Curtiss Mansion Grand Opening Activities**

City Manager Ronald K. Gorland read the title of the recommendation. He explained that Curtiss Mansion Inc. (CMI) is planning grand opening events on March 27<sup>th</sup> and April 1<sup>st</sup>, during which time they would like to serve alcoholic beverages.

**Vice Mayor Espino moved to approve. Councilwoman Ator seconded the motion, which carried unanimously on roll call vote.**

**10E) Authorization for Award of the Following Five (5) Quotes for the Proposed Construction of the Temporary Service Access Road for the Curtiss Mansion:**

*(Items a. through e. approved with one motion.)*

- a. Recommendation that Council Approve an Expenditure to JSP Surveyor, the Lowest Responsible Quote, in the Amount of \$2,400.00 for Layout/Surveying to the Curtiss Mansion Service Access Road, Pursuant to Section 31.11 (C) (2) of the City Code.**
- b. Recommendation that Council Approve an Expenditure to Wrangler Construction, Inc., the Lowest Responsible Quote, in the Amount of \$24,775.00 for Earthwork to the Curtiss Mansion Service Access Road, Pursuant to Section 31.11 (C) (2) of the City Code.**
- c. Recommendation that Council Approve an Expenditure to Roberts Traffic Marking, the Lowest Responsible Quote, in the Amount of \$950.00 for Striping and Bumper Signage to the Curtiss Mansion Service Access Road, Pursuant to Section 31.11 (C) (2) of the City Code.**
- d. Recommendation that Council Approve an Expenditure to Dynatech Engineering Corp., the Lowest Responsible Quote, in the Amount of \$600.00, for Density Testing to the Curtiss Mansion Service Access Road, Pursuant to Section 31.11 (C) (2) of the City Code.**
- e. Recommendation that Council Approve an Expenditure to V&F Electric, the Lowest Responsible Quote, in the Amount of \$6,580.00, for Electric and Lighting, to the Curtiss Mansion Service Access Road, Pursuant to Section 31.11 (C) (2) of the City Code.**

City Manager Gorland stated that the grand opening of the Curtiss Mansion is scheduled for April 1, 2012, and in order for the Curtiss Mansion to open its doors to the public it must obtain a temporary Certificate of Occupancy (TCO). However, construction of a service access road is required prior to issuance of the TCO.

City Manager Gorland said that in an effort to meet the Grand Opening deadline and expedite the construction, the Administration opted to bypass the Request for Proposal (RFP) process that would require 30-45 days and obtain three written quotes for each of the trades remaining: layout/surveys, earthworks, striping and bumper signage, density testing, electrical lighting. Each vendor was provided with a copy of the plans and given the required scope of work necessary in order to quote on the project. The agenda back-up includes information with details of the quotes obtained for each trade.

City Manager Gorland explained that all written requests were evaluated by Construction Manager Roy Rodriguez, CMI President Jo Ellen Phillips, and Architect Manuel Perez-Vichot. JSP Surveying, Wrangler Construction, Inc., Roberts Traffic Marking, Dynatech Engineering Corp and V&F Electric were all determined to be the lowest most responsive and responsible quotes.

The construction of the service access road will be managed under a master permit that has already been applied for by TGSV, who will manage the subcontractors for each trade to the project, according to Mr. Gorland. The recommendation is for Council to approve expenditures to the lowest responsible quotes for the Curtiss Mansion access road in the amount of \$35,305.00; CMI has approximately \$17,000 and the total job is roughly \$50,000. Funding is available in Capital Projects/Building Improvements.

City Attorney Seiden stated that Council could approve each quote individually or as a total package, by referring to the documentation in the package as provided in 10E.

**Councilman Best moved to approve the five quotes. Vice Mayor Espino seconded the motion.**

To answer Councilwoman Ator's question, Finance Director Alonso clarified that funds remain in the balance of the \$475,000 that was approved by Council. All expenses related to the project must go through the normal purchasing procedures for the City and Council must approve the vendors who are going to do the work.

City Attorney Seiden noted for the record that Manuel Pérez-Vichot prepared the plans for the work at no expense. TGSV is Mr. Rodríguez' company and he will accept the burden of operating the project under his permit and will supervise the contractors.

Councilman Best asked Mr. Rodríguez to explain how much of the monies being spent will remain a part of the permanent improvements in order to obtain a final C.O. for the Curtiss Mansion.

Roy Rodríguez of 564 Palmetto Drive responded that everything that is sub-base material being used for the access road will eventually be a part and parcel of the permanent parking. He cannot quantify the exact amount, but there will be a certain percentage and the funds spent for the work will be useful in the future.

**On roll call vote, the motion was unanimously carried.**

**11. Other Business:**

None.

**12. Reports & Recommendations:**

**12A) City Attorney**

None.

## **12B) City Manager**

### **Water and Sewer Gas line**

City Manager Gorland reported that the Miami-Dade County water and sewer gas line was put on hold.

### **Little League Parade**

City Manager Gorland announced that the Little League Parade is on Saturday, March 3<sup>rd</sup> at 8:30 a.m.

### **Archery Tournament**

City Manager Gorland advised residents and Council that the Optimist Club will be holding their Annual Archery Tournament on Saturday, March 3<sup>rd</sup> with the first shootings to begin at 10:00 a.m. and the second shooting beginning at 12:30 p.m. The fee is \$15.00 and Councilman Lob is one of the contacts for this event.

### **Art Exhibit**

City Manager Gorland stated that on March 5<sup>th</sup> an Art Exhibit will be held for Joan Cavalier in the City Hall lobby.

### **Wine and Cheese**

City Manager Gorland said that on Saturday, March 10<sup>th</sup> the Miami Springs Historical Museum will host a wine and cheese night at the Museum.

### **Scholarship Luncheon**

City Manager Gorland commented that on Saturday, March 12<sup>th</sup> at noon the Woman's Club invites members and guests to their annual scholarship luncheon at the Woman's Club.

## **12C) City Council**

### **Movie Night**

Councilwoman Ator stated that Movie Night is scheduled for March 16<sup>th</sup> and the movie has not been picked yet.

## **Thank You**

Councilman Best thanked Council for the conversations discussed tonight and he feels that Council covered a lot of ground on some issues.

## **Condolences**

Vice Mayor Espino said that his thoughts and prayers continue to be with the Wolff and Bruener families for the loss of Marlene. She was a beloved daughter, mother, wife, teacher and inspiration to so many. He cannot give enough credit to Melanie Wolff for the way that she has taken something that is probably one of the most difficult things imaginable and turned it into a source of strength.

## **Congratulations**

Vice Mayor Espino congratulated Sergeant Lynn Brooks for her Retirement from the Miami-Dade County Police Force and her thirty years of service.

## **Charter School Walk**

Vice Mayor Espino said that he enjoyed being a part of the walk for the new Academy for International Education Charter School.

## **State of the County**

Vice Mayor Espino commented that the State of the County is tomorrow and Mayor Jimenez will be unveiling what his agenda is and where he will be going.

## **Relay for Life**

Vice Mayor Espino stated that the Relay for Life will be Wednesday, February 29<sup>th</sup> at JR's Gourmet Burgers.

## **Walk for Autism**

Vice Mayor Espino said that on Sunday, March 4<sup>th</sup> there will be a walk for Autism in Doral with registration at 8:00 a.m. and the walk starting at 10:00 a.m.

## **School Board Announcement**

Vice Mayor Espino announced that he has filed to run for Miami-Dade County School Board District 5. He stated that he has filed, but not yet qualified, and he will be having his official announcement this week. It came after long and serious thought and a lot of prayer and consultation with friends and family. He looks forward to a campaign and if the community will have him, he will look forward to continuing to serve just in a slightly different capacity.

### **Farmers' Market**

Councilman Lob commented on the Farmers' Market that was going to take place on Saturday, March 3<sup>rd</sup> but will now take place on March 17<sup>th</sup>.

### **Presentations**

Mayor Garcia was pleased with the presentations from the Students Working Against Tobacco (SWAT) group and the HOSA club.

### **Black History Month**

Mayor Garcia advised Council that it is Black History Month and there is a banner displayed in the City near the circle.

### **Little League**

Mayor Garcia commented that the Little League has grown since the last year and it opens up this weekend.

