



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

Regular Meeting

Monday, September 24, 2012

7:00 p.m.

Council Chambers – City Hall

201 Westward Drive, Miami Springs

Mayor Xavier Garcia

Vice Mayor George V. Lob

Councilman Bob Best

Councilwoman Grace Bain

Councilwoman Jennifer Ator

City Manager Ronald K. Gorland

Assistant City Manager/Finance Director William Alonso

City Attorney Jan K. Seiden

City Clerk Magali Valls



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Xavier M. Garcia

**Vice Mayor George V. Lob
Councilwoman Grace Bain**

**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, September 24, 2012 – 7:00 p.m.
Council Chambers – City Hall
201 Westward Drive – Miami Springs**

- 1. Call to Order/Roll Call**
- 2. Invocation: Mayor Garcia**
Salute to the Flag: Audience Participation
- 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) 08-28-2012 – Workshop Meeting
- B) 09-10-2012 – Regular Meeting

6. Reports from Boards & Commissions:

- A) 09-12-2012 – Golf and Country Club Advisory Board – Cancellation Notice
- B) 09-13-2012 – Board of Parks and Parkways – Minutes
- C) 09-17-2012 – Revitalization and Redevelopment Ad-Hoc Committee – Cancellation Notice

7. Public Hearings:

- A) Resolution No. 2012-3561 – A Resolution of the City Council of the City of Miami Springs, Florida Adopting the Final Levying of Ad Valorem Taxes for General Operations for the City of Miami Springs for the Fiscal Year 2012-2013; Providing for an Effective Date
- B) Resolution No. 2012-3562 – A Resolution of the City Council of the City of Miami Springs, Florida Adopting the Final General Fund, Special Revenue Funds, Debt Service Fund, and Enterprise Fund Budgets for the Fiscal Year 2012-2013; Authorizing the City Manager to Proceed with Implementation of Service Programs and Projects; Prohibiting Unauthorized Liabilities and Expenditures of Funds; Providing for an Effective Date
- C) Resolution No. 2012-3563 – A Resolution of the City Council of the City of Miami Springs Approving and Adopting the Current City Employee “Pay Plan” for Fiscal Year 2012-2013; Reserving the Right and Authority to Amend or Supplement the Plan; Effective Date

8. Consent Agenda:

- A) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount not to Exceed \$3,400.00, on an “As needed” basis to Land & Sea, for Fuel and Oil, pursuant to Section §31.11 (E) (6) (g) of the City Code
- B) Recommendation that Council Approve an Expenditure to SP Group, the Lowest Responsible Quote, in an Amount not to Exceed \$11,500.00, for Landscaping Site Master Planning, for the CMI Parking Lot, Pursuant to Section 31.11 (C) (2) of the City Code

8. Consent Agenda: (Continued)

- C) Recommendation that Council Award a Bid to Metro Express, Utilizing City of Doral RFP # 2009-010, in the Amount of \$25,325.00, for Storm Drain Installation, Pursuant to Section 31.11 (E) (5) of the City Code
- D) Recommendation that Council Award a Bid to Metro Express, Utilizing City of Doral RFP # 2009-010, in the Amount of \$27,310.00, for Storm Drain Installation, Pursuant to Section 31.11 (E) (5) of the City Code

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2014 as Required by Section 35.56 (A) (2) of the City Code (Gene Duffy's seat)
- C) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2014 as Required by Section 35.56 (A) (2) of the City Code (Pete Baan's seat)

10. New Business:

- A) Recommendation that Council Approve an Expenditure to London Painting, the Lowest Responsible Quote, in the Amount of \$13,450.00, for Exterior Painting of City Hall, Pursuant to Section 31.11 (F) (11) (c) of the City Code
- B) Recommendation that Council Approve the Country Club as the Venue to Hold the April 2, 2013 Miami Springs General Election
- C) Approval of Agreement for Theatrical Services – Pelican Playhouse Inc.
- D) Approval of Agreement for Professional Services with The Fuentes & Rodriguez Consulting Group – Renewal of One Option Provided in the Existing Contract
- E) Recommendation from the Education Advisory Board
- F) Discussion Regarding Placement of Equipment on Side Yards – Code Section 150-034 (Requested by Mayor Garcia)

11. Other Business:

- A) Consideration of Rescheduling/Canceling the November 12, 2012 City Council Regular Meeting Due to the Veterans Day Holiday
- B) Scheduling of Board of Appeals Meeting for October 8, 2012.

12. Reports & Recommendations:

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

13. Adjourn

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.

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.

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.

DRAFT



City of Miami Springs, Florida

The Miami Springs City Council held a **WORKSHOP MEETING** in the Council Chambers at City Hall on Tuesday, August 28, 2012, at 5:30 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 5:41 p.m.

The following were present:

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

Also Present:

- City Manager Ronald K. Gorland
- Asst. City Mgr./Finance Director William Alonso
- Chief of Police Peter G. Baan
- Comptroller Alicia E. González
- Human Resources Director Loretta M. Boucher
- Planning and Zoning Director James H. Holland
- Golf and Recreation Director Omar L. Luna
- Golf Pro Michael W. Aldridge
- Golf Superintendent Sandy Pell
- Programs Supervisor Patricia Bradley
- Bldg. & Code Compliance Director Harold "Tex" Ziadie
- Elderly Services Director Karen Rosson
- I. T. Director Jorge Fonseca
- Public Works Director Thomas Nash
- Professional Services Supervisor Tammy L. Romero
- Grant Writer/Public Info. Specialist Carol A. Foster
- City Clerk Magali Valls
- Clerical Assistant Elora R. Sakal

2. **Invocation:** Councilman Best offered the invocation.

Salute to the Flag: The audience participated.

3. **Workshop on Proposed Fiscal Year 2012-2013 Budget (Cont. from 8-21-12)**

Fiscal Year 2012-2013 Budget Update

City Manager Ronald K. Gorland read the latest update reminding Council that under his updated memo dated August 24th, he provided an alternative at the 6.9950 millage that resulted in a deficit of \$206,528, which could be raised through a combination of expenditure cuts and use of reserves. However, Council will be presented tonight with a proposed fee structure for the Building Department and Planning and Zoning Department which, if approved by Council, will generate additional revenues of over \$210,000 and completely erase the current deficit.

3 I) Items Requested from Council Workshop of August 21, 2012:

Assistant City Manager/Finance Director William Alonso stated that there is a budget update dated August 24th that states that the budget has been updated to account for the various changes made at the August 21st workshop meeting, which included a savings of approximately \$30,000 in liability insurance, closing the pool for three months for repairs and other minor adjustments.

Mr. Alonso said that he had updated the four major alternatives. Page two includes an option based on the roll back rate of 6.7875 which leads to a deficit of \$379,294. Page three is an option that uses a combination of millage increase, reserves and cost reductions. This option assumes a millage of 6.995 and creates a deficit of \$206,528. Page four is an alternative based on balancing the budget on millage alone and it would require a millage rate of 7.2446 in order to do so.

Mr. Alonso commented that on page five is an option based on the millage cap of July 26th which was 7.6480 and will create a surplus of approximately \$337,000.

3 I a) Recreation Proposed Fee Schedule Chart

Vice Mayor Lob referred to page three and stated that the free general admission and pool services were still available for city employees and Council had been removed, but employees fall under the same umbrella as Council.

Golf and Recreation Director Luna replied that he will remove city employees.

Councilwoman Ator asked if the policy was related to city employees using the fitness room and Golf and Recreation Director Luna responded that city employees receive a 50% discount for the fitness room.

Golf and Recreation Director Luna commented that a very small group of city employees use the fitness room and they are not charged a fee.

It was clarified that Golf and Recreation Director Luna will insert into the budget that there is no charge for full-time city employees for general admission, pool and the fitness room.

To answer Councilwoman Ator's question, Golf and Recreation Director Luna said that he has proposed a family rate for the pool and it has been proposed in a previous budget at the same rate but it was taken out.

Councilwoman Ator asked if politicians could be defined as a non-profit organization for the Fourth of July parade so their fees could be waived and Golf and Recreation Director Luna replied that he does not believe it could, but that decision can be made by Council.

Mayor Garcia clarified that campaigns are not non-profit organizations and they are indeed for-profit. Campaigns are not tax exempt in any way.

Mr. Luna said that if politicians can provide a 501-C-3 or proper documentation to ensure that they are a non-profit organization then the fees are waived.

Mayor Garcia clarified that the City waives the fees for elected officials that are invited to attend the Fourth of July parade.

3 I b) Revised Pool Budget Accounting for 3-month Closure

Mr. Alonso said that Golf and Recreation Director Luna revised the budget for the three month closure of the pool during the winter for the resurfacing and there is also an updated revenue budget where some of the expected pool revenue was lowered. The original budget had a decrease of \$5,700 and now it is almost \$55,000.

3 I c) Recreation-Funding for Soccer/Football/Little League

Assistant City Manager/Finance Director William Alonso stated that Golf and Recreation Director Luna prepared new information that was requested by Council at the last workshop meeting. The budget now reflects what the different sports groups requested and a determination needs to be made on how to handle the funding.

Mayor Garcia asked if there was an increase from last year to this year in any of the expenditures for basketball that is run internally and Golf and Recreation Director Luna replied that there was no increase.

Councilwoman Ator asked how many waivers basketball has for kids who cannot pay and Golf and Recreation Director Luna responded that in the past couple of years nobody has asked for a waiver. If someone asked for a waiver he would be more than happy to give it to them.

Councilwoman Ator said that she is concerned for the amount of waivers that the City has and City Manager Gorland said that waivers have not been much of an issue.

Vice Mayor Lob commented that someone who he looks up to suggested that the City should look at their core services and anything that is not a core service should be further reviewed. He stated that since he is a part of the Optimist Board for football he will not speak on that subject, but he will speak about Little League and the Miami Springs/Virginia Gardens soccer program because he was told by City Attorney Seiden that he is permitted to. He believes that the funding for the referees should continue for as long as possible.

To answer Mayor Garcia's question, Golf and Recreation Director Luna explained that the Little League budget is not very detailed and the explanation of their requests was included in the last budget meeting packet.

Councilwoman Bain suggested that Council should choose option four. She believes that Council should continue to follow the same procedure as in the past and she does not like the idea of just handing over a check. There should be an accounting of the funds to see if they are being used in their entirety.

Vice Mayor Lob agrees and said that the soccer program was given \$12,000 and they only used \$9,200. He does not believe that the funds will be entirely utilized this year because they were not completely utilized last year.

Councilman Best stated that the \$5,000 increase for the Little League is due to the fact that they want to introduce another season. He asked if the funds that are left over are returned to the City.

Golf and Recreation Director Luna said that funds are available in the general line item and any funds not paid out would remain in the budget.

Councilwoman Bain commented that at the last budget meeting it was suggested that the check be made out to the program and there would be no discussion of it again and that is what she has an issue with. She believes that Council should have the responsibility of knowing where the funds are going.

Discussion ensued regarding funding of the referees.

