



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

**REGULAR MEETING  
Monday, December 8, 2008  
7:00 P.M.**

**Mayor Billy Bain**

**Vice Mayor Rob Youngs**

**Councilman Bob Best**

**Councilman Paul C. Dotson**

**Councilman Zavier Garcia**

**City Manager James R. Borgmann**

**Assistant City Manager Ronald K. Gorland**

**City Attorney Jan K. Seiden**

**City Clerk Magalí Valls**



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

**Mayor Billy Bain**

**Vice Mayor Rob Youngs  
Councilman Paul C. Dotson**

**Councilman Bob Best  
Councilman Xavier Garcia**

**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, December 8, 2008  
7:00 p.m.**

1. **Call to Order/Roll Call**
2. **Invocation:** Vice Mayor Youngs  
  
**Salute to the Flag:** Audience participation
3. **Awards & Presentations:**
  - A) Introduction of Ralph H. Giglio, New Recreation Director
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) 11/24/2008 – Regular Meeting

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

- A) 10/16/2008 – General Employees' Retirement System – Minutes
- B) 10/16/2008 – Police Officers and Firefighters' Retirement System – Minutes
- C) 11/19/2008 – Recreation Commission – Minutes
- D) 11/20/2008 – Historic Preservation Board – Minutes
- E) 11/25/2008 – Ecology Board – Cancellation Notice
- F) 12/02/2008 – Code Enforcement Board – Minutes
- G) 12/10/2008 – Golf and Country Club Advisory Board – Cancellation Notice
- H) 12/18/2008 – Historic Preservation Board – Cancellation Notice
- I) 12/03/2008 – Architectural Review Board – Notice of Lack of a Quorum
- J) 12/01/2008 – Zoning and Planning Board – Minutes
- K) 12/01/2008 – Approval of Actions Taken by the Board of Adjustment at their Meeting of December 1, 2008, Subject to the 10-day Appeal Period

**7. Public Hearings:**

- A) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-20, Normal Retirement, by Providing for Lifetime Health Insurance Coverage Eligibility Following Employee Normal Retirement; Establishing Eligibility for Like Benefits for 401-A Retirement Plan Participants and Other City Officials; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11/24/2008 – Advertised: 11/26/2008)

**8. Consent Agenda:**

- A) Approval of the City Attorney's Invoice for November 2008 in the Amount of \$9,487.50
- B) Recommendation that Council Renew Bid No. 01-07/08 for Janitorial Services for One Year, to SFM Services, Under the Same Terms and Conditions of the Original Agreement, in the Amount of \$90,456.00, as Provided in Section 31.11 (E) (1) and (2) of the City Code

**9. Old Business:**

- A) Education of the Citizens Regarding the Pros and Cons of Annexation (Requested by Councilman Best)

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

- B) Official Notification of Verification of Signatures – Discussion of Council Alternatives; Resolution – A Resolution of the City Council of the City of Miami Springs Calling for the Holding of a Special Election for the City on Tuesday, April 7, 2009; Delineating Charter Question for the Ballot of the Miami Springs General Municipal Election; Providing Authorization and Directions to the City Clerk; Effective Date
- C) Family Night Police Staffing
- D) Appointments to Advisory Boards by the Mayor and Council Members

**10. New Business:**

- A) Approval of Interlocal Agreement with Miami-Dade County for Recycling Services
- B) Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Schedule of Charges and Fees for the Operation of the Miami Springs Golf and Country Club; Effective Date
- C) Consideration of Support for City of Miami Resolution No. R-08-0652
- D) Report Regarding Swim Meet and Pool Revenue

**11. Other Business:**

- A) Presentation of Fourth Quarter Financials for Fiscal Year 2007/2008
- B) Presentation of Golf Course Financials for Fiscal Year 2007/2008

**12. Reports & Recommendations:**

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

13. Adjourn

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If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.  
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In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than (7) days prior to the proceeding.  
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Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.  
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Next Ordinance No. 973-2008  
Next Resolution No. 2008-3423



**DRAFT**



## *City of Miami Springs, Florida*

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, November 24, 2008, 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 Billy Bain  
Vice Mayor Rob Youngs  
Councilman Bob Best  
Councilman Paul C. Dotson  
Councilman Zavier Garcia

Also Present:

City Manager James R. Borgmann  
Assistant City Manager Ronald K. Gorland  
City Attorney Jan K. Seiden  
Chief of Police Peter G. Baan  
Finance Director Leacroft E. Robinson  
Comptroller Alicia E. González  
City Planner Richard E. Ventura  
City Clerk Magalí Valls

### **2. Invocation:** Councilman Zavier Garcia offered the invocation.

**Salute to the Flag:** The audience participated.

### **3. Awards & Presentations:**

**3A) Presentation of Plaques – 1) Achievement for Excellence in Financial Reporting: Comprehensive Annual Financial Report (C.A.F.R.) for Fiscal Year Ending September 30, 2007 and 2) Award of Outstanding Achievement in Popular Annual Financial Reporting for Fiscal Year Ending September 30, 2007 (P.A.F.R.)**

City Manager Borgmann stated that he was privileged to give two awards to the Finance Department that the City received from the Government Finance Officers Association of the U.S. and Canada.

City Manager Borgmann explained that the first award is for outstanding achievement in Popular Annual Financial Reporting, which is a small brochure that is mailed to residents with a brief synopsis of the financial condition of the City and the second is for excellence in Financial Reporting for Fiscal Year Ending September 30, 2007.

### **3B) Presentation – Department of Environmental Resources Management (DERM)**

City Manager Borgmann announced that he was unable to have a speaker present, but a report was generated that will be distributed during the discussion on annexation.

## **4. Open Forum:**

### **Swimming Pool**

Ivonne Amor of 540 Raven Avenue expressed her gratitude to the Mayor, Council, City Manager and Administration for providing the opportunity for residents to be able to swim year round. Her son, who was very sick with asthma, has improved since he began swimming for the past two years. She felt that it is appropriate during Thanksgiving week to give thanks for the opportunities that the residents have in Miami Springs.

### **Swimming Pool**

Mel Johnson of 109 South Royal Poinciana Boulevard would like to know the number of Miami Springs' swimmers on the Miami-Dade Aquatic Club currently and for the past two years on a weekly and monthly basis. He followed Council's direction to ask the Assistant City Manager for information on pool admission revenues and was told to secure a Public Records Request.

Mr. Johnson stated that the Assistant City Manager indicated that the numbers vary on a weekly and monthly basis and he would have to research the past three years to verify names and addresses of Miami Springs' residents on that private team. He would like to know how much revenue the City receives from the Miami-Dade Aquatic Club to practice at the pool six days a week and for swim meets and if there is a contract with the City.

Mayor Bain explained that he was not aware of the situation and why Mr. Johnson's questions were not answered, but hopefully the information will be provided when it is available.

Vice Mayor Youngs stated that residents can express their concerns during Open Forum and Council can request an agenda item if necessary. He said that Council has had concerns about the viability of keeping the pool open, which is the same as other recreation programs. He suggested that Mr. Johnson could make an appointment to ask the Administration for information.

Councilman Garcia commented that his own children and friends might not belong to the aquatic team, but they use the pool during the winter months, just like many other residents. Mr. Johnson had previously stated that only six local children use the pool, which is not an accurate statement.

Assistant City Manager Gorland stated that he indicated to Mr. Johnson that the number of residents on the aquatic team was in excess of twenty. He asked for more specific information from the swim club since it is a private organization. He added that when Mr. Johnson came to his office he asked him if he was aware or involved in fabricating numbers at the swimming pool and at that point he asked Mr. Johnson to leave.

Councilman Garcia suggested that Mr. Johnson should submit his request for public records to the City Clerk who will provide the records if they are available. The swimming pool operates year round for everyone, including kids, children, adults, senior citizens and those with special needs. He does not understand why the aquatics club is an issue because recreation is an expense that provides a service to the community.

Councilman Dotson agreed that the Open Forum session should not be expanded to a big debate. He would like an agenda item for the next meeting to discuss the swim teams and the financial arrangements with each organization. He received calls from several citizens about the murky situation with information at the swimming pool, which may not be correct, but should be cleared up.

Councilman Dotson commented that the financial analysis that was provided for the November 9<sup>th</sup> swim meet is useless. He requested an itemized breakdown for overtime expenses, concession revenue, clean-up costs and the rates charged for events. He knows that the pool is not a money making enterprise, but he wants to be sure that residents have the opportunity to use the pool and are not excluded by activities that bring people in from outside the City.