### **Marlins Fun Fest**

Mayor Garcia stated that the Marlins Stadium will be open to the public on Saturday, March 3<sup>rd</sup> and will be free of charge. It will be the first time children will be allowed in the stadium since there is no longer construction going on.

### **Charter School**

Mayor Garcia said that he attended the Charter School to speak with the 2<sup>nd</sup> and 3<sup>rd</sup> grade students. He is advocating for civics involvement at the schools.

### **Condolences**

Mayor Garcia said his prayers go out to all of the families in Miami Springs that have had a loss in their families.

13. **Adjourn.**

There being no further business to be discussed the meeting was adjourned at 10:40 p.m.

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Zavier M. Garcia  
Mayor

**ATTEST:**

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Suzanne S. Hitaffer, CMC  
Deputy City Clerk

Approved during meeting of: \_\_\_\_\_

Transcription assistance provided by Elora R. Sakal.

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

( )

**CITY OF MIAMI SPRINGS GENERAL EMPLOYEES'  
RETIREMENT SYSTEM  
MINUTES OF THE MEETING HELD  
FEBRUARY 2, 2012**

The regular meeting of the Board of Trustees of the City of Miami Springs General Employees' Retirement System was called to order at 8:43 AM by Tom Cummings in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

**TRUSTEES PRESENT**

Tom Cummings, Chair  
Sherryl Bowein, Secretary  
Robert Whittington, Trustee  
Ronald G. Gorland, Trustee  
Francisco Arguelles, Trustee

**OTHERS PRESENT**

Audrey Ross, Pension Resource Centers (PRC)  
JC Louissaint, Pension Resource Centers (PRC)  
Stephen Cypen, Attorney - Cypen & Cypen  
Grant McMurry, ICC Capital Management  
Brendon Vavrica, Thistle Asset Consulting  
Brenson St. Jean, Thistle Asset Consulting  
Moirá Ramos, City of Miami Springs - Finance Dept.  
William Alonso, City of Miami Springs - Finance Dir

**INVESTMENT MANAGER REPORT: ICC CAPITAL MANAGEMENT (GRANT MCMURRY)**

Mr. Grant McMurry appeared before the Board to present the Investment Review Quarterly Report for the quarter ending December 31, 2011. He discussed the market environment and noted that the last quarter was a pretty good one. There was a lot of movement out of stocks during the month of October. The sectors like Health Care and Utilities that did well during the last six months turned negative during the month of October. Investors moved out of areas that were positive and moved into areas that are negative. Mr. McMurray stated that he feels what happened in the market during the third quarter of 2011 had little to do with Congress attempting to deal with the debt limit, the downgrade of the U.S. Treasury from AAA to AA+ and what's happening in Europe. He commented that the investors who got hurt so badly in 2008 and 2009 watched the market on a day by day basis. They moved out of equity quickly whenever there is a drop in the market for fear of not getting hurt like 2008 and 2009 and would jump back into equity when the market is getting better. Mr. McMurry feels that the equity market will do fine in 2012 but does not expect a lot of volume or a lot of volatility like in 2011.

**INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (BRENDON VAVRICA)**

Mr Vavrica appeared before the Board to present the report for the quarter ending December 31, 2011. Mr. Vavrica introduced his colleague Brenson St. Jean who's been with the firm for a little over two years. Mr. St. Jean has been working on the performance calculations, putting together the performance and compliance reports but he has never seen what happened to the reports after they leave the office so Mr. Vavrica brought Mr. St. Jean to the board meeting to see what happens on the other end. Mr. Vavrica agreed with Mr. McMurry's statement that the last quarter was a pretty good one. All the major equity indices were positive and the fixed income, although not nearly as positive as the equity, was also in a positive territory.

The total market value as of December 31, 2011 was \$13,511,000. The asset allocation was 60.9% in equities, 35.6% in fixed income and 3.5% in cash. The total fund net of fees was up 8.65% versus 7.57% for the benchmark for the quarter placing the plan in the 16<sup>th</sup> percentile ranking. Equity was the driver of the results and the return for the total equities was up 13.99% versus 11.82% for the benchmark and placed the plan in the 1<sup>st</sup> percentile ranking. The return for the total fixed income was up 1.60% versus 1.18% for the benchmark placing the plan in the 57<sup>th</sup> percentile ranking for the quarter. Mr. Vavrica then reviewed the Plan's Compliance checklist report which consists of performance related questions taken from the Investment Policy Guidelines. He noted that all three questions for the Total Fund Returns are checked "no" due to the underperformance over the trailing 5-year period. There are three "no's" out of 6 questions for the Equity component and one "no" for the Fixed Income component.

As a follow up to a request from the last meeting Mr. Vavrica brought a sampling of Performance and Universe ranking for similar managers to ICC Capital. ICC is kind of hybrid and is halfway between Core and Value so Mr. Vavrica searched for managers that are more Core and more Value than ICC. Mr. Vavrica found and added four managers on the sampling list. Two of the managers, Iverness and Eagle, are in the Core category but lean more to the Value side; and the other two, Boston Co and BRC are considered Value but they are not deep Value and lean a little bit more Core. In comparison to the other four managers, the results are kind of similar for the three and five years but ICC ranks in a good spot in the 30<sup>th</sup> percentile for the ten years and outperformed by about 50 basis points. Mr. Vavrica stated that the long term for this plan has been very good since the equity has been the primary driver of the results.

Mr. Vavrica brought in also a sampling of international managers with their universe ranking up to 10 years for evaluation. Mr. Vavrica asked the board of trustees if they are still interested in moving forward with the international exposure as was discussed before. After a lengthy discussion, it was agreed that international exposure can be an advantage and it will do quite well. Mr. Vavrica offered to do a manager search and bring more information on interested managers which can be brought in before the board for interview. Mr. Vavrica was asked for his recommendation and he mentioned ICC Capital ADR Portfolio, Harding Loevner International or Thornburg. One of the board members suggested that Mr. Grant McMurry of ICC should take a look and come back with some recommendation. Mr. Vavrica commented that in this case it will be a matter of tweaking the investment policy and giving ICC a target of international funds so they can start buying for the portfolio. Mr. Vavrica will bring the investment policy and a draft of the change at the next meeting scheduled for May 3, 2012 instructing ICC to start buying international stocks for the plan. Mr. Vavrica stated that ICC is a good manager, they have a number of ADR portfolio for some other clients, but he would not discourage the board from looking at other options before making the choice. In response to one of the trustees, Mr. Vavrica said that the plan would not lock into ICC and will be able to change anytime. Ms. Audrey Ross suggested that there might be a special meeting before May 3<sup>rd</sup> to do the Audit and valuation, thus Mr. Vavrica can forward the policy ahead of time so the board can review and move ahead. Mr. McMurry offered to bring the ICC international portfolio manager to come and talk to the board at the next board meeting scheduled for May 3, 2012.

## MINUTES

The board reviewed the minutes of the November 3, 2011 regular meeting and noted that correction is needed on the Motion to approve the August 4, 2011 Minutes. The date should be changed from November 3, 2011 to August 4, 2011.