Mayor Garcia asked Council if they wanted to consider the programs as two separate programs and how they wanted to fund the additional seasons.

To answer Councilwoman Bain's question, Golf and Recreation Director Luna said that Miami Springs funds the referees travel season and Virginia Gardens funds their recreational season.

Councilwoman Bain noted that Miami Springs funds \$48,800 and Virginia Gardens funds \$45,480 which is almost the same amount. The rest of the funds are from the participants, fundraising and the other means of collecting funds. Little League does not have another City to help support them and that is why they are coming to Council and asking for the funds for the growth of an additional season.

Mayor Garcia explained that Golf and Recreation Director Luna has many program ideas that he would love to start but the City does not have funding to implement them.

Vice Mayor Lob stated that if a program wants to expand then they should advise Council of their plans. At that point, Council will vote on whether or not to allow the expansion and to fund the extra season.

Councilwoman Bain said that once Council makes their decision they need to let the sports programs know so that they are able to prepare for the season.

Councilwoman Ator commented that she had no issue with programs coming before Council to ask to use their remaining funds for purposes other than refereeing. She feels strongly that these leagues are in a place where they can manage their own budgets. It has been mentioned to her by people in the City that it is your birthright to be able to play sports and she agrees that the programs are important, but she also believes that they should be fiscally responsible and there has to be some kind of understanding that funding is not unlimited.

Vice Mayor Lob reiterated that the programs can expand from one season to the next and depending on the expansion, Council can decide whether to provide extra funding for the program or not.

Mayor Garcia explained that it is understandable when a program expands by the number of kids but when a program expands with an additional season it is a completely different issue. He agreed with Councilwoman Bain that Council should advise the leagues of what funds are included in the budget and he also believes that the leagues should be advised ahead of time.

Mayor Garcia asked Mr. Luna if Council approves of the amount that is being proposed in the budget if it will fund all of the organizations and he replied in agreement.

Vice Mayor Lob clarified for Mayor Garcia that if Council agrees to the amount being proposed and a program wants to have another season then they will have to wait until the following year and present their proposal to Council or fund the extra season themselves.

Councilwoman Bain stated that Council is getting off easy because if there was no fundraising or sponsors and the programs failed it would cost the City a lot more. She added that the budget does not explain all of the time and effort that the coaches and parents are putting into the programs.

Mayor Garcia commented that if the City does not start additional programs then it will lose kids because they will go to other parks. It is a matter of knowing what is needed and budgeting for it.

Mayor Garcia said that Council always wants to support the youth groups but they are not the ones who are running the programs; the volunteers are. The volunteers should find ways of collecting funds other than coming straight to Council to request funds.

Councilman Best questioned if the City was going to compensate \$75,000 on recreation programs. Other cities of roughly equal populations are going to compensate \$35,000 to their programs. He is in favor of option four.

By consensus, Council agreed on option four.

Mayor Garcia advised Mr. Luna to let the programs know that they will have to plan accordingly based on their budget before they consider expanding.

Councilwoman Ator asked what the status was on the snow for the holiday event and City Manager Gorland responded that he spoke with Golf and Recreation Director Luna and made sure that he understood that it was an issue that had to be discussed tonight.

City Manager Gorland said that he also spoke with other people regarding the snow to see what their perspective was and there is an issue. There are funds available to cover the snow in-house which was not the original intent when snow was done the first time. Funds were going to be raised externally and that did not work.

City Manager Gorland stated that the funds for the snow are requested and it is up to Council to decide whether or not to continue the event.

To answer Mayor Garcia's question, City Manager Gorland replied that the total amount for the snow and personnel last year was \$3,900.

Vice Mayor Lob asked how many people purchased wrist bands and Programs Supervisor Patricia Bradley replied that 227 wrist bands were sold.

Councilwoman Ator feels that there are other things that can be done with the Christmas program in order to expand the event in the community and help the businesses around the Circle. Someone asked for the snow and it was said that it would be paid for and then it was not and she finds it somewhat disingenuous in light of the fact that Department Heads took a 3% pay cut. She would like to look at other things that would impact the Circle and the City in a better way.

Councilman Best stated that he enjoys the idea of the snow and would like to keep it.

Vice Mayor Lob commented that the snow is something that the Recreation Staff needs to look into and decide whether or not it is a success. If it is not so much of a success then it should be modified.

Mayor Garcia commented that no matter what is done for any event, someone will always have an opinion.

Golf and Recreation Director Luna suggested charging an entrance fee for the event. It would be a small fee but would control the amount of people coming to the event. He agrees that there are too many people and it can get very chaotic.

Councilwoman Ator has no issue with charging a fee but does not think it is a good idea to exclude everyone who is not from Miami Springs and Virginia Gardens.

Golf and Recreation Director Luna agreed and suggested selling tickets to Miami Springs and Virginia Gardens residents first and then selling tickets in other cities.

Discussion ensued regarding fees charged at the Easter event.

Ms. Bradley stated that the issue with charging for events at the Circle is regulating who comes in due to the many entrances that the Circle has. Events that are held at Prince Field are more manageable due to the chain link fence.

Golf and Recreation Director Luna said that in previous discussions with Ms. Bradley regarding charging for events and locations, the events would have to be relocated to Prince Field to control the access.

Mayor Garcia asked the Administration to present a proposal to the City Manager regarding the events being held at Prince Field versus the Circle. He asked if they believe it would cost more to hold the event at Prince Field and Mrs. Bradley replied that she does not believe it will cost more.

3 I d) Analysis of Green Fees for Local Area Golf Courses

Assistant City Manager/Finance Director William Alonso said that the analysis of the green fees for local area golf courses is being provided for informational purposes.

Golf Pro Aldridge informed Council that the information is based on the current rates for the winter and summer seasons.

Councilman Best thanked Golf Pro Aldridge for putting together this information because it satisfies some of the curiosities that he had.

3 I e) Building Dept/Planning Department Proposed Fee Schedule Changes

Assistant City Manager/Finance Director William Alonso stated that as per requested from the previous meeting, Building and Code Compliance Director Tex Ziadie had prepared the red lined copy.

Mr. Ziadie pointed out that there was one item that he neglected to include which was the minimum work permit. There was no place in their current schedule of fees and if this is something that Council approves of he can include it.

Vice Mayor Lob was concerned with the \$50 for an outlet that was previously discussed at the last workshop meeting.

Mr. Ziadie explained the process in determining why \$50 was the proposed fee.

Councilman Best said that it was stated at the previous meeting that if Council were to agree to his presentation and Planning and Zoning Director Holland's presentation the total revenue for Building and Code Department would be \$113,000 and \$100,000 for the Planning and Zoning Department, which would total \$213,000 that could be applied against the deficit that Council is facing.

Vice Mayor Lob asked if \$200,000 has been funded from the General Fund and City Manager Gorland responded that it is what has been happening recently.

Councilman Best explained that in the past City Attorney Seiden said that the City was antiquated in their fees and the schedules needed to be revised and to some extent it has been done. The proposal from the two departments is evidence to show that the fee schedules have now been revised properly.

Mr. Ziadie noted that the line item fees have not been changed in 25 years. Several years ago the only thing that was changed was the alteration and repair fee from 2% to 3%.

To answer Mayor Garcia's question, Mr. Ziadie said that he compared his fees to other municipalities and it was presented at the last workshop meeting.

Mr. Alonso clarified for Councilman Best that the correct total in revenues from Building and Code and Planning and Zoning is \$210,000; \$97,000 from Planning and Zoning and \$113,000 from Building and Code.

Councilwoman Ator commented that the most common variance request as indicated in the Board of Adjustment minutes is for placing a boat in the side yard. She clarified that the fee would change from \$100 to \$350.

Planning and Zoning Director Holland stated that \$350 is approximately what it costs the City to process the variance, excluding the City Attorney's time.

Councilwoman Ator felt that residents were not going to be very pleased with the fee increase for a variance.

To answer Mayor Garcia's question, Mr. Ziadie replied that it costs \$100 without going through the variance process.

Councilwoman Ator asked if the residential fee could be adjusted one way and the commercial fee be adjusted another way and Mr. Holland replied that they could be adjusted, but in the last year he has not seen a commercial variance.

To answer Mayor Garcia's question, Mr. Holland clarified that variances for boats on the side yard usually run with the land unless the board restricts it. The intent was also making it an annually renewable license with a fee that the homeowner would have to pay as well as successive owners.

Mr. Ziadie mentioned that every variance for a recreational vehicle is for a specific vehicle. If a person sells their property and another person comes in with a different vehicle, the question of whether or not another variance is needed should be answered by the City Attorney.

Mayor Garcia said that he knows of rental homes that use the side yard variance as a bonus to renting their home.

Mr. Ziadie commented that regulations have changed to where the person applying for the variance must be the owner of the boat.

To answer Mayor Garcia's question, Mr. Ziadie stated that a renter cannot apply for a variance because he is not the owner of the property.

Mayor Garcia asked City Manager Gorland if there could be a future agenda item to amend or change the code regarding recreational vehicles on properties.

Discussion ensued regarding the proposed variance fee versus other municipality fees.

Mayor Garcia clarified that occupational license fees are only allowed to be raised 5% every two years.

Mayor Garcia asked Mr. Ziadie if the business license fees will be self-sustaining if the fees are raised 5% every two years and Mr. Ziadie replied in agreement.

By consensus, Council agreed to support the fee proposals for the Building and Code Compliance and Planning and Zoning Departments.

Mayor Garcia called for a recess at 7:25 p.m.

3 I f) Public Works Request for Funding for Sidewalk Repairs/Cost of School Sidewalk Damage

Assistant City Manager/Finance Director William Alonso referred to the discussion at the last Workshop Meeting regarding emergency sidewalk repairs totaling approximately \$45,000 that CITT will not cover. At that time, it was mentioned that the estimate included damage at the High School and Council requested a breakdown showing how much damage was related to the school. Public Works Director Nash prepared a memorandum indicating that \$24,250 pertains to the school out of the total \$45,000, leaving \$20,750 for the remaining areas around the City. He noted that the funds would have to be added to the budget.

Mayor Garcia asked how the City could prove to the School Board that the damage was caused by their contractors.

Mr. Nash said that it was pointed out to Miami-Dade County Public Schools that the damage was caused by some of the activities at the High School in the past regarding additional parking on the east side of the parking lot. There were various construction projects within the school that caused equipment to drive over the sidewalks and the remaining areas around the ball fields. There was some communication back and forth, but he was not privy to what transpired at that time. The sidewalks are a liability issue that should be addressed before someone gets hurt.

Mayor Garcia asked what percentage of the sidewalks in the City would be covered by the remaining \$20,750.

Mr. Nash responded that the balance of the sidewalk repairs is very minimal; it only covers one grid of the City. CITT funds will cover sidewalks if they are involved in a roadway or paving project and now they must identify the sidewalks in the areas of the proposed paving projects.

Mayor Garcia commented that sidewalk maintenance should be planned for every year and the expenses should be included in the budget.

Mr. Nash mentioned that years ago the City had a sidewalk replacement program where sidewalks were identified that needed repair and the homeowners were billed for a portion of the expense. He said that this is a program that could be investigated, but right now they are trying to identify the worst sidewalks.

City Manager Gorland stated that the funds for the sidewalks are not for preventative maintenance; they are for repair work.

The City Manager explained that the City Code states that if someone owns the property that abuts the sidewalk they are responsible for its maintenance. The School Board is of the opinion that anything inside the chain link fence is the school's responsibility and anything outside, including the sidewalk, is the community's responsibility. He added that the City Attorney is dealing with the matter.

City Manager Gorland said that when the School Board was initially contacted they were not willing to accept the responsibility and the City notified them that their subcontractors or contractors caused the damage during various school projects. He said that the School Board became very quiet about the matter and the Administration is working on different avenues. He can speak to what the liability would be if someone were hurt on the sidewalk since it is in a very dangerous condition and needs to be repaired. The question to be resolved is if the City were to repair the sidewalk if the School Board could be billed for the work.

Vice Mayor Lob commented that the sidewalk is a safety issue and he would not want to see any kids get hurt. The City should repair it and work out the details with the School Board. He would not want to fix the other sidewalks in the City first without addressing the sidewalk around the school.

Councilwoman Ator asked about the bid totaling \$24,250 with exclusions. She asked if it had been determined what the exclusions are.

Mr. Nash explained that there would not be any expense for police services and there is no cost for permits. He might be able to put off the sodding until later and the areas being repaired will not require the detectable tiles. The money for sodding would come from the public properties fund.

Councilman Best asked where the funding came from for repairs relative to flooding at Springview Elementary and Miami Springs Elementary and Mr. Nash replied that he is not aware of anything happening at Miami Springs Elementary. There is currently a drainage program that is going through the approval process and it is coming from the storm water fund.

To answer Councilman Best's question regarding repairs at Miami Springs Elementary, Vice Mayor Lob stated that he remembers some gravel work being done and it was paid for by the City and not the School Board.

Mayor Garcia asked if the City could include funds for the repairs in the budget and continue to pursue having the School Board pay for the work.

City Manager Gorland agreed with the Mayor's suggestion and said that it is a good solution that should be dealt with as soon as possible. He is uncertain if the City will lose their ability to collect the funds, but he does not think that will happen.

Mayor Garcia said that the proper documentation should be done along with photos to show proof to the School Board.

Councilwoman Ator asked if the additional repairs that cost \$20,750 are contiguous with City property and Mr. Nash replied that most of the issues are from trees lifting the sidewalks and it would fall on the City to make those repairs.

City Manager Gorland commented that the City's infrastructure is in bad shape. Every time funds have been put up for the repairs they get taken away in balancing the budget. Funds need to be put away and the City needs ongoing programs to deal with these issues so that they do not turn into major safety issues.

Consensus was made to budget \$45,000 for the repairs to the sidewalks.

3 I g) Public Works Proposed Fee Schedule Charges

Assistant City Manager/Finance Director William Alonso stated that this item addresses the two rate changes that Mr. Nash discussed with Council at the last workshop meeting relative to increasing the Administrative fee from \$10 to \$25 for the bulk trash pick up and the new tree permit for \$35. The fees will be presented to Council at a regular meeting for approval with a new resolution.

Councilwoman Ator asked if the fees are currently collected through the property tax bills and Mr. Alonso replied that it is an additional fee that is not included.

Mr. Nash clarified that the administrative fee for processing the paperwork is the only fee that is being raised.

By consensus, Council approved the proposed fee schedule for Public Works.

3 – II) Discussion on Options Available to Balance FY12-13 Budget

Assistant City Manager/Finance Director William Alonso stated that with the 6.99 millage rate there will be a deficit of \$41,618. Page six has a list of possible deficit reductions for Council to review.

Mayor Garcia asked Mr. Alonso what the deficit is with the proposed millage rate that has been sent to the residents in their tax bill and Mr. Alonso replied that at the 7.6480 millage rate there would be a surplus of \$1.5MM.

Mayor Garcia advised Council to take into consideration that no funds are being saved for the future repair of all the items that were previously discussed and are needed.

Vice Mayor Lob commented that the reason why he wanted to set the millage rate so high is to make sure that there would not be an issue.

To answer Vice Mayor Lob's question, Mr. Alonso said that a millage rate of 7.2446 gives a surplus of \$165,000.

Mayor Garcia asked if Council had any other millage rate in mind for which they were interested in knowing the related cost.

To answer Councilwoman Ator's question, Mr. Alonso said that the rollback rate at the millage rate of 6.7875 would be a deficit of \$214,000.

Vice Mayor Lob said that he would like to see the millage rate somewhere in the area of 6.99 or 7.2.

Councilman Best stated that he would like to see something in the rollback rate of 6.995.

Mr. Alonso said that a millage rate of 6.875 would create a deficit of \$141,000.

Councilwoman Ator commented that she would like to see a surplus.

Vice Mayor Lob explained that there was discussion of setting aside funds for roof repairs at City Hall and for the Country Club. These funds are not in the budget and should be included. He believes that a millage rate of 7.2446 would provide a \$165,000 surplus that can be placed towards some of those needs.

Mayor Garcia asked if having a surplus will or will not put money into the reserves and City Manager Gorland replied that a surplus will put money into the reserves.

Mayor Garcia does not believe that Council should dip into reserves to balance the budget. The reserves should be designated as to what they are going to be used for.

To answer Mayor Garcia's question, Mr. Alonso stated that the discretionary reserve is approximately \$1MM.

Mayor Garcia explained that having reserves set aside is not a good idea and the funds should be designated. He understands that there are designations, but he has seen them take hits year after year and a lot of the projects that are planned for do not get done, because the funds are used to cover other expenses.

Mr. Alonso commented that there is \$1,018,107 in designations. Almost \$140,000 is designated for the Senior Center building, \$118,000 for the Downtown Revitalization, \$500,000 for hurricane contingency and \$260,000 for pool improvements.

Mayor Garcia said there should be a budget for preventive maintenance.

Vice Mayor Lob asked if a separate fund from the reserve fund can be made for maintenance and Mr. Alonso replied in agreement.

Mayor Garcia clarified that even if the funds were separated, they can still be used for anything.

Councilwoman Bain said that a millage rate of 7.6 is out of the question because it is too high and Councilman Best agreed.

Mayor Garcia agreed that a millage rate of 7.6 is no longer an option.

City Manager Gorland commented that there are other considerations such as the fact that employees have not had a COLA in four years or any adjustments in their paychecks to accommodate the increases in the cost of living. While the economy has been down the inflation continues to run around 3% on average.

Mayor Garcia said that it is difficult for him to give COLA increases and at the same time raise taxes to the residents.

Vice Mayor Lob agreed with Mayor Garcia's comment.

Mayor Garcia went down the list of annual event subsidies and asked Council to consider if any items should be reduced or deleted.

Councilman Best stated that he would not change any of the items on the list of annual event subsidies.

City Manager Gorland asked Mr. Alonso the amount of funds that had been used in the current budget for City events and Mr. Alonso responded that there is \$4,700 remaining in the promotions budget out of the total \$25,000 budgeted.

To answer Councilwoman Ator's question, Mr. Alonso clarified that after the audited financial statements for the end of this year are issued in January, Council will be notified of the available fund balance that can be designated.

The Mayor inquired about the projected fund balance for this year and Mr. Alonso said that he is projecting \$123,000, but the Country Club roof and additional monies for the pool could change this amount. The Country Club is projected to cost \$40,000 and the pool could range between \$250,000 and \$350,000, while \$260,000 is designated.

City Manager Gorland added that there are substantial needs that are not designated.

Mayor Garcia asked to fast forward the need for the pool and the roof at the Country Club and to consider what would happen if these expenses were incurred in February 2013. He asked where the funds would come from for the pool.

Mr. Alonso responded that funds for the pool would come from the designated fund balance of \$260,000 and if the actual cost is \$350,000 he would then come back and ask for an additional \$90,000 from reserves to cover the expense.

Mayor Garcia asked about the funds that would be left over from this year's budget, totaling \$41,608.00 that could be used to balance the budget. He noted that this had been done in previous years and now there is an issue with the pool and the Country Club.

Councilwoman Ator agreed with Councilman Lob that there are other infrastructure issues within the City like the sidewalks. She feels that there is nothing wrong with going with a millage rate of 7.2446.

Mayor Garcia emphasized that every year there are funds left over that could have gone into reserves and instead it was used to balance the budget and Mr. Alonso agreed that it had been done in a previous year.

Vice Mayor Lob commented that funds are not being put away for "rainy days"; the reserve funds are being used, which used to be a significant amount that has been reduced to \$1.18MM, and if these funds are used to balance the budget the fund will go to zero.

Councilman Best noted that there is a difference between designated and non-designated funds.

Vice Mayor Lob said that the reserve funds should not be used to balance the budget and any surplus that is left over at the end of the year should be put into the reserve fund for maintenance purposes.

Mayor Garcia said that putting funds into the reserves is just as important as providing core municipal services, but this is not possible if the funds are not available. He said that when the City was prospering was the time that funds should have been put into the reserve.

The Mayor said that now Council must be fiscally responsible and balance the budget, but it might not be the right time to raise the taxes, give cost of living increases and put funds into the reserve.

Mr. Alonso clarified that in 2002, the reserve fund was minus \$300,000; in 2009 the reserves totaled \$8.4MM, which has been reduced to approximately \$4.5MM and the benchmark is \$3.5MM.

City Manager Gorland said that he would not count on a surplus of \$123,000 this fiscal year because there are projects that need to be done.

By consensus, Council agreed to approve the proposed event funding.

Mayor Garcia asked to consider the list of Capital Expenditures totaling \$173,318 and if there were any considerations for reducing the amount.

Councilman Best and Councilwoman Ator commented that they did not want to reduce the capital expenditures.

Vice Mayor Lob commented that last year some capital expenditures were put aside until Council realized that funds were available. He said that it would all depend on the millage rate.

Councilman Best asked the Chief of Police to comment on the COPS grant and the affected positions.

Chief of Police Peter G. Baan stated that the COPS grant was a three-year grant that was awarded in May 2009; the officers were hired in September 2009, but they were not actually paid until October 1, 2009. The grant expires October 1, 2012, and it funds two police officers.

Chief Baan explained that the grant specifications stated that the officers were to replace officers that had been laid off or left the department due to budget cuts.

Chief Baan explained that prior to the grant, the City had 43 officers and the number was reduced to 41 officers due to budget cuts. The grant allowed the hiring of two officers that were laid off and if the City does not continue funding the two positions for at least one budget cycle after the grant expires, it will render the City ineligible for any federal grants for a period of time from two to five years.

Chief Baan said that the force is down by two officers who are on Workers Compensation leave and this is causing an increase in the overtime budget. He said that it also affects the ability to schedule officers for training and response time when there is a reduction in positions.