**MOTION:** A motion was made to approve the minutes of the November 3, 2011 regular meeting as corrected.

**SECOND:** Ms. Bowein seconded the motion.

**CARRIED:** The motion carried 5-0.

## DISBURSEMENTS APPROVAL

Ratification of warrants processed since the November 3, 2011 meeting:

Warr.#	Payee	Amount	Invoice Date
302	<b>Salem Trust Company</b> 7/1/11 - 9/30/11 (Custodian Fee)	\$1,582.30	10/15/11
	<b>Mutual of Omaha</b> (Inv# 000221963415 - November 2011 Life Insurance Fee)	\$107.58	10/17/11
	<b>Robert Whittington - FPPTA</b> Trustees School - Travel Reimbursements (October 2, 2011 - October 5, 2011)	\$401.72	10/24/11
	<b>Resource Centers, LLC</b> (Inv #11506- November 2011 Admin Fee)	\$1,350.00	10/31/11
	<b>FPPTA Membership Renewal</b> (Year: 2012)	\$600.00	11/2/11
303	<b>Mutual of Omaha</b> (Inv# 000226040139 - December 2011 Life Insurance Fee)	\$112.53	11/14/11
	<b>Gabriel Roeder Smith &amp; Company</b> - Invoice #116919. (Charges for Benefit Calculations for Boucher, Caraviello and Ramos); 10/01/2011 Actuarial Valuation Report Preparation	\$1,337.00	11/14/11
	<b>Cypen &amp; Cypen</b> (Invoice #6076 - November 2011 Legal Fee)	\$1,250.00	11/1/11
304	<b>Resource Centers, LLC</b> (Inv #11559 - December 2011 Admin Fee)	\$1,350.00	11/30/11
	<b>Cypen &amp; Cypen</b> (Invoice #6076 - November 2011 Legal Fee)	\$1,250.00	11/1/11
	<b>Cypen &amp; Cypen</b> (Invoice #6108 - December 2011 Legal Fee)	\$1,250.00	12/1/11
305	<b>Mutual of Omaha</b> (Inv# 000230072193 - January 2012 Life Insurance Fee)	\$109.23	12/14/11
306	<b>Resource Centers, LLC</b> (Inv #11609 - January 2012 Admin Fee)	\$1,950.00	1/4/12
	<b>Cypen &amp; Cypen</b> (Invoice #6137 - January 2012 Legal Fee)	\$1,250.00	1/3/12
	<b>ICC Capital Management, Inc.</b> (Invoice #57531998 - 01/01/2012 - 03/31/2012 Quarterly Management Fee)	\$16,927.86	1/6/12
	<b>FPPTA - CPPT</b> Re-Certification for Bob Whittington (October 2008 - December 2011)	\$100.00	1/3/12

**MOTION:** Mr. Wittington made a motion to approve Warrants 302 through 306.

**SECOND: Mr. Cummings seconded the motion.**

**CARRIED: The motion carried 5-0.**

**BENEFIT APPROVALS:**

• **Applications for Refund of Contributions:**

- \* Phillip Sutherland
- \* Roberto Ventura

**MOTION: Mr. Wittington made a motion to approve the Refund of Contributions for: Phillip Sutherland and Roberto Ventura**

**SECOND: Mr. Cummings seconded the motion.**

**CARRIED: The motion carried 5-0.**

• **Application to Enter the DROP:**

- \* Barbara Robinson

**MOTION: Mr. Wittington made a motion to approve the Application to enter the DROP for: Barbara Robinson**

**SECOND: Mr. Cummings seconded the motion.**

**CARRIED: The motion carried 5-0.**

**OLD BUSINESS**

**DROP ACCOUNTS:** The City Manager had presented the idea of offering a second option for General Employee DROP enrollees for their monthly DROP deposits with a zero cost item to the City. Ms. Audrey Ross explained that the Board had discussed at the last meeting to implement a fixed rate option for the DROP plan or going with ICMA as an alternative and the Board had decided to have the City go to the City council and asked them to implement the option that was discussed. But according to the letter Mr. Borgmann sent to counsel Cypen after the council meeting last December, the only option that was presented was to go ahead with ICMA-RC and Ms. Ross doesn't believe that that was the board's direction at the last board of trustees' meeting.

Mr. Gorland explained that the council was not really fixed on ICMA, it was brought up as an alternative because they just happen to have the type of fund that would protect the DROP participant's principal by offering a monthly rate that would get reset every month. The rate varies monthly so it is not a totally fixed rate but the council felt that it would be the best alternative as the participant's principal would be protected. Mr. Vavrica commented that if the board is interested in having that ability for the DROP participants to have control over their account then the board would probably want to look at a full blown self directed DROP account where you'll not only have cash but also Large Cap, Small Cap, International and other asset classes to choose from. Mr. Gorland stated that the council did not want to go that far and they only envisioned the participant to make annual selections. Mr. Alonso commented that there was no discussion for the participant to get back to the plan from the fixed rate option with ICMA but giving the participant the option when he/she enters the DROP to either have

the plan's return or go into the fixed rate where the principal would be guaranteed 100%. On a yearly basis, if a better fixed rate is presented then the participant has the opportunity to select the better rate but will not be allowed to go back to the plan. Mr. Cypen stated that ICMA is not practical for the plan and not practical for the administration because every one of the funds will have to be monitored even though they are self directed. The fund should only have two choices; one would be the fixed rate of return or the plan's return.

Mr. Vavrica added that if a new option is added outside of the current plan you will have expenses and other things that get added on which will make it more complicated and may not be worth it considering the number of people the plan currently has. Chief Baan commented that this discussion has been going on for the last year or so and is not going anywhere so he suggested that the board take a look at the ICMA Plus fund, get the facts on it and find out what the administrative costs will be and how much of a hassle it will be so that you can make an informed decision. Mr. Baan agreed with Mr. Alonso that he does not believe the City will ever guarantee any money.

Mr. Vavrica will do some research as suggested by Mr. Baan, he will come up with a package to include some providers and the administrative costs to present to the General board members next time they meet in order for them to make an informed decision.

ACTUARIAL VALUATION REPORT – FEE INCREASE: JC Louissaint confirmed to the Board that the actuary agreed to reduce the \$750.00 fee increase for the additional work to be done for the Actuarial valuation report to \$500.00 as requested by the Board at the November 3, 2011 meeting.

### **NEW BUSINESS**

ACTUARIAL STUDY: Mr. Alonso explained that the council has directed his department to look at different pension scenarios for the General employees and the first step in doing that is to develop some alternatives. Mr. Alonso wants to use Gabriel and Roeder for the study since they are the plan's actuary so it is a lot cheaper to go with them instead of using someone new from outside. It does not cost the plan anything because the City will pay for it so Mr. Alonso spoke with Steve Palmquist who told him to request approval from the board to contract with Gabriel, Roeder for the actuarial study. Mr. Alfonso explained the pension scenarios to the board.

There are three alternatives, one of them is to set up a Defined Contribution Plan and on the Pension plan there will be a "Hard freeze and a "Soft freeze". The "hard freeze" as the first alternative would be that the plan is stopped and every participant who earned benefits up to that point does not lose anything but they will all go under the Defined contribution plan. The "soft freeze" as the second alternative would be that the current plan will still continue to accrue benefits but any future employees will go under the Defined contribution plan. As the third alternative, if the study reveals that the Defined contribution plan will save the City this much so what reduction on a multiplier on the current plan would yield the same savings? Mr. Alonso stated that this is just a study and once the numbers are in he will have to analyze them and then go to the Council to make a presentation and the council will decide at that point which way they will go if at all they want to move forward.

Mr. Cypen asked Mr. Alonso if there is a bargaining unit with the General employees and the answer to the question was "no". Mr. Whittington commented that he passed out a

pamphlet from the FPPTA to the General board members explaining that a 401(k) plan is not a Retirement plan and was never intended to be a Retirement plan. It was an incentive for the public to save their money on a tax-deferred basis. Mr. Whittington stated that the FPPTA does offer town hall meetings on this subject and would suggest that the board set up a town hall meeting with the FPPTA so the Council members can attend if they are going to the direction of changing from one plan to another.

**MOTION:** Mr. Gorland made a motion to approve Gabriel, Roeder to do the actuarial study for the City of Miami Springs on that condition stated.

**SECOND:** Mr. Whittington seconded the motion.

**CARRIED:** The motion carried 5-0.

**ATTORNEY REPORT**

N/A

**FINANCIAL STATEMENTS**

N/A

**REPORTS**

N/A

**NEXT MEETING DATE**

Thursday May 3, 2012 @ 8:30 AM

**ADJOURN**

There being no further business, a motion was made to adjourn the meeting at 10:26 AM.