Mayor Garcia asked Council to consider the 6.995 millage rate and the associated reduction of \$41,618.

City Manager Gorland explained that the Administration could reconsider the sidewalk repairs, except for the emergency situation around the school.

Councilwoman Bain commented that she was considering the reduction of \$12,000 for the Historical Museum even though that amount would not make much difference.

To answer the City Manager's question, Chief Baan explained that the Police Department capital expenditures totaling \$134,000 would pay for three cars and two motorcycles. He added that the Department is behind on vehicle and motorcycle replacement.

Councilman Best did not feel that it would be fair to ask the Chief to put off the vehicle replacement.

City Manager Gorland asked if the red light camera revenue could be increased to cover the amount of \$41,618.

Chief Baan responded that there are two more camera installations in the process and one could be operational in 30-60 days. The other camera might be placed on a private building which requires a contract and a covenant with the property owner. He would not want to make revenue projections.

To answer Vice Mayor Lob's question, Chief Baan clarified that the intersection at Curtiss Parkway and 36th Street is not creating revenue; it is costing the City money and being subsidized by the other intersections. He feels that the projected revenue is reasonable for next year.

Councilwoman Ator asked where the locations are for the new cameras and the Chief responded they are located at the intersections of Sheridan and 36th Street and East Drive and 36th Street.

Mayor Garcia asked if there were any savings related to the fleet maintenance contract in light of the outsourcing of the landscaping and tree trimming operations and Mr. Alonso responded that the fleet maintenance savings was taken into account.

City Manager Gorland commented that the red light camera revenue was estimated at \$400,000. He asked the Chief if this amount already included the additional cameras.

Chief of Police Baan said that the original estimate was \$300,000 and the two additional cameras were considered. This year the City received \$250,000 in five months, but the first month always generates the most revenue with a new system. The revenue has a tendency to decline over time.

Councilwoman Ator asked what the millage rate would be including \$41,618 and William Alonso said that the millage would be 7.045.

Councilman Best asked about the possibility of using the historic tax credits to offset the \$41,000 deficit in order to keep the millage rate at 6.995.

Councilwoman Ator commented that the City cannot count on utilizing the historic tax credit proceeds.

Vice Mayor Lob added that the tax credit is not a revenue source; it is a one-time source of funds.

Councilwoman Ator said that the millage rate should be 7.2446 in order to allow funds to be put into reserves for the infrastructure fund.

Councilwoman Bain and Vice Mayor Lob agreed with Councilwoman Ator's suggestion.

To answer Mayor Garcia's question, Mr. Alonso explained that Council must set the millage rate so that he can present a balanced budget at the meeting of September 10th and there is a resolution that must be prepared and advertised to the public for the second budget hearing. He clarified that the millage rate could be changed at the budget hearings on September 10th and September 24th.

The City Manager emphasized that Council should try to balance the budget tonight.

Councilwoman Ator reiterated that the millage rate should be 7.2446 in order to allow funds for the City's infrastructure.

Councilman Best asked Mr. Alonso if \$41,000 of the projected \$123,000 surplus could be added to the budget in order to set the millage rate at 6.995.

Mr. Alonso wanted to emphasize that Council would be utilizing reserves to balance the budget, based on Councilman Best's suggestion.

Councilwoman Bain said that using reserve funds to balance the budget could put the City into the same position in the future. She added that the City is in this position because the millage rate was set too low and she would not want to take this chance again. It might put some burden on the residents, but the other side is that the City should have some funds to fall back on if something were to happen.

Vice Mayor Lob commented that this year there was an unexpected increase for Workers Compensation insurance and this is one of the reasons for the reduction in the fund balance. Council has not been setting aside funds for some of the unforeseen expenses.

Councilman Best agreed that Council should have been more diligent over the years by setting aside funds, but this is not the year to start, even though it could be done by raising taxes, which is not responsible.

Vice Mayor Lob said that Council does not want to increase the millage rate, but it was set high enough so that they can work to bring it down and still be able to balance the budget. He asked to consider what position the City will be in next year. He agrees that no one wants to raise taxes but he wants to make sure that the City can afford to pay for unexpected expenses. He added that the contingency fund is continuing to decline and it is never a good time to raise taxes.

Councilwoman Ator asked if Mr. Alonso receives any reports on the taxable value of the homes.

Mr. Alonso clarified that he receives the tax roll for the entire City and there are 3,098 homesteaded properties for which the values increased 3%. There are some properties that were assessed more because of past construction or additions that were never assessed by the property appraiser in the past.

Councilwoman Ator commented that the assessed value of her business property went down and it cannot be assumed that all homesteaded property assessments went up 3%. She said that Council should seriously consider the long term expenses of the City when setting the millage rate.

City Manager Gorland asked what would be the value of one police car and Chief Baan responded that it is approximately \$30,000.

Mr. Gorland commented that half of the sidewalk repairs totals \$10,000 and eliminating \$30,000 for the police vehicle would total \$40,000. The police vehicle could be reconsidered during the budget year if funds are available and this would leave two motorcycles and two cars in the budget.

Vice Mayor Lob stated that he heard three Council members agreed to 7.2446 and the rate could always be lowered.

By consensus, Council agreed to base the budget on a millage rate of 7.2446.

4. Adjourn

There being no further business to be discussed the meeting was adjourned at 9:10 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Magali Vallis, CMC
City Clerk

Approved as _____ during meeting of:

Transcription assistance provided by Suzanne S. Hitaffer and Elora R. Sakal.

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

DRAFT



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, September 10, 2012, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:00 p.m.

The following were present:

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

Also Present:

- City Manager Ronald K. Gorland
- Asst. City Mgr./Finance Director William Alonso
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Comptroller Alicia E. González
- Golf and Recreation Director Omar L. Luna
- City Clerk Magalí Valls
- Clerical Assistant Elora R. Sakal

2. Invocation: Councilwoman Bain offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Yard of the Month Award – September 2012 – Kevin and Laura Berounsky – 555 Hunting Lodge Drive

Mayor Garcia presented the Yard of the Month Award for September to Kevin Berounsky of 555 Hunting Lodge Drive.

4. Open Forum:

Councilwoman Bain

Former Councilwoman Helen Gannon of 219 Miami Springs Avenue congratulated Councilwoman Bain for being elected to Council.

Public Works Changes

Ms. Gannon thanked Mayor Garcia for taking the leadership and establishing Public Works and putting people at ease in the City.

Code Enforcement

Ms. Gannon stated that she is concerned about the lack of Code Enforcement. She distributed photos depicting covered cars parked all over the City in front of their houses. Some people are taking initiative to make their homes beautiful and yet there are other homes that detract from those who care about the maintenance of their homes.

Ms. Gannon also feels that something should be done about certain colors of homes and the City should create guidelines like Coral Gables has. She hopes that these photos and information will be passed on to whoever is in charge of these issues.

Springs Connection

Ms. Gannon said that she is not in favor of the Springs Connection being published and she objects to what it says and how it is written. She feels that it is a waste of money and there are many things in the City that need funding. The Gazette does a much better job of informing the City of what is going on and the City does not need to publish this newsletter.

Police Department

Ms. Gannon commented that she supports the Police Department. The City has the best Police and their job is the most dangerous. Miami Springs is a unique City and it is because of the Police Department. She understands that it is difficult but feels that Council can reach an agreement with the Police Department and she would like to see negotiations on whatever needs to be done to satisfy the Police Department.

5. Approval of Council Minutes: *(Simultaneously approved)*

5A) 08-21-2012 – Workshop Meeting

Minutes of the August 21, 2012 Workshop Meeting were approved as written.

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

5B) 08-27-2012 – Regular Meeting

Minutes of the August 27, 2012 Regular Meeting were approved as written.

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

6. Reports from Boards & Commissions:

6A) 09-03-2012 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the September 3, 2012 Zoning and Planning Board meeting was received for information without comment.

6B) 09-04-2012 – Code Enforcement Board – Cancellation Notice

Cancellation Notice of the September 4, 2012 Code Enforcement Board meeting was received for information without comment.

6C) 09-05-2012 – Architectural Review Board – Cancellation Notice

Cancellation Notice of the September 5, 2012 Architectural Review Board meeting was received for information without comment.

6D) 09-11-2012 – Recreation Commission – Cancellation Notice

Cancellation Notice of the September 11, 2012 Recreation Commission meeting was received for information without comment.

6E) 09-05-2012 – Board of Adjustment – Approval of Actions Taken by the Board of Adjustment Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of September 5, 2012 were approved subject to the 10-day appeal period.

Councilwoman Ator moved the item. Councilwoman Bain seconded the motion .

Mayor Garcia asked City Manager Gorland if this item could be brought back to Council to discuss the issue in reference to equipment on the side yard of homes. He feels that there is some important information that Council needs to discuss and consider as well as the recommendation of the Planning and Zoning Director. City Manager Gorland replied in agreement.

The motion was unanimously carried on roll call vote.

7. Public Hearings:

7A) Resolution No. 2012-3556 – A Resolution of the City Council of the City of Miami Springs Tentatively Approving Fiscal Year 2012-2013 Budget; Confirming Date, Time and Place of Final Public Hearing

City Attorney Jan K. Seiden read the resolution in its entirety.

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

Councilwoman Ator moved to adopt the resolution. Vice Mayor Lob seconded the motion which was carried 3-2 on roll call vote with Councilman Best and Mayor Garcia casting the dissenting votes.

7B) Second Reading – Ordinance No. 1039-2012 - An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 32-100, Architectural Review Board – Established, by Qualifying and Restricting the Duties and Responsibilities of the Board; Eliminating the Board’s Duties to Participate in the Mandatory Preliminary Review Process of Commercial Projects and to Issue Advisory Opinions for Each Project Review Conducted; Repealing all Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date (First Reading: 08-27-2012 – Advertised: 08-29-2012)

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

Attorney Seiden explained that Subsection F adds a phrase that directs that the items to be discussed within the jurisdiction duties of the board are going to be dictated by City Council action. Section H and I are the sections that were referred to in Section 150-064 - 36th Street District Boundary regulations and are stricken so that the Architectural Review Board will not have a voice in the process for mandatory reviews of projects on 36th Street.

Attorney Seiden clarified that this will not prevent the board from being consulted on a case by case basis from Council, staff or another board.

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

Vice Mayor Lob moved to adopt the ordinance. Councilman Best seconded the motion.

Councilwoman Ator said that she still felt that this was a bad idea.

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

8. **Consent Agenda: (approved with one motion)**

8A) Approval of the City Attorney's Invoice for August 2012 in the Amount of \$12,204.75

Mayor Garcia read the titles of the consent agenda items.

There was no discussion regarding this item.

Vice Mayor Lob moved the consent agenda. Councilwoman Ator seconded the motion, which was unanimously carried on roll call vote.

8B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$19,200.00 to C. R. DeLongchamp for a Contract Renewal Option for an Additional Twelve-Month Period, Pursuant to Section 31.11 (E) (6) (g) of the City Code for the Leasing of the Community Policing Office, Utilizing Law Enforcement Trust Funds

There was no discussion regarding this item.

Vice Mayor Lob moved the consent agenda. Councilwoman Ator seconded the motion, which was unanimously carried on roll call vote.

8C) Approval of Budget Transfers Within Departments According to Charter Section 9.04 (1)

There was no discussion regarding this item.

Vice Mayor Lob moved the consent agenda. Councilwoman Ator seconded the motion, which was unanimously carried on roll call vote.

9. Old Business:

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

Councilwoman Bain (Group II) **re-appointed** John Bankston to the Code Enforcement Board for a full 3-year term ending on September 30, 2014.

Councilwoman Bain (Group II) **re-appointed** Rhonda Calvert to the Code Enforcement Board for a full 3-year term ending on September 30, 2014.

Councilwoman Bain (Group II) **re-appointed** Yvonne Shonberger to the Historic Preservation Board for a full 3-year term ending on February 28, 2014.

Councilwoman Bain (Group II) **re-appointed** Dr. Stephanie Kondy to the Recreation Commission for a full 3-year term expiring April 30, 2014.

Vice Mayor Lob (Group III) **re-appointed** Michael Windrem to the Historic Preservation Board for an unexpired term ending on February 28, 2015.

9B) CMI Funding Requests and Related Issues (Tabled: 08-27-2012)

Former Mayor Richard L. Wheeler of 33 Pinecrest Drive informed Council that he signed up to be available to answer questions that Council may have during discussion of this item.

City Attorney Jan K. Seiden referred to his memorandum of September 4th as follows:

“As directed by the City Council, the City Manager, Assistant City Manager and I met with Jo Ellen Phillips, Richard Wheeler and Roy Rodriguez last week to discuss the above captioned topics.

At the outset, the City Manager set forth the following City positions and points of discussion for the meeting, to wit:

- *The City wants CMI to be very successful and understands their requirement for working capital.*
- *The City is not in the financial position at this time to “invest” funds (major budget issues requiring millage increase).*

- *The City is in tough negotiations with the PBA that require the utmost sensitivity with its limited resources.*
- *The proposed parking lot and fence must be completed as rapidly as possible (approximate cost \$365,000) The City has already advanced approximately \$500,000 to or on behalf of CMI and the Mansion Project.*
- *The City has been requested by CMI to advance an additional \$105,000 for its initial capital requirements.*

In addition, the parties acknowledged and agreed that the final decisions regarding the reimbursement of the City's funds previously expended and the funding being requested for the parking lot, fence, and working capital would be largely impacted by the actual proceeds the City would receive from the historic tax credit transaction and the authorization from Erik Wishneff as to the proper format for any supplemental agreement by the City and CMI on the additional funding requests.

Following a very thorough and productive discussion of all the issues and considerations from the City and CMI perspectives, the following basic understandings were agreed upon for submission to the City Council for its consideration, to wit:

- *The City shall receive full reimbursement for all funds previously loaned or advanced to CMI or expended for the construction/restoration of the Curtiss Mansion Project from the historic tax credit proceeds.*

(Approximately \$500,000 comprised of construction funds, a loan to CMI to secure an early grant, current advancements to CMI for utilities, etc., and anticipated additional construction overrun costs).

- *The City will assume the immediate responsibility for the construction of the required parking lot and fence adjacent to the Mansion (CMI's estimated cost of \$365,000).*
- *The City and CMI will enter into a joint and shared parking agreement for the use of the new parking lot area. The agreement will provide for repayment of the City's fence and parking lot construction costs. The agreement will provide for annual payments over a twenty-five (25) year period beginning at the end of the fifth year of the agreement. No interest will be charged in connection with this repayment.*

Inevitably, there remain certain issues and questions that can only be addressed by the City Council. The answers to the following questions by the City Council will serve to complete the proposed repayment agreement between the City and CMI for the use of the parking lot. They are, to wit:

- It is unlikely at this time, in light of the fact that the City has incurred almost \$100,000 in the transactional costs of its own, that the historic tax credit proceeds to be received by the City will exceed the reimbursement amounts due to the City (approximately \$500,000). In fact, it is more likely that when the transaction costs are included in the final calculations of the historic tax credit transaction, there will be a shortfall of funds due to the City.

Question: Should any such shortfall amount be added to the amounts due to the City for the parking lot and fence and included in the proposed agreement for reimbursement by CMI?

(City position – All shortfall amounts should be included).

(CMI's position – Shortfall amounts not to be included).
- CMI has requested that the City provide it with \$105,000 to cover its initial working capital requirements for the operation of the Curtiss Mansion.

Question: If provided as requested, should this additional \$105,000 be added to the other amounts owed to the City and included in the proposed agreement for reimbursement by CMI?

(City position – Included in agreement for reimbursement).

(CMI's position – Not included in agreement)
- The requested \$105,000 by CMI to cover its initial start-up and working capital requirements for the Curtiss Mansion are further divisible into two (2) separate amounts of \$55,000 (for purchases of personal property items) and \$50,000 (for day-to-day operational costs and expenses).

Question: If provided as requested, should there be any restrictions or limitations placed upon the disbursement of the foregoing amounts from the City to CMI? If so, what restrictions or limitations? If not, should the money simply be disbursed in a lump sum to CMI?

(City position – City to make payments upon presentation of individual requests or Purchase Orders).

(CMI's position – Disbursed in lump sum).

In addition to the foregoing, there may be questions raised as to the construction of the parking lot and fence regarding compliance with the City's purchasing/procurement procedures. We are all in agreement that all such matters must be evaluated by City Staff and brought to the City Council (if determined to be required).

As you will note, the foregoing provides no required "investment" or "forgiveness" of City funds or assets and provides, subject to the answers of certain questions by the City Council, for the appropriate reimbursement of the City's loans and advancements made on behalf of the Curtiss Mansion Restoration Project."

Mayor Garcia asked when Council would know what the shortfall amount is and City Attorney Seiden responded that the shortfall or excess will be measured by how much money the City receives. Council should receive the amount fairly soon.

Attorney Seiden explained that in his conversation with Erik Wishneff he was informed that the accountants that were hired to do the cost certification audit had completed the work and were preparing the report. A number of items that were presented for consideration were considered favorably. CMI found some old checks from early on in the process which were submitted to the accountants and he believes those will also be considered favorably and if so, everything that is considered favorably makes the City's amount to eventually increase.

Attorney Seiden suggested that Council should assume that there will be some shortfall.

Councilwoman Bain has been considering the pros and cons of giving the money to CMI. What the City has been dealing with in regards to the budget and needs of the City has been very difficult. She understands that CMI wants to reimburse the City and that there would be no money if it were not for the Curtiss Mansion. She can support the funding for the parking lot if Council were to approve it under the condition that the City handles the procedures. She is not in favor of giving CMI additional funding other than for the parking lot at this time.

Councilwoman Bain commented that CMI should continue to raise money themselves during the construction of the parking lot and return to Council later to see where the City is at that time.

Councilwoman Ator said that she has also been doing a lot of thinking and she completely understands and appreciates Councilwoman Bain's point of view. She too expects that the money given to CMI should be repaid. The parking and the fence are things that need to get done in order for CMI to get going. Referring to question two, she understands that CMI needs the money for the start-up and to move forward. Referring to question three she said that she does not want the City to be in the business of running CMI. Her position on this question is that she would like the money to be dispersed to CMI in a lump sum.

Councilman Best thanked the CMI representatives for being present. He referred to the resolution that was adopted earlier with a millage rate of 7.2446. The investment position of the City relative to this issue is based on requiring a millage increase and going through the budget Council did not predict that those monies were going to be utilized in this fashion. Referring to question one, he would like to know if CMI had any idea of a revenue stream in terms of how the City is going to be reimbursed.

Councilman Best commented that his position regarding the shortfalls is that he would be willing to waive it. Referring to the second question, he believes that it is only proper that the City be reimbursed.

Councilman Best said that it should be added to a debit sheet and kept track of over the years of the agreement and how it is formulated with CMI to both parties' satisfaction. Referring to question three, he believes that it is only appropriate that purchase orders be released and that the City knows step by step what is going on with the project.

Councilman Best does not believe that the release of a lump sum of money, in this particular case with no track record, is prudent on the part of the City. He is willing to go along with one of the requests.

Vice Mayor Lob said that as far as the first question, the property is ultimately the City's and it is something that has to be done at this time in order to get the tax credit. In regards to the second question, he believes that the money should be paid back. Referring to question three, if Council is looking at being reimbursed the \$105,000 then he feels that CMI should be able to do with the money as they see fit and not be burdened by having to come before Council for any purchase order that they may need.

Councilwoman Ator referred to Vice Mayor Lob and Councilman Best's position on covering the shortfall and asked if they thought that the City should cover the shortfall with repayment or with no repayment and both Council members replied that the City should cover the shortfall with no repayment.

Mayor Garcia commented that he truly believes that the Curtiss Mansion is going to be an economic engine for the City as a whole. He believes that Council should agree to include the \$105,000 as being reimbursed to the City. He does not believe that the present Council will be able to forgive that amount with the economic situation of the community.

Mayor Garcia stated that in reference to the first question, he agrees that the City should absorb the shortfall amount. For question two, he believes that the money should be included into dollars that get reimbursed to the City. Referring to question three, he is in favor of giving CMI a lump sum of the money because he trusts CMI.

City Attorney Seiden explained that in regard to question one there are three Council members who are in favor of waiving the shortfall and two who want it added. Everyone is in favor of question two referring to the reimbursement of funds to the City except for Councilwoman Bain who does not believe the money should be given to CMI. For question three, three Council members agreed to the lump sum, one Council member agreed to a partial purchase order distribution and one Council member said no.

Mr. Alonso explained that whatever the shortfall is, it will be coming out of the reserves.

City Attorney Seiden commented that CMI would like to get started on the fence and the parking lot, unless Council directs that it be stopped until the money is reimbursed; the money that would go to the fence and another item that would come back to Council for the hiring of a site planner for the actual development of the parking lot will also be coming out of the reserve funds.

Councilwoman Ator stated that there should be an agreement in place before the fence and parking lot are finished.

Vice Mayor Lob said that the City will soon know the dollar amount but asked when the City is going to receive the funds and Mr. Alonso replied that he received an email that the accountants were preparing the report which is the last step, so it should be coming soon.

Councilman Best asked if it is true that when the historic tax credit monies come in, the money will go directly into the general fund and City Manager Gorland replied that the money follows a route for entities that were created for this transaction.

Councilman Best said that the point he is trying to make is that Council is really not going to be using reserves.

City Attorney Seiden clarified that it depends upon when Council authorizes it. It is very important for everyone to understand that the memo sets forth a procedure that gets the City paid back its monies and once those monies are paid, the City will then have money to deal with other issues. The disbursement of these monies is another item that Council should deal with before they move on to the next item.

Councilwoman Ator commented that there should be an agreement before things get too far down the road. It had been criticized that the past agreement was not in writing.