Respectfully submitted,

---

Sherryl B. Bowein, Secretary



***City of Miami Springs Police and Firefighters'  
Retirement System  
Minutes of the Meeting Held  
February 2, 2012***

The regular meeting of the Board of Trustees of the City of Miami Springs Police and Firefighters' Retirement System was called to order at 8:43 AM by Chairman Peter Baan in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

**TRUSTEES PRESENT**

Peter Baan, Chairman  
Gene Duffy, Trustee  
Raymond Buckner, Trustee  
Oscar Garcia, Trustee  
Jonathan Kahn, Trustee

**OTHERS PRESENT**

Audrey Ross, Pension Resource Centers (PRC)  
JC Louissaint, Pension Resource Centers (PRC)  
Brendon Vavrica, Thistle Asset Consulting  
Brenson St. Jean, Thistle Asset Consulting  
Grant McMurry, ICC Capital Management  
Moira Ramos, City of Miami Springs – Finance Dept.  
William Alonso, City of Miami Springs – Finance Dir.  
Stephen Cypen, Attorney – Cypen & Cypen

**INVESTMENT MANAGER REPORT: ICC CAPITAL MANAGEMENT (GRANT MCMURRY)**

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**INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (BRENDON VAVRICA)**

Mr Vavrica appeared before the Board to present the report for the quarter ending December 31, 2011. Mr. Vavrica introduced his colleague Brenson St. Jean who's been with the firm for a little over two years. Mr. St. Jean has been working on the performance calculations, putting together the performance and compliance reports but he has never seen what happened to the reports after they leave the office so Mr. Vavrica brought Mr. St. Jean to the board meeting to see what happens on the other end. Mr. Vavrica agreed with Mr. McMurry's statement that the last quarter was a pretty good one. All the major equity indices were positive and the fixed income, although not nearly as positive as the equity, was also in a positive territory.

The total market value as of December 31, 2011 was \$20,613,000. The asset allocation was 60.7% in equities, 34.9% in fixed income and 4.4% in cash. The total fund net of fees was up 8.52% versus 7.57% for the benchmark for the quarter placing the plan in the 17<sup>th</sup> percentile ranking. Equity was the driver of the results and the return for the total equities was up 13.88% versus 11.82% for the benchmark and placed the plan in the 1<sup>st</sup> percentile ranking. The return for the total fixed income was up 1.63% versus 1.18% for the benchmark placing the plan in the 56<sup>th</sup> percentile ranking for the quarter. Mr. Vavrica then reviewed the Plan's Compliance checklist report which consists of performance related questions taken from the Investment Policy Guidelines. He noted that all three questions for the Total Fund Returns are checked "no" due to the underperformance over the trailing 5-year period. There are three "no's" out of 6 questions for the Equity component and two "no's" for the Fixed Income component.

As a follow up to a request from the last meeting Mr. Vavrica brought a sampling of Performance and Universe ranking for similar managers to ICC Capital. ICC is kind of hybrid and is halfway between Core and Value so Mr. Vavrica searched for managers that are more Core and more Value than ICC. Mr. Vavrica found and added four managers on the sampling list. Two of the managers, Iverness and Eagle, are in the Core category but lean more to the Value side; and the other two, Boston Co and BRC are considered Value but they are not deep Value and lean a little bit more Core. In comparison to the other four managers, the results are kind of similar for the three and five years but ICC ranks in a good spot in the 30<sup>th</sup> percentile for the ten years and outperformed by about 50 basis points. Mr. Vavrica stated that the long term for this plan has been very good since the equity has been the primary driver of the results.

Mr. Vavrica brought in also a sampling of international managers with their universe ranking up to 10 years for evaluation. Mr. Vavrica asked the board of trustees if they are still interested in moving forward with the international exposure as was discussed before. After a lengthy discussion, it was agreed that international exposure can be an advantage and it will do quite well. Mr. Vavrica offered to do a manager search and bring more information on interested managers which can be brought in before the board for interview. Mr. Vavrica was asked for his recommendation and he mentioned ICC Capital ADR Portfolio, Harding Loevner International or Thornburg. One of the board members suggested that Mr. Grant McMurry of ICC should take a look and come back with some recommendation. Mr. Vavrica commented that in this case it will be a matter of tweaking the investment policy and giving ICC a target of international funds so they can start buying for the portfolio. Mr. Vavrica will bring the investment policy and a draft of the change at the next meeting scheduled for May 3, 2012 instructing ICC to start buying international stocks for the plan. Mr. Vavrica stated that ICC is a good manager, they have a number of ADR portfolio for some other clients, but he would not discourage the board from looking at other options before making the choice. In response to one of the trustees, Mr. Vavrica said that the plan would not lock into ICC and will be able to change anytime. Ms. Audrey Ross suggested that there might be a special meeting before May 3<sup>rd</sup> to do the Audit and valuation so Mr. Vavrica can forward the policy ahead of that special meeting so the board can review and move ahead. Mr. McMurry offered to bring the ICC international portfolio manager to come and talk to the board members at the next board meeting scheduled for May 3, 2012.

## **MINUTES**

**The board reviewed the minutes of the November 3, 2011 regular meeting.** Mr. Cypen noted that some changes needed to be made to the Fifth Trustee nomination section before approving the minutes. Mr. Cypen then dictated the changes.

**MOTION:** Mr. Kahn made a motion to approve the minutes of the November 3, 2011 regular meeting as corrected.

**SECOND:** Mr. Garcia seconded the motion.

**CARRIED:** The motion carried 5-0.

### **DISBURSEMENTS APPROVAL**

Ratification of warrants processed since the November 3, 2011 Meeting:

258	<b>Salem Trust Company</b> 7/1/11 - 9/30/11 (Custodian Fee)	\$2,412.56	10/15/11
	<b>Oscar Garcia</b> - FPPTA Trustee School Travel Reimbursements (October 1, 2011 - October 4, 2011)	\$450.17	10/28/11
	<b>Resource Centers, LLC</b> (Inv #11507 - November 2011 Admin Fee)	\$750.00	10/31/11
	<b>FPPTA Membership Renewal</b> (Year: 2012)	\$600.00	11/2/11
259	<b>Cypen &amp; Cypen</b> (Inv #6075 - November 2011 Legal Fee)	\$1,250.00	11/1/11
260	<b>Resource Centers, LLC</b> (Inv #1560 - December 2011 Admin Fee)	\$750.00	11/30/11
	<b>Cypen &amp; Cypen</b> (Inv #6107 - December 2011 Legal Fee)	\$1,250.00	12/1/11
261	<b>FPPTA</b> - 2011 Annual CPPT Re-Certification fee for Gene Duffy	\$30.00	12/12/11
	<b>Resource Centers, LLC</b> (Inv #11610 - January 2012 Admin Fee)	\$850.00	1/4/12
	<b>Cypen &amp; Cypen</b> (Inv #6136 - January 2012 Legal Fee)	\$1,250.00	1/3/12
	<b>ICC Capital Management, Inc.</b> (Inv #57531997 - 01/01/2012 thru 03/31/2012 Quarterly Management Fee)	\$25,745.84	1/6/12

**MOTION:** Mr. Kahn made a motion to approve Warrants 258 through 261.

**SECOND:** Mr. Garcia seconded the motion.

**CARRIED:** The motion carried 5-0.

### **BENEFIT APPROVALS**

- **Applications for Refund of Contributions:**

\* Abdel Jimenez

**MOTION:** Mr. Kahn made a motion to approve the application for refund of contributions for: Abdel Jimenez.

**SECOND:** Mr. Garcia seconded the motion.

**CARRIED:** The motion carried 5-0.

**OLD BUSINESS**

ACTUARIAL VALUATION REPORT – FEE INCREASE: JC Louissaint confirmed to the Board that the actuary Gabriel, Roeder agreed to reduce the \$750.00 fee increase for the additional work to be done for the next Actuarial valuation report to \$500.00 as requested by the Board of Trustees at the November 3, 2011 meeting.

**NEW BUSINESS**

**DISCUSSION ON INVESTMENT MANAGER PERFORMANCE AND OPTIONS:** Mr. Baan explained that the Police fund has over \$20 Million now and in looking at the last 5 years, the investments have not been doing good and the ranking has been bad comparing to the universe so he thought that it would be a prudent thing to do to review the current investment managers. Because of the volatility of the market over the last five years or so, Mr. Baan does not want this board to be accused of just sitting by and letting things happened and not being proactive. He discussed the possibility of splitting the fund or take on another fund manager. Mr. Baan asked the board members to think about it and explore the possibility to have some other fund managers come before the board for some presentation to see how they are doing.

Ms. Audrey Ross will ask Mr. Vavrica to do some fund manager search and bring the results to the board for review at the next meeting.

Mr. Duffy commented that this Board has done its due diligence and believes that the plan is in good shape but he is also in favor for the board to look for other style of managers.