Vice Mayor Lob clarified that the past agreement that Councilwoman Ator is referring to is for the loan of \$475,000.

City Attorney Seiden explained that the \$475,000 was not a loan and whoever criticized Councilwoman Ator was in error. The Council agreed on the record before a Council meeting as to how to do it and there were no terms about it and it was to be 100% repaid. There is no need for a separate agreement and it was done in order to secure an additional amount of funding that was not available to be funded. Theoretically, that money was only put in a suspense account to be used if necessary and it turned out to be necessary so it was used.

Regarding Question Number One Councilman Best moved to waive any shortfall amounts that may be incurred by the City beyond the amount of reimbursement it receives from the Historic Tax Credit transaction proceeds. Vice Mayor Lob seconded the motion.

City Attorney Seiden clarified that there are three amounts; \$475,000, \$502,000 and approximately \$597,000. As part of this motion, Council should agree to ask for reimbursement of one of those figures.

Councilwoman Ator said that three Council members think that the City should cover the shortfall for the amount between what is received from the tax credits and the \$599,000.

City Attorney Seiden explained that there are three possible numbers that Council can come up with. The \$475,000 is the reimbursement for the construction funding; the \$502,000 includes the construction funding, a loan, and a recent advance for utilities that have already been advanced by CMI and approximately \$10,000 for change order. The \$599,000 is inclusive of all items; the three items with the transaction cost. He suggested amending the motion or restating it.

City Attorney Seiden asked Council if there was a consensus before the motion is made as to which number Council would be most happy with and Council replied that the figures are unknown.

City Attorney Seiden commented that all three figures are absolutely certain.

Councilman Best stated that the only thing that is not certain is the amount of the historic tax monies. His thought would be to waive the difference of the historic tax credit coming in and the \$599,000.

Mayor Garcia agreed that he was under the same assumption as Councilman Best.

City Attorney Seiden said that he understood what Councilman Best is saying.

Mayor Garcia stated that his previous question was if the maximum amount would \$599,000 before the City receives the funds from the tax credit and City Attorney Seiden replied that he believes that it is accurate.

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

Regarding Question Number Two Vice Mayor Lob moved to authorize the disbursement of \$105,000 to CMI for the initial working capital to be repaid as part of the shared parking arrangement. Councilman Best seconded the motion

To answer Councilwoman Ator's question, Attorney Seiden replied that no timing has been discussed yet. All that is happening at the moment is to get a yes or no on these questions. He clarified that this approval is only to authorize the advancing of the money and that it will be included in the repayment of the eventual agreement to be drafted.

The motion was carried 4-1 with Councilwoman Bain casting the dissenting vote.

Regarding Question Number Three Vice Mayor Lob made a motion to pay the \$105,000 in one lump sum. Councilwoman Ator seconded the motion which was carried 3-2 with Councilman Best and Councilwoman Bain casting the dissenting votes.

City Attorney Jan K. Seiden said that Council needs to be aware that the \$105,000 will more than likely have to come out of reserves if it is going to be advanced within the next few weeks.

Councilwoman Ator would like to know if the check is going to be written right away or if there is going to be a written agreement that will be drafted and approved by Council and then signed by CMI. Attorney Seiden replied that he has no issue as long as CMI agrees on the record.

Mr. Wheeler stated that if the City chooses to issue the lump sum payment for the working capital to CMI, he agrees that it will go into the long term rental agreement for the parking lot along with the expense for the fence and the parking lot.

Mr. Wheeler said that he appreciated the votes of approval from Council and he understands that it is not easy. He explained that in June an agreement was signed with the City which made CMI responsible for all expenses in regards to the Mansion. While the City has covered the utilities for the three month time period, CMI has also secured insurance and paid the premiums and any other bills that they have had with current revenue and flexibility of the people who support the Mansion.

Mr. Wheeler commented that there was an annual meeting on July 21st, a proposed budget was established for income and expenses. An agreement was approved with a marketing and event coordinating company to market the Mansion and book rentals. An agreement was signed with Experience Aviation for the rental of the garage area as well as their payment for classes. The Curtiss Mansion officially began functioning as a business in July and there have already been events booked for the following two years.

Mr. Wheeler explained that CMI provided Mr. Alonso with checks and invoices from investments in the Mansion that CMI had handled directly. He asked Mr. Alonso what the total was and Mr. Alonso replied that the total was over \$400,000.

Mr. Wheeler stated that the track record for being able to accept and disperse grant funds and satisfy the audits of those grant givers is well established. CMI had substantial dollars that went for the engineering of the structural and clean out of the Mansion.

Mr. Wheeler asked Mr. Alonso how much of the \$475,000 had actually been dispersed on that advance and Mr. Alonso replied that Carivon Construction had not been paid completely and there are some incidentals that Roy Rodriguez might have. There is approximately \$350,000 that has not been dispersed yet.

Councilman Best moved to disburse the funds without a contract. Vice Mayor Lob seconded the motion.

Councilwoman Ator stated that this agreement should be in writing.

To answer Vice Mayor Lob's question, City Attorney Seiden said that there is no knowledge of what the cost of the construction is and how long it will take.

Vice Mayor Lob asked how long it is going to be before Council knows the actual cost of the parking lot so the agreement can be signed and City Attorney Seiden responded that there is going to be an item on the agenda for the next meeting to hire a site planner and he will then design the parking lot which will hopefully be in keeping with what their estimates are.

City Attorney Seiden explained that the reason to disperse the money is because of the need as opposed to the uncertainty of the other numbers.

Vice Mayor Lob commented that he asked about the timing because if Council knew an approximation of the timeline then they may be able to give CMI the funding they need.

City Attorney Seiden suggested preparing a promissory note for CMI to sign subject to being incorporated into a future agreement and Council agreed.

Councilman Best amended his motion with the addition of a promissory note. Vice Mayor Lob seconded the motion which was carried 5-0 on roll call vote.

(Agenda Item 10H was discussed before Agenda Item 10A)

10. New Business:

10A) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2014 as Required by Section 35.56 (A) (2) of the City Code (Gene Duffy's seat)

Item was **deferred**.

10B) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2014 as Required by Section 35.56 (A) (2) of the City Code (Pete Baan's seat)

Item was **deferred**.

10C) Resolution No.2012-3555 - A Resolution of the City Council of the City of Miami Springs, Florida; Expressing the City's Intent to Declare that the Freedom from Domestic Violence is a Fundamental Human Right; Effective Date

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

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

10D) Resolution No. 2012-3557 – A Resolution of the City Council of the City of Miami Springs Amending the Current Schedule of Charges for the Use of City Recreation Facilities and Related Services; Effective Date

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

Attorney Seiden stated that attached with the next three resolutions, Council will see that Exhibit A is the final version if approved and Exhibit B is the red-lined version.

Councilwoman Ator moved to adopt the resolution. Councilman Best seconded the motion, which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

10E) Resolution No. 2012-3558 – A Resolution of the City Council of the City of Miami Springs Amending the Current Schedule of Charges for Special Waste Collections as Authorized by Code of Ordinance Section 93.09; Effective Date

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

Attorney Seiden stated that this item also has the Exhibit A and B attachments.

Councilman Best moved to adopt the resolution. Councilwoman Bain seconded the motion, which was carried 4-1 on roll call vote with Mayor Garcia casting the dissenting vote.

10F) Resolution No. 2012-3559 – A Resolution of the City Council of the City of Miami Springs Amending the Current "Schedule of Charges" for Building, Plumbing, Electrical, Mechanical and Other Related Permit Charges or Fees; Effective Date

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

Attorney Seiden stated that this item also has the Exhibit A and B attachments.

Councilman Best moved to adopt the resolution. Vice Mayor Lob seconded the motion, which was carried 3-2 on roll call vote with Councilwoman Ator and Mayor Garcia casting the dissenting votes.

10G) Resolution No. 2012-3560 – A Resolution of the City Council of the City of Miami Springs, Florida; Supporting the Central Everglades Planning Project for the Restoration of the Central Everglades; Effective Date

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

Councilwoman Ator moved to adopt the resolution. Councilman Best seconded the motion, which was carried 5-0 on roll call vote.

(Agenda Item 10H was discussed after Agenda Item 9B)

10H) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$63,700.00, to Island Fence of Dade for 29 Concrete Pilasters, (2) 8' Double Gates and (1) 3' Double Gate for the Curtiss Mansion, Pursuant to Section §31.11 (E) (6) (g) of the City Code

City Manager Ronald K. Gorland read the recommendation.

Councilwoman Ator requested that this be included in the promissory note and asked if it could be done and City Attorney Seiden replied in agreement.

Councilwoman Ator moved the item. Vice Mayor Lob seconded the motion.

City Manager Gorland read the discussion of the memo as follows:

"The goals of CMI and the City are complete the Curtiss Mansion renovation project as soon as possible; however some miscellaneous projects must still be complete. Time is of the essence and an RFP process would be very time consuming.

Therefore, in an effort to complete these projects, we opted to bypass the RFP process (which would require 30-45 days) and instead obtained written quotes (these quotes were solicited by CMI) for each of the tasks remaining, one being, to install decorative fences with double gates and another to install concrete pilasters at the Mansion.

Six vendors were notified and each was provided with design plans A-1 showing the details of the project of which only three quotes were obtained. All the written quotes were initially evaluated by Roy Rodriguez, Jo Ellen Phillips and Manuel Perez-Vichot of CMI. Tammy Romero, Professional Services Supervisor also reviewed the quotes for consistency.

Island fence was determined to be the lowest most responsive responsible quote (as a combined quote) for both the fence/gates and concrete pilasters. The installation will be managed by Roy Rodriguez of TGSV, who has managed the entire project, thus far."

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

Mr. Wheeler clarified that as far as the funding, this item already has building permits and shop drawings for the design and he would like to notify Island Fence of Dade in the morning to begin the process.

Vice Mayor Lob asked if the promissory note will be ready tomorrow and City Attorney Seiden replied in agreement.

(Mayor Garcia called for a 10-minute recess at 8:26 p.m.)

10I) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of up to \$40,000 to James W. Linn, Law Firm Lewis, Longman and Walker P.A., for Both General Employee and Police Retirement Plans Consulting, Pursuant to Section 31.11(E) (4) (d) of the City Code

City Manager Ronald K. Gorland read the recommendation as follows:

"We are proposing waiver of the bid process since the issuance of an RFP/RFQ would delay the process by 30 to 60 days and the pension issues are of utmost importance and require timely solutions. In addition, the special qualifications and reputation of Mr. Linn provides us with a great level of comfort that there is no other person that is as highly qualified as he in the area of pension plans and pension reforms.

Mr. Linn estimates that the City's advisory needs should not exceed the \$40,000 requested (engagement letter and fees are in Attachment "A"). This expenditure will more than pay for itself in future years since the projected pension savings could total millions over the next 20 years. Due to the extreme complexity in the myriad State and Federal statutes associated with current day retirement plan development and management, it is very much in the City's best interest to immediately engage an acknowledged industry expert to advise us in possible changes to our current retirement plans and in the development of potential new retirement plan(s) for both our General Employees and for our Police Retirement Pension Plans. The current interpretation of long-standing statutes, much less the new laws associated with retirement plans, requires a very high level of expertise and reputation (Attachment "B") to advise the City.

Mr. Linn is considered to be such an expert. Even when polling other City Managers during the initial search phase for acknowledged retirement plan experts, Mr. Linn's name kept surfacing as the first plan advisor mentioned.

In addition to all the references provided, Jim Crossland, our labor attorney, has had extensive dealings with Mr. Linn and highly recommends him. In our conversations with Mr. Linn to date, both William Alonso and I have been very impressed. Additionally, because Mr. Linn speaks at so many conferences around the State, his reputation is further advanced by those that have heard of him."

Mayor Garcia commented that Mr. Linn's name came up in passing with former Mayor David Dermer of the City of Miami Beach and he mentioned that there is no other way to go and if the City wants things done right then Mr. Linn is the person to go to. He said that he respects Mr. Dermer and his opinion and appreciated it.

Councilwoman Ator stated that when she spoke with City Manager Gorland she asked if Jim was an attorney because she felt that it was important that the City have someone who is an attorney because there is so much interpretation of the law. Mr. Linn's resume is excellent and this process should be moved forward.

Mayor Garcia said that resolving the issue regarding the police pension is Council's top priority.

Councilman Best moved to waive the competitive bid process and approve the services of Lewis, Longman and Walker, specifically James Linn, up to \$40,000 for purposes of the negotiation through the PBA police retirement fund. Vice Mayor Lob seconded the motion.

City Manager Gorland clarified that the approval is also for the General Employees Retirement Fund.

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

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

September 11th

City Manager Gorland wanted to keep those who lost their lives or lost loved ones during September 11th in everyone's prayers.

12C) City Council

Miami-Dade League of Cities

Councilwoman Ator reported that she attended the Miami-Dade League of Cities. She spoke with Richard Block regarding the Country Club and the reason why the League had not been back to Miami Springs. Their explanation was because the prices at the Country Club were higher than the other venues. She asked the administration to inquire about this with the League of Cities.

Women's Club

Councilwoman Ator announced that the Women's Club plans on hosting a Murder Mystery Dinner at the Lion's Club on October 22nd.

Farmer's Market

Councilwoman Ator said that the All Angels Farmers Market will start on September 22nd and it will run every Saturday through March 2013.

Johnny's Restaurant

Councilwoman Ator reported that Johnny's Restaurant has a promotion in which for the month of September they are matching the price of the bill to the local non-profit that is written on the bill.

Boys Scouts

Councilwoman Bain said that the Boy Scouts are having a sign up on September 13th for any boys that are interested in joining.

Pelican Playhouse

Councilwoman Ator reported that there will be a performance on September 15th and September 16th.

Lions Club Oktoberfest

Councilwoman Bain stated that the Lions Club is having an Oktoberfest on September 29th from 3:00 p.m. to 9:00 p.m.

Murder Mystery Dinner

Councilwoman Bain said that the Optimist will be hosting their Murder Mystery Dinner on September 22nd.

Thank You

Councilwoman Bain gave a big thank you to the Administration and the Department Heads for their hard work during the budget process.

Pelican Playhouse

Councilman Best thanked Councilwoman Bain for bringing up the Pelican Playhouse production for this coming weekend. It is a one weekend event and is September 15th at 7:30 p.m. and September 16th at 2:00 p.m. on the second floor of the Community Center in the Rebeca Sosa Theatre.

Thank You

Vice Mayor Lob also thanked the Administration for the work on the budget.

Thank You

Mayor Garcia gave kudos to the Administration for their hard work on the budget but will hold back a little because there is still one more meeting and he is hoping that there will still be a way to lower the tax rate for the residents.

Open Forum

Mayor Garcia reported that Ms. Gannon thanked him for being the leader but he wanted to let the public know that the entire Council feels the same way, but he was just the first one to speak up. He gave credit to the Council members for making the difficult decisions. This is the only time that Council can speak to each other regarding City issues and he would like to share the credit with his fellow Council members.

Murder Mystery Dinner

Mayor Garcia reported that the Optimist Club will be hosting the Murder Mystery Dinner and there are still a few tickets left and anyone interested should contact him or the Optimist Club.

Eurosuites Hotel

Mayor Garcia said that he toured the Eurosuites Hotel. There has been incredible progress made and he is happy to see that they did what the City requested of them and it is a gorgeous building. It is going to be the nicest hotel in the Miami Springs Airport area.

September 11th

Mayor Garcia paid tribute to all of the men and women who gave and risked their lives on September 11th and to the people who continue to fight and protect the Country and its freedom.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 8:57 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as _____ 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.



Golf and Country Club Advisory Board

Cancellation Notice

The Golf and Country Club Advisory Board meeting scheduled for Wednesday, September 12, 2012 has been canceled.


Elora R. Sakal
Secretary to the Board

cc: City Council
City Manager
Assistant City Manager/Finance Director
City Attorney
City Clerk
Golf and Country Club Advisory Board Members
Omar Luna, Golf Director
Mike Aldridge, Golf Pro
Sandy Pell, Golf Superintendent
Post



City of Miami Springs, Florida

The Board of Parks and Parkways held a regular meeting on Thursday, September 13, 2012 at 7:00 p.m. in the City Hall Council Chambers.

1. Call to Order/ Roll Call

The meeting was called to order at 7:08 p.m.

The following were present:

Chairman Eric Richey
Vice Chairman Jean Ansbaugh
Lynne V. Brooks
Tammy K. Johnston
Irene Priess

Also Present:

Public Works Director Tom Nash
Board Liaison Councilwoman Jennifer Ator
Board Secretary Elora R. Sakal

2. Approval of Minutes

Minutes of the June 14, 2012 meeting were approved as written.

Board member Priess moved to approve the minutes. Board member Johnston seconded the motion which was carried unanimously on voice vote.

3. Old Business:

(Old Business was discussed after New Business)

Board member Brooks commented that she received a PowerPoint presentation from Barbara McAdams from the Dade County Department of Agriculture who gives recommendations for butterfly parks. She has assisted with the Curtiss Mansion as well. Ms. McAdams went to the Library to look at the butterfly garden and provided her recommendations.

Board member Brooks read from the PowerPoint presentation and Ms. McAdams recommended the following:

- The removal of coffee plants to be relocated to the Curtiss Mansion
- The removal and disposal of palm trees to replace with Desert Senna trees and a native passion flower vine
- The removal of shrubs to replace with Red Pentas and American beautyberry
- Plant native Coontie around the flag pole
- Plant milkweed

Board member Brooks explained to Ms. McAdams that the butterfly garden needed bushes that would not grow too tall and that would be easy to maintain. She has offered to donate trees and bushes.

Board member Brooks said that Board member Johnston suggested looking at nurseries and if they are willing to donate they would get a small plaque by the plant with the nurseries name on it.

Board member Brooks stated that Jo Ellen Phillips would also like to help with the butterfly garden.

To answer Chair Richey's question, Board member Brooks replied that the amount of plants needed is labeled in the PowerPoint.

Chair Richey commented that the project can be budgeted based on the amount of plants needed. The cost could be found with a plant finder at the wholesale price.

To answer a question about labor from Chair Richey, Mr. Nash responded that it all depended on when the project starts and what staff is available.

Mr. Nash commented that there was previous discussion on the boy scouts being a part of this project and he asked what the status was and Board member Brooks replied that it is difficult to get the kids together during the school year.

Chair Richey asked if Board member Brooks believes that this project can be done in one day or one section at a time and Board member Brooks responded that she envisioned doing it all in one day if groups were made to work on certain sections.

Board member Johnston suggested contacting the Miami Job Corps in regards to finding help for the project.

Chair Richey asked Board Liaison Ator if County Commissioner Rebeca Sosa would be interested in donating for the butterfly garden and Board Liaison Ator replied that the board can ask her.

Board Liaison Ator suggested speaking with Mindy McNichols to get older aged kids involved.

Board member Brooks asked if the Anchor Club or any other clubs at Miami Springs High School would be interested in the project and Chair Richey replied that since he is going to start working at the High School, he will find out if the Anchor Club would be interested.

Mr. Nash mentioned that Public Works can prepare the area. As far as dedicating Public Works staff to work on the project, he would have to ask City Manager Gorland.

Chair Richey said that he would like to replace the old soil with new soil. He said that he would like to place this item on the next agenda.

4. New Business:

a) October Yard of the Month: 356 De Leon Drive

Chair Richey commented that Building and Zoning Director Tex Ziadie had two signs for the Yard of the Month posted at homes at the same time. He believes that the sign should be taken down on the first of the next month and then placed in the next yard on the same day and the Board agreed.

Chair Richey asked the Board members how many months they wanted to nominate and Board member Priess replied that it should be at least two because there are times when the Board does not meet.

Chair Richey asked if the Board had to meet to nominate a home or if it can be emailed and Board Liaison Jennifer Ator replied that the Board must meet to nominate the homes.

Board member Priess commented that they awarded the September Yard of the Month at the last Council meeting. The October yard of the month was tabled from their last meeting to be nominated tonight for Council's approval.

Board member Priess nominated 974 Meadowlark for the Yard of the Month for November.

Board member Brooks nominated 969 Lawn Way for the Yard of the Month for December.

The Board members viewed the November and December yards on Google maps that Board Secretary Sakal provided.

Chair Richey nominated 209 Chippewa Street for the Yard of the Month for January. He said that this home can be nominated at the next meeting.

By consensus, the Board approved 356 De Leon Drive for the October Yard of the Month.

Chair Richey asked for all those in favor of 974 Meadowlark Avenue being the November Yard of the Month and by consensus the Board members agreed.

Chair Richey asked for all those in favor of 969 Lawn Way being the December Yard of the Month and by consensus the Board members agreed.

b) Long Range Goals

Chair Richey commented that his first long range goal is replacing the coral rock intersection structures on Morningside Drive. He would like the City to put in a schedule for the restoration of the coral rock walls. His second long range goal is to install old fashioned lamp posts along Canal Street.

Public Works Director Tom Nash stated that he wanted to replace the light fixtures on the Circle but it would cost \$15,000.

Board Liaison Ator explained the issues in regard to Calvin Giordano's costly ideas for the City and the Architectural Review Board's dissatisfaction with Calvin Giordano.

Discussion ensued regarding City Hall being painted to mirror the Community Center and the color palette and if the plants in the front were going to be affected. It was noted that the metal structure on the front of City Hall was going to be removed and Mr. Nash was waiting on an estimate for removal.

To answer Chair Richey's question, Mr. Nash stated that any funds received for the scrap metal would be returned to the General Fund account.

Chair Richey congratulated Mr. Nash for his new position as the Public Works Director.

Mr. Nash wanted to discuss some landscaping ideas for the Downtown area. He spoke with Board member Ansbaugh to get some ideas. He said that the Trinettes that are planted by the incoming bridge have outlived their purpose in that area and he would also like to clean out some other plants there as well.