**OTHER BUSINESS**

N/A

**ATTORNEY REPORT**

N/A

**FINANCIAL STATEMENTS**

N/A

**REPORTS**

N/A

**NEXT MEETING DATE**

Thursday May 3, 2012 @ 8:30 AM

**ADJOURN**

There being no further business, a motion was made to adjourn the meeting at 10:26 AM.

Respectfully submitted,

---

Oscar Garcia, Secretary





*City of Miami Springs, Florida*

*Recreation Commission*

**CANCELLATION NOTICE**

The Recreation Commission meeting scheduled for Tuesday, March 13, 2012 has been canceled in advance.

A handwritten signature in black ink, appearing to read "Elora R. Sakal", is written over a horizontal line.

Elora R. Sakal  
Clerk of the Board

cc: City Council  
City Manager  
City Clerk  
City Attorney  
Recreation Commission Members  
Post



**DRAFT**



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

The **Miami Springs Education Advisory Board** met at 6:30 p.m., on Tuesday, February 21, 2012 in the City Hall Council Chambers.

The meeting was called to order at 6:33 p.m.

### **1) Call to Order/Roll Call**

The following were present: Chair Robert J. Gordon  
Vice Chair Dr. John Salomon  
Libby Manning  
Golnaz Sami  
Dr. Mara Zapata

Also Present: Deputy City Clerk Suzanne Hitaffer

### **2) Approval of Minutes: January 17, 2012 Regular Meeting**

Minutes of the January 17, 2012 meeting were approved as written.

**Vice Chair Salomon moved to approve and Board member Manning seconded the motion, which carried unanimously on voice vote.**

### **3) School Reports:**

Ms. Romero, Assistant Principal of Curriculum for Miami Springs Senior High School, reported the following on behalf of Principal Anna Rodriguez:

- On February 27<sup>th</sup> there will be a walk-through of the school building with District personnel that will combine the Cambridge S.T.E.M. academy and an I-Tech program when the walk-through is finished. They will determine how much infrastructure the school will receive prior to development of the academies and curricular offerings.
- Tutoring is offered for 1-1/2 hours on Tuesdays and Thursdays and three hours on Saturday. Transportation is provided only on Tuesday and Thursday.
- The winter interim assessment data was analyzed and the students are slated to increase an average of twelve percentage points in reading based on the FCAT scores.
- The Mu Alpha Theta Math Club is winning many trophies; the calculus team placed fifth in the Tampa Bay Tech state-wide invitational and the stats team placed sixth. The Club placed ninth in the state in the Sweepstakes competition; Pablo Hernandez placed third in statistics and Henry Laney placed thirteenth in calculus.
- Students participated in the mock United Nations at Miami-Dade College North campus; Christine Engelmann received an honorable mention and Pablo Hernandez received a commendation for his position paper.
- The softball and baseball teams won their season openers and band members have been selected to perform at the Miami-Dade College honor band.
- Beautification of the school is an on-going project and they continue to request the removal of the portables.

Board member Manning mentioned that students Pablo Hernandez and Henry Laney are in the 11<sup>th</sup> grade and they will improve more next year.

Chair Gordon asked for comments on articulation and suggested that the Middle School Principal could speak on the topic.

Ms. Romero stated that based on the discussions one year ago, the various articulation forms were compiled into one form with information on all the courses. She clarified that advisors from the High School Student Services Department visited the Middle School in order to go over the academic programs.

Board member Manning asked about the new requirement for students to take the College Placement Test (CPT). She understands that students who do not do well on the test must take an extra course.

Dr. Carmen B. Marinelli, Superintendent of the North Central Regional Center, responded that it is still unknown if the course is going to be a requirement and even though it is included in the rules now it could change.

Dr. Marinelli explained that the CPT is now called the Postsecondary Education Readiness Test (PERT), which is a placement exam for students going into a community college setting. She is waiting to see when the rule changes in regard to remediation.

Board member Manning stated that the students who do not score well on the test are often students who are lacking credits and now another course is involved that is hard to arrange during a six-period day. Part of the argument is that Miami-Dade College does not want to be responsible for the remediation they feel should happen in high school.

Chair Gordon asked Dr. Zapata if 70% of the students who enter Miami-Dade College are required to go through some type of remediation.

Board member Zapata clarified that the percentage for remediation is actually higher and those students who do not go through remediation struggle in their courses, especially with writing and math.

Principal Javier Perez, Miami Springs Middle School, thanked Chairman Gordon for visiting the school last week. He reported on the following activities and events:

- High School counselors came to the school for articulation and plans are being discussed for possibly having students tour the High School next year; Elementary School articulation is coming up on March 15<sup>th</sup>; Students who are attending Westland High School will be going to the school for articulation on March 1<sup>st</sup> and Hialeah High School counselors will be coming to the school to meet with seven students who are attending Hialeah.

To answer Chair Gordon's question, Mr. Perez confirmed that 177 students will be attending Westland Senior High and 240 are attending Miami Springs. Students who have applied for magnets have not yet been told if they were accepted and they will go through the articulation process with their home schools. The eighth grade class totals a little more than 500 students.

- Winter interim assessment scores increased 3 to 19% in math and reading for all grades and in science for eighth graders. Writing, reading and math interventions are continuing during the day, three hours on Saturday, and for two hours after school.
- Activities include African/American History Month, Faculty Luncheon, Talent Show and performance by the New World School of the Arts Dance Team, door decorating contest and the Brain Bowl.
- The third Band Show of the year will take place on March 7<sup>th</sup> at 6:00 p.m.
- The Girl's softball team lost in the County semi-final competition today and Track and Field will compete in the County finals tomorrow. Wrestling and Boy's and Girl's Basketball are underway.

Chair Gordon commented that when he visited the school he learned that there are activities to motivate Staff.

Principal Perez explained that they are planning a Staff Olympics for one of the teacher workdays and there are twelve competition activities that should make a fun team building event.

Chair Gordon felt that it would be helpful to know the percentage of students that are Miami Springs' residents. He was able to acquire some information from the High School and would like this information for all the schools.

Principal Mayte Dovale of Springview Elementary School reported:

- Two students were recognized for the District "Walk Safe" poster contest for their artwork efforts.
- Mid-year narrative and expository writing prompts were held and approximately twenty students received a four or higher. The McDonalds Dade Partner helped by providing Happy Meals as an incentive for those students in an effort to encourage them to continue with their writing.
- FCAT testing for writing is next week; tutoring will end on Thursday and a mock test will be held; she will host a Jeopardy writing game
- SAT testing begins on April 10<sup>th</sup> and they are assessing FAIR data and holding data chats. Student data chat forms were sent home with progress reports.
- Interventions and tutoring will continue for the ELL as well as reading and math. Winter interim assessments show that the fourth grade math was having the most difficulty, while the third and fifth grade scores were strong at approximately 80%.
- Nigerian Prince Emanuel who is an accomplished artist, dancer and educator visited the school and the fifth grade students heard stories about how art and music have shaped his life.
- The media center has had great success with more than 22,800 books being checked out by parents, students and staff, or an average of 87 books per student.
- The P.T.A. purchased learning tools for the fourth and fifth grade students to assist with their math skills.

To answer Chair Gordon's question, Ms. Dovale clarified that funding for incentives is provided by McDonalds who is the school's Dade Partner and they also receive funds from Target. In the past, the Town of Medley has also donated funds for the purchase of planners. The P.T.A. is the biggest contributor in helping with incentives and certificates.

Miami Springs Elementary School Principal Sally Hutchings reported on the following school activities and curriculum:

- Fourth grade is participating in the Writing Wizard Program every Wednesday.
- The mock SAT/FCAT is being held during the week of March 5<sup>th</sup>.
- Interim assessments indicated a high in fourth grade reading and science was low.
- The Parent Academy Workshop regarding financial security will be held on Thursday, February 23<sup>rd</sup>.
- Enrollment is up seven students for a total of 645.

- Kindergarten students are going to the Miami Science Museum; first grade is going to the Playground Theater and fifth grade is going to see Dr. Seuss' the Lorax.
- Papa John's Night is February 26<sup>th</sup> and the school will receive a percentage of the pizza sales by mentioning the school name.
- The P.T.A. sponsored the Family Valentine's Dance, and raised funds by selling Valentines and ED Bucks.
- The P.T.A. purchased devices that attach to a white board and changes it to a smart board.
- Parents are setting up a vegetable and herb garden outside the second grade wing.
- ELL tutoring is continuing for four more weeks.
- Accelerated Reading incentives are showing progress.

Discussion ensued regarding the P.T.A. 501-C-3 status and the application process.

Principal Vera Hirsh from the AIE Charter School reported that every Thursday morning the school has Open House and everyone is invited to tour the school. She added that the School applied for the 501-C-3 status; the application was a 1,300 page document and the fee to the I.R.S. was \$850.00.

Principal Hirsh clarified for Chair Gordon that the school is a District managed Charter School and the Board is the Miami-Dade Foundation for Educational Innovation that requires a 501-C-3 status in order to be able to apply for grants and seek additional funding for the school operation.

Principal Hirsh reported the following activity dates and events:

- The January 21<sup>st</sup> Open House was very successful with several hundred parents attending.
- Rosetta Stone representatives visited the school on February 9<sup>th</sup> to observe the classes using the program to learn English and Spanish. The program has been very successful and she will be speaking about the program at a National Charter School Conference in June.
- Miami Springs Mayor Xavier Garcia spoke to students on February 16<sup>th</sup> about volunteering and students will be helping to clean-up Stafford Park.
- The P.T.A. is sponsoring a walk on Saturday, February 25<sup>th</sup> at 8:30 a.m. to raise funds for the school playground.
- The school received funds from Race to the Top and the funds were used to purchase the devices to make the white boards smart.
- One group of third graders will be taking the FCAT and the Kindergarten students are taking a form of the SAT.

To answer Chair Gordon's question, Ms. Hirsh confirmed that the school has 142 students. She added that parents live in different areas in the County and several work Downtown or at Jackson Memorial Hospital and they bring their children to the school.

Principal Hirsh informed the Board that New Life will provide aftercare and operate a summer camp. She reported that she was able to obtain funds for a kindergarten transition program for the incoming students that will be held one week before school begins.

Chair Gordon asked the High School for a breakdown of the student population.

Ms. Romero stated that current enrollment is 1,842 students and 631 live in Zip Code 33166. The breakdown is 40 students from Medley, 392 from Miami Springs, 90 from Virginia Gardens and 109 from Miami.

Dr. Marinelli reported that the invitation from the Superintendent for the School Bus Tour will be sent out soon to the City Council and the Education Advisory Board members. Her recommendation was for the tour to include all four public schools.

Chair Gordon stated that the objective of the School Tour is to showcase Miami Springs. The City is surrounded by a number of corporations and entities who would like to know more about the City.

Dr. Marinelli assured the Board that the District representatives will handle the marketing and information for the Bus Tour and there will be various speakers who will discuss legislative issues, curriculum, buildings, etc. and each school will make a presentation.

Dr. Marinelli discussed the importance of planning for future academic programs and school improvements. She noted that the school Principals and Assistant Principals will be meeting and working together to give each other ideas from all schools in the Region.

District issues include proposed State legislation in regard to PECO funds, which are capital funds for building, according to Dr. Marinelli. The new legislation would allow charter schools to receive a percentage of the tax dollars and that would be critical for the school system and the building maintenance. There are no funds for new schools; the funds are needed to upgrade and maintain the existing schools.

Dr. Marinelli explained that a group of parents and principals work on the budget and make recommendations for how the dollars should be spent. The committee is made up of District personnel, school site personnel and community members.

Chair Gordon mentioned that he placed information on the back table that he obtained from the [www.dadeschools.net](http://www.dadeschools.net) website regarding SB1852 and the legislative update.

**4) PTA/PTSA Reports: None**

**5) Business/Reports:**

**a. Youth Advisory Council**

Board member Golnaz Sami reported that she contacted City Manager Gorland and he provided the Resolution establishing the Youth Advisory Council. She reviewed the document in detail and prepared folders for the seven schools listed. The resolution provides for the selection of one student from each of the seven schools to be members of the Youth Advisory Council.

Board member Sami prepared an application for the Board's consideration and if approved, she will set aside time to visit the schools. She is also providing each school with a copy of the rules, explaining that students must be in the 5<sup>th</sup> grade or higher and that they must be residents of Miami Springs. She suggested that members of the student government may be interested in participating.

Chair Gordon said that Ms. Sami could distribute the information to the school principals and provide a copy to the Board Secretary. He felt that the Board members could review the information and make a decision at the next meeting.

Ms. Sami commented that the Charter School does not currently have a fifth grade class and they would be eligible to participate in the future. She included the Youth Advisory Council resolution and rules in each packet with three applications. She added that it would be a good idea for the students to fill out the application and to have their parents' permission, with a recommendation from a school teacher, counselor or administrator.

Chair Gordon asked the Board Secretary to attach a copy of the application to the minutes for the record. He asked the school principals and Board members to review the application and note any changes.

Ms. Sami clarified that the Resolution establishing the Youth Advisory Council was passed and adopted by the City Council on May 9, 2011. She asked if the recommendation is to begin the Youth Council this year or the following school year.

Board member Manning recalled that the intent was to establish the Youth Council this year and it is already late in the year to select the members.

Board member Zapata asked what is the basis for the student selection and who makes the selection.

Board member Sami suggested that each school principal would make one selection because they are familiar with the students.

Board member Zapata was of the opinion that each school should have uniform criteria in terms of the basis for the selection, because the application only requires the student to explain why they are interested.

Board member Sami stated that each school has access to attendance records, grades and extracurricular involvement.

Vice Chair Salomon noted that the Resolution states that each student interested in becoming a member of the Council should complete a membership application and comply with whatever other conditions and requirements may be imposed by the prospective member's school. Each school shall nominate one student for membership on the Youth Advisory Council and it is really up to the school to set the criteria.

Board member Sami reiterated that the student should have permission from their parent to attend the meetings.

Board member Manning said that in speaking with the schools, she would suggest finding a student that is reliable and will be responsible for attending the meetings.

Chair Gordon explained that the criteria for the Youth Advisory Council could be amended or adjusted as time evolves. He feels that the application is fine and it is a great start.

Board member Manning suggested that once the meetings begin that a member of the Education Advisory Board could occasionally attend the meetings to act as a mentor or advisor.

The information packets and applications were distributed to the Principals who were present and Board member Sami offered to distribute packets to those schools that were not present.

At the request of Chair Gordon, Vice Chair Salomon presented the background on the Youth Advisory Council, explaining that the students would be Miami Springs' residents who attend the City's schools and they would take part in discussing issues of concern to youth. The intent is to meet on a quarterly basis, as a part of the Civic Initiative.

Chair Gordon explained that the Principals can choose to recognize a student that gets all the awards or a different student who shows potential. This is an opportunity for students to obtain leadership experience and to have the opportunity to voice their opinions. He urged the schools to contact the Board Secretary who will distribute information to the Board members.

#### **b. School Tour Update**

Chair Gordon commented that the School Tour is an opportunity for the District to focus on Miami Springs' area schools and hopefully the commercial entities will attend. He announced that the date is set for Friday, April 27<sup>th</sup> and it will begin at City Hall at 8:30 a.m.

**c. Advanced Academic Committee**

Chair Gordon reported that the High School is moving forward with the Cambridge S.T.E.M. program. There are many concerns with testing during this time of the year and there is not much conversation about advanced academics.

Chair Gordon noted that the High School walk-through will take place on February 27<sup>th</sup> with the District and Cambridge company representatives. His hope is that the advanced academic program will trickle down to the elementary and middle schools.

Chair Gordon reported that he hopes to hold a smaller College Fair next year. This year the District College Fair was held on February 19<sup>th</sup> and it was well attended.

Board member Manning asked to consider an earlier date for holding the College Fair next year if the Colleges are able to come.

**6) Other**

Vice Chair Salomon mentioned that at the last meeting the Board members discussed drafting a Student Letter of Recognition. He submitted a draft copy of the letter (attached for the record). He explained that students who display exemplary citizenship would be recognized.

Discussion ensued among the Principals who were present and the Board members regarding the criteria for recognition.

Board member Manning stated that she would be willing to trust the judgment of the school Principals for recommending students to be recognized.