To answer Chair Richey's question, Mr. Nash explained that the hay was from an event at the Curtiss Mansion and Jo Ellen Phillips asked Golf Superintendent Sandy Pell if she wanted it. He was under the assumption that it was going to be used for the Halloween hay ride, but it was apparently used for something else.

Chair Richey asked about the street light on Curtiss Parkway that was damaged due to an accident and Mr. Nash responded that Florida Power and Light is in charge of those street lights and he has contacted them on a daily basis to repair them.

5. Other Business:

Board Liaison Ator commented that there is \$27,000 for trees in the budget for next year.

6. Adjournment:

There was no further business to be discussed and the meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Elora R. Sakal
Secretary to the Board

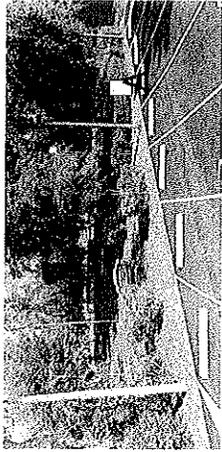
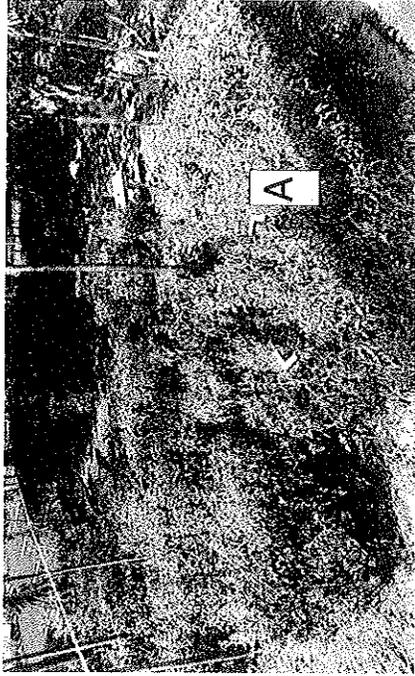
Approved as _____ during meeting of: _____

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".



File



A
 Remove all debris, 1. PRODUCE 10
 2. Remove all debris, 1. PRODUCE 10
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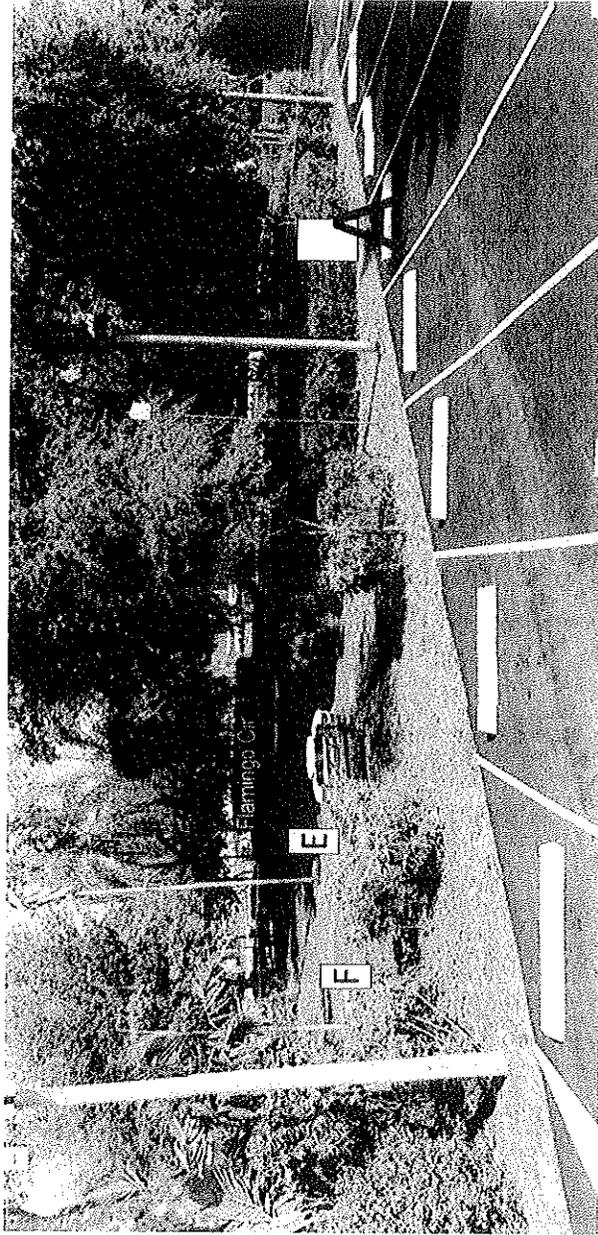
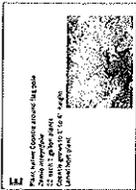


D
 Smooth and uniform finish and texture
 Applied to: 100%
 Area: 100%
 Total project area: 100%
 Notes: None

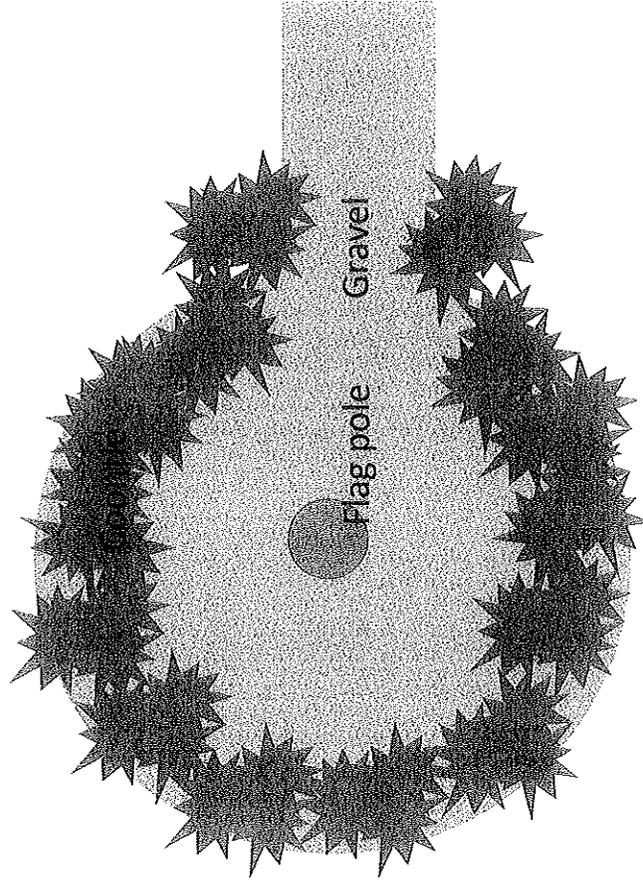


C
 Medium and coarse texture
 Applied to: 100%
 Area: 100%
 Total project area: 100%
 Notes: None





E Detail for Coontie surrounding
flagpole





CITY OF MIAMI SPRINGS
 BOARD OF PARKS AND PARKWAYS
 201 WESTWARD DRIVE
 MIAMI SPRINGS, FL 33166
 TELEPHONE:
 305-805-5006
 FAX:
 305-805-5028



September 17, 2012

Dear Kelly R. Cook:

We are pleased to advise you that your property located at 356 DeLeon Drive in Miami Springs has been chosen by the Board of Parks and Parkways as the City of Miami Springs Yard of the Month for the Month of October.

We will be featuring your yard in an upcoming issue of the River Cities Gazette and placing a yard sign in the front yard of your property for one month. We would also like to present an award to you at the Monday, October 8, 2012 Council Meeting. Thank you for being a credit to our community!

Best Regards,

Eric Richey
 Chairman, Board of Parks and Parkways

I agree to have my yard designated as City of Miami Springs Yard of the Month for the month of October and to have my property advertised as such by a yard sign and a notification in the River Cities Gazette.


 Signed-Property Owner


 Print Name

Nos complace informarle que su propiedad ubicada en 356 DeLeon Drive en Miami Springs ha sido elegida por el "Board of Parks and Parkways" como el Patio del Mes de Miami Springs del mes de octubre .

Publicaremos su patio en una próxima edición del River Cities Gazette y colocaremos un letrero en la parte delantera de su propiedad durante un mes. También nos gustaría presentarles un Certificado de Reconocimiento en la Sesión del Concejo el Lunes, 8 de octubre del 2012 Gracias por embellecer nuestra comunidad!

Saludos de,

Eric Richey
 Presidente de la Junta, Board of Parks and Parkways

Estoy de acuerdo que mi patio sea designado como el Patio del Mes de Miami Springs por el mes de octubre y que este hecho sobre mi propiedad se publique por medio de un letrero colocado en el patio y en el River Cities Gazette.

 Firma-Propietario

 Imprima su Nombre

My Home
Miami-Dade County, Florida



miamidade.gov

Property Information Map



Aerial Photography - 2009

0 ————— 115 ft

This map was created on 9/17/2012 8:35:22 AM for reference purposes only.

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Summary Details:

Folio No.:	05-3119-013-2020
Property:	356 DELEON DR
Mailing Address:	KELLY R COOK 356 DE LEON DR MIAMI SPRINGS FL 33166-5904

Property Information:

Primary Zone:	0600 SINGLE FAMILY, 1401-1550 S
CLUC:	0001 RESIDENTIAL - SINGLE FAMILY
Beds/Baths:	3/1
Floors:	1
Living Units:	2
Adj Sq Footage:	2,018
Lot Size:	14,200 SQ FT
Year Built:	1940
Legal Description:	19 53 41 .31 AC PB 34-40 REV PL SEC 2 COUNTRY CLUB ESTS N100FT OF TRACT A BLK 110 AKA LOTS 8 & 9 PB 10-79 LOT SIZE 100.000 X 142 OR 10822-933 0680 5

Assessment Information:

Year:	2012	2011
Land Value:	\$74,641	\$99,262
Building Value:	\$163,270	\$179,512
Market Value:	\$237,911	\$278,774
Assessed Value:	\$235,472	\$228,614

Exemption Information:

Year:	2012	2011
Homestead:	\$25,000	\$25,000
2nd Homestead:	YES	YES

Taxable Value Information:

Year:	2012	2011
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$50,000/ \$185,472	\$50,000/ \$178,614
County:	\$50,000/ \$185,472	\$50,000/ \$178,614
City:	\$50,000/ \$185,472	\$50,000/ \$178,614
School Board:	\$25,000/ \$210,472	\$25,000/ \$203,614

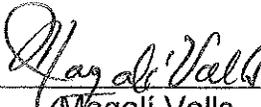


City of Miami Springs

Cancellation Notice

The Revitalization and Redevelopment Ad-Hoc Committee Meeting of September 17, 2012 has been canceled in advance.

The Board is scheduled to meet on Monday, October 15, 2012 at 7:00 p.m.



Magali Valls
City Clerk

cc: Mayor and Council
City Manager
Assistant City Manager/Finance Director
City Attorney
Planning and Zoning Director
Revitalization and Redevelopment Board Members
Secretary to the Board
Post