Board member Sami asked if the recognition would be on a monthly basis or at random and it was agreed that the letters would be presented at random, based on the recommendation of the respective Principal.

Vice Chair Salomon suggested that each school could be provided with 50 letters that would be presented at their discretion.

**Vice Chair Salomon moved to recommend that Council approve a letter that recognizes exemplary citizenship at the discretion of the Principals. Board member Sami seconded the motion, which carried unanimously on voice vote.**

7. **Adjourn**

There was no further business to discuss and the meeting adjourned at 7:48 p.m.

Respectfully Submitted,

Suzanne Hitaffer  
Clerk of the Board

Approved as written at meeting of:

\*\*\*\*\*  
**The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council.**  
\*\*\*\*\*

**Youth Advisory Council for Education  
City of Miami Springs  
Application**

Instructions: Please print clearly in black/blue ink, answer all questions, and sign and date the form.

**PERSONAL INFORMATION:**

First Name: \_\_\_\_\_ Middle Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

MDCPS Student ID: \_\_\_\_\_ Grade Level: \_\_\_\_\_

Street Address: \_\_\_\_\_ City, Postal Code: \_\_\_\_\_

**PARENTS/GARDIANS INFORMATION:**

Name: \_\_\_\_\_ Number: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_ Number: (\_\_\_\_) \_\_\_\_\_

**EDUCATION:**

Name and Address of School: \_\_\_\_\_  
\_\_\_\_\_

Briefly explain why you are interested in this position, and describe what qualifies you for this role.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that information contained in this application is true and complete.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RECOMMENDATION:**

Instructions: The section below must be completed by a teacher, counselor, or administrator

I, \_\_\_\_\_, recommend the above applicant to serve as a member of the Youth Advisory Council for Education of Miami Springs

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Dear Student,

We the Council of the City of Miami Springs, along with the members of the Education Advisory Board would like to extend our sincere congratulations for your exemplary citizenship. It is individuals like you who exhibit the character, duties and functions that a model citizen should and that every student ought to work towards. Additionally, your contribution has played a significant part in the betterment of your school and community and we commend you for your service.

With sincere appreciation,

Mayor,

City Council Members

EAB Members





**DRAFT**

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

The **Ecology Board** met in Regular Session at 7:00 p.m., on Tuesday, February 28, 2012 in the Council Chambers at City Hall.

### **1. ROLL CALL/CALL TO ORDER**

Meeting was called to order at 7:10 p.m.

Present were:                      Chairman Martin Crossland  
   Vice Chair Wendy Anderson-Booher  
   Board Member Ann Trina Aguila  
   Board Member Carl Malek

Also present:                      Public Works Director Robert T. Williams  
   Board Secretary Aly Paz

### **2. APPROVAL OF MINUTES**

The minutes of the January 24, 2012 regular meeting were approved as written.

**The motion to approve the minutes was offered by Vice Chair Wendy Anderson-Booher, seconded by Board member Carl Malek and it was unanimously carried on voice vote.**

### **3. OLD BUSINESS**

#### **A. Recycling at City Buildings & City Events**

Chair Martin Crossland inquired if there was any mention of the Ecology Board suggestions at the City Council meeting on Monday, February 28.

Board member Carl Malek informed the board that nothing was mentioned at last night's meeting. The items were discussed at the previous meeting on February 13, 2012 and the Board members all received the memo from City Clerk Magali Valls. The memo states that Council would like to work with the board on both suggestions and request the Board consider all the pros and cons of the programs and prepare a cost analysis for the Council's deliberation.

Chair Crossland stated that he was pleased that at last the Board could do something productive.

Board member Trina Aguila informed the Board that she had contacted the University of Miami (U.M.) Director of Environmental Health and Safety, Ken Capesuto, who told her how they made the recycling bins that are joined with the trash bins. They converted old trash containers and hired another company to make the blue lids that have the small opening that cans and bottles can fit through. They use two different color trash bags to differentiate between the garbage and recycling. The recycling is on one side and the bag is clear and the garbage bag is brown on the other side of the container. This lets the staff be aware to put the recycling in the correct compactor. The University contracts with a private company, Single Stream Recycling, to compact and remove the recycling. They focus on cans and bottles; they do not recycle paper.

Vice Chair Anderson-Booher stated that during the original discussions on recycling throughout the City, the Board had discussed placing recycling containers next to garbage containers and to also focus only on cans and bottles, not paper.

Board member Aguila stated that what she liked about the U.M. containers is that they are concrete and very sturdy and therefore would not blow away.

Chair Crossland said that the containers would be more permanent fixtures.

Board member Aguila inquired if the City's garbage containers were metal and she was informed that they are plastic.

Public Works Director Williams inquired as to where Board member Aguila saw the bins at the U.M. campus.

Board member Aguila stated that she saw the bins on the streets in front of the buildings.

Mr. Williams expressed his concern on the cost of buying the concrete bins. The biggest problem in Miami Springs is education. When the City puts out recycle containers at City events they are filled with garbage and not just recycling.

Vice Chair Anderson-Booher stated that there needs to be a way to differentiate between regular trash and recycling containers.

Board member Aguila stated that the blue lid had a circle opening that only allows cans or bottles, although someone could probably fit in a soda cup.

Vice Chair Anderson-Booher stated that someone could also crumble up a paper bag and make it fit.

Mr. Williams explained that this was a problem, since the recycling companies will not pick-up recycling that also has garbage in it.

Chair Crossland believes that the answer would be the lid; if the lid only has a small hole for cans and bottles, people would be less likely to place other trash in the container.

Chair Crossland stated the having separate bins would also bring more attention to recycling.

Vice Chair Anderson-Booher talked about the bins she has seen at Ft. Lauderdale Airport that are connected and not made of concrete. She feels that plastic would be better cost wise and they would be more portable. If the City was able to only purchase a small amount, they could be used in other areas when events were happening.

Vice Chair Anderson-Booher also believes that having the trash and the recycling bins in two distinct colors would help and having an item in the Gazette informing residents about them would also help. The bins would have to be two acceptable colors and nothing too bright.

Board member Aguila stated that one of the things she likes about the U.M. bins is that they just changed the lids and they did not have to purchase new bins.

Chair Crossland agreed and also stated that the use of two different trash bags would help the people who empty the containers. He also likes combining the container which makes it easier for emptying.

Vice Chair Anderson-Booher thought that in the beginning there should be test areas for cost saving purposes and to see how it works.

Mr. Williams inquired if the Board is proposing that the City handle recycling in-house with City employees emptying the recycling bins along with the trash, and if they also propose that the City transport the recycling to a recycling facility.

Board member Malek recalled that the members had discussed having City employees retrieve the recycling and placing it where the recycling company could then pick it up.

Mr. Williams asked if he meant there should be a staging area where recycling could be kept until a recycling company picked it up.

Board member Aguila asked if the City had the County blue bins placed at various locations if the County could then come in and empty them.

Mr. Williams explained that the problem is that there is no place to keep all the recycling and there is also a problem with the placing of the bins. The bins would have to be rolled out to the curb for pick-up and if they are on the main streets it could cause traffic problems.

Vice Chair Anderson-Booher stated that it would seem like there would have to be a specific City employee to just handle recycling and placing the containers where they could be picked up.

Chair Crossland asked who picked up the recycling bins being used now by City facilities.

Mr. Williams explained that the recycling is picked up by a private company.

Board member Aguila asked how the public garbage cans are emptied now.

Mr. Williams explained that the crew emptying the containers takes the bags to various City dumpsters that are emptied by a private company.

Board member Aguila asked if it was possible to have recycling dumpsters at those locations that could be emptied by a recycling company.

Vice Chair Anderson-Booher stated that this is something that the Board needs to look into and contact various recycling companies to obtain the cost for the renting and placing of the dumpsters and then the emptying of the dumpsters. She explained that all this needs to be considered, along with the cost of an employee being responsible for collecting the recycling and bringing it to the various dumpsters.

Board member Aguila stated that the U.M. representative said that there is no more garbage than before, just the separation of the garbage from the recycling.

Chair Crossland stated that the different colored bags would help to separate the materials and hopefully only recycling would be in the recycling bags.

Chair Crossland inquired if the Board members could meet somewhere else to work on the project.

Board Secretary Paz explained that all Board meetings needed to be recorded and open to anyone interested in attending.

Mr. Williams asked where the containers were going to come from for the new lids.

Chair Crossland was under the impression that the City had extra containers that could be converted.

Vice Chair Anderson-Booher stated that the City did not have extra containers and that is another cost factor to consider.

Board member Aguila agreed to obtain more specific information on the conversion that was done at U.M., including all costs involved. She will also contact other local colleges and cities outside of Florida that have successful recycling programs.

Chair Crossland inquired if other cities in the area have street recycling and Mr. Williams responded that there are other cities that have programs.

Chair Crossland will look into which cities have a program and all the costs involved. He will go to Doral and Midtown. Some cities also have special containers just for events and he will obtain all the information he can.

Vice Chair Anderson-Booher will take a picture of the containers at Ft. Lauderdale Airport and will try to obtain all the specific data. She also will contact W.S.I. and obtain all the information she can from them.

Mr. Williams suggested the Board members should try to check with cities similar in size to Miami Springs.

Board member Aguila asked what would happen if the garbage is outsourced and if it would affect any recycling program.

Mr. Williams and Vice Chair Anderson-Booher explained that recycling is already outsourced for all residents and commercial facilities.

The Board members agreed to look into any state or county regulations that make it mandatory for all businesses to recycle, so they can make more specific suggestions to Council.

Mr. Williams reiterated that education is the key to all successful recycling programs.

The Board members agreed to look into education on recycling for all citizens and businesses.

Teacher Ana Ferrer, Environmentalist Club leader at Miami Springs Middle School, 150 South Royal Poinciana Boulevard, spoke about the problem with not having recycling containers in the City of Miami Springs and she is very upset that nothing has been done since she first spoke to the City Council two years ago.

Vice Chair Anderson-Booher stated that there are recycling bins at all City parks that are provided by an outsourced company and this Board has been given the approval to gather information on recycling pros, cons and the costs involved in implementing a city-wide recycling program.

Mr. Williams reminded the Board that they needed to come up with a very cost effective method for a recycling program.

**Board member Aguila moved to have a statement added to the City of Miami Springs Special Events Application stating that supplying recycling containers is mandatory. The motion was seconded by Vice Chair Anderson-Booher and it was unanimously carried on voice vote.**

#### **B. C.U.T.E Project**

Chair Crossland requested Board member Malek to collect information on any costs involved with the project.

Board member Malek agreed to come up with a plan to implement the project, how to reach citizens for involvement, any legal issues involved and any costs.

#### **4. NEW BUSINESS: None**

**5. ADJOURNMENT**

There was no further business to be discussed and the meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Aly Paz  
Board Secretary

**Attachment**

Approved as \_\_\_\_\_ during meeting of: \_\_\_\_\_

\*\*\*\*\*  
*“The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council”.*  
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**CITY OF MIAMI SPRINGS  
FLORIDA**

**CANCELLATION NOTICE  
CODE ENFORCEMENT BOARD**

The regular meeting of the Code Enforcement Board scheduled for Tuesday, March 6, 2012 has been canceled in advance due to lack of cases to be heard.

*Tex Ziadie*

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Tex Ziadie  
Director-Building and Code Compliance Department

cc: City Clerk  
City Manager  
Code Enforcement Board Members by E-Mail  
Post





*City of Miami Springs, Florida*

*Architectural Review Board*

**CANCELLATION NOTICE**

The Architectural Review Board meeting of March 7, 2012 has been canceled due to lack of a quorum.

A handwritten signature in black ink, appearing to read "Elora R. Sakal", is written over a horizontal line.

Elora R. Sakal  
Board Secretary

cc: City Council  
City Manager  
City Attorney  
City Clerk  
City Planner  
Architectural Review Board Members  
Post





## *Zoning and Planning Board*

### *Cancellation Notice*

The Zoning and Planning Board meeting of Monday, March 5, 2012 has been canceled in advance.



Elora R. Sakal  
Board Secretary

cc: City Council  
City Manager  
City Attorney  
City Planner  
City Clerk  
Zoning and Planning Board Members  
Post





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

The **Board of Adjustment** met in Regular Session at 7:00 p.m., on Monday, March 5, 2012 in the Council Chambers at City Hall.

**1) Call to Order/Roll Call**

The meeting was called to order at 7:07 p.m.

The following were present:

Chairman Manuel Pérez-Vichot  
Vice Chairman Francisco Fernández\*  
Ernie Aloma  
Kevin Berounsky  
Alternate Bill Tallman\*

\*Vice Chairman Fernández and Board member Tallman arrived at 7:09 p.m.

Absent: Ariana Fajardo

Also present: City Attorney Jan K. Seiden  
City Planner James H. Holland  
Board Secretary Elora R. Sakal

**2) Approval of Minutes**

Minutes of the February 6, 2012 meeting were approved as written.

**Board member Aloma moved to approve the minutes. Board member Berounsky seconded the motion which was carried unanimously on voice vote.**

3) **Old Business: None.**

4) **New Business:**

- A) **CASE # 02-V-12**  
**Reynier Mazola & Stephanie Suggs**  
**357 Lafayette Drive**  
**Zoning: R-1C; Single Family Residential**  
**Lot Size: 80' x 127'**

Applicants are seeking a variance from Code Section 150-017 Recreational vehicles (B) *Parking and storage*: To store a boat in the side yard of their property.

City Attorney Seiden explained to the applicants that the board normally has five members and at this point only three members are present, therefore, it is the applicant's decision if they would like to go forward with their request. The applicant's would have to get each member to vote in their favor and have an affirmative vote of three out of the five members.

The applicants agreed to the terms and moved forward with their request.

\*Vice Chairman Fernández and Board member Tallman arrived at this time.

City Planner Holland stated that the request is to park a boat in the side yard versus the rear yard. The boat is 24 feet long, seven feet wide and a height of ten feet. He noted that the boat is visible from the street but not too visible from the neighbor's property which is shielded by vegetation.

City Planner Holland advised the board members that nine courtesy notices were sent out and he did not receive any in return for support or objection. He commented that there is a large mango tree that limits the location of the boat to the side yard. The rear yard has a large elevated deck and other obstructions.

City Planner Holland said that the tree is located approximately 24 feet from the rear edge of the house. As stated in the memo, there is sufficient space to move the boat farther to the north so that the variance would be minimized and the view from the street would also be minimized if not eliminated. He noted that the encroachment into the side yard by moving it back as far as possible would be six feet.

Chairman Pérez-Vichot asked how far the tree is from the east property line and City Planner Holland replied that the tree is 12 feet from the property line and there is another tree there as well on the property line.

Board member Aloma asked if someone could have asked the applicant to move the boat back and City Attorney Seiden responded that that is part of what the board is going to do.

City Attorney Seiden explained that they could not get all of the boat into the rear yard due to the trees and how the branches hang. They cannot park the boat up against the tree so the applicants are requesting a variance to move the boat back approximately six feet into the rear yard.

Stephanie Suggs of 357 Lafayette Drive responded to Chairman Pérez-Vichot stating that she cannot move the boat farther back almost in line with the AC unit because the branches of the tree extend farther from the AC unit almost aligned with the rear of the house.

Board member Aloma asked if the branches could be trimmed and Ms. Suggs replied that she could trim as many branches as possible but she cannot cut ten feet.

**Vice Chairman Fernández moved to approve the variance conditioned on the applicant moving the boat as far back as possible and doing some tree trimming to get the boat closer to the actual trunk of the tree. Board member Aloma seconded the motion which was carried unanimously on voice vote.**

City Attorney Seiden advised the applicant that the Board of Adjustment only makes recommendations to the City Council who will review it at their meeting on Monday, March 12, 2012. He reminded the Applicant of the ten-day appeal period and advised him to see the City Planner after the appeal period and if the Council approves it and there was no appeal filed, then the applicant may trim their tree and move the boat as far back as possible.

5) **Other Business: None.**

6) **Adjournment**

There was no further business to be discussed and the meeting was adjourned at 7:17 p.m.

Respectfully Submitted,

Elora R. Sakal  
Board Secretary

Approved as \_\_\_\_\_ during meeting of: \_\_\_\_\_

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

\*\*\*\*\*  
*“The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council”.*  
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