Councilman Garcia would like all the financial information before scheduling an agenda item.

Assistant City Manager Gorland explained that his memorandum to Council covered the revenue and direct costs. He can develop estimates, although the clean-up cost is unknown because it was done by the crew that managed the event. Since there is no available cost accounting system, all numbers are estimated.

Vice Mayor Youngs said that Council made a decision during the budget process to fund the pool operation year round with these events. He suggested providing a cost benefit analysis in order to know how much it costs to provide the service to the residents. He asked what would be the estimated time to provide the analysis.

Assistant City Manager Gorland stated that accurate information from the swim meet is available for the individuals that worked and how much they made. The revenue was a check to the City from the meet organizer and an additional payment of \$150.00 for an extra lifeguard. The remaining figures would simply be estimates, which he could provide for the next meeting.

**5. Approval of Council Minutes:**

**5A) 11/10/2008 – Regular Meeting**

Minutes of the November 10, 2008 Regular Meeting were approved as written.

**Councilman Garcia moved to approve the minutes. Councilman Best seconded the motion which was carried 4-0 on voice vote (Vice Mayor Youngs abstained since he was absent at the last meeting).**

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

**6A) 11/13/2008 – Board of Parks and Parkways – Cancellation Notice**

Cancellation Notice of the November 13, 2008 Board of Parks and Parkways meeting was received for information without comment.

**6B) 11/17/2008 – Education Advisory Board – Minutes**

Minutes of the November 17, 2008 Education Advisory Board meeting were received for information without comment.

**6C) 11/27/2008 – Code Review Board – Cancellation Notice**

Cancellation Notice of the November 27, 2008 Code Review Board meeting was received for information without comment.

**6D) 12/16/2008 – Education Advisory Board – Cancellation Notice**

Cancellation Notice of the December 16, 2008 Education Advisory Board meeting was received for information.

Vice Mayor Youngs commented that the Education Advisory Board asked the Mayor and Council to recognize the Teachers of the Year for each school during a City Council meeting.

**7. Public Hearings:**

None.

**8. Consent Agenda:**

None.

## **9. Old Business:**

### **9A) Meetings of Advisory Boards**

City Manager Borgmann stated that he presented a proposal at the last meeting to consider combining some of the advisory boards and the item was tabled until a full Council is present.

City Manager Borgmann explained that his recommendation was to combine six boards into three, merging the Board of Parks and Parkways with Ecology, the Architectural Review Board with the Historic Preservation Board and the Golf and Country Club Advisory Board with the Recreation Commission. The reasoning is that the boards have similar functions and sometimes the meetings are cancelled due to lack of a quorum or business to discuss. He felt that combining the boards could create more business and the chance to meet on a regular basis to provide more input.

Vice Mayor Youngs was unable to attend the last meeting, but he knows there was a good discussion from reading the minutes and watching television. He sensed the sentiment was to keep the boards separate, although he would speak in favor of combining them to save the expense and create more civic interest. Over the past few years there has been less business to discuss in order to generate monthly activity and to better use the board members' time. It would make sense to combine Golf and Recreation.

Councilman Best said that there are numerous residents who participate on the boards and they bring forth ideas when the meetings are held. He would not recommend combining Recreation with Golf because of the differences in both activities, including the new community center issues that have nothing to do with Golf. The only proposal that makes sense to him is combining Ecology with the Board of Parks and Parkways. He said that the Architectural Review Board came back with good information after Council's direction. He values his board member appointees, and it allows the citizens to have a say in the various disciplines of the City.

Vice Mayor Youngs added that Council must defend the fact that boards will not meet every month unless there is an issue to discuss.

Councilman Best stated that combining boards could mean that some board members would have to step down or else the number of members would increase.

Councilman Dotson commented that he would rather schedule the meetings on a bi-monthly basis instead of combining the boards. This would allow the members to use their own initiative to bring forth issues, but they should not meet unless they have something to discuss. Based on the information provided by the City Clerk, the Architectural Review Board met the most. The Code Enforcement cancelled three times, the Ecology Board cancelled seven times, and Education cancelled three times. The Golf and Country Club Advisory Board met seven times the past year.

Councilman Dotson would not want to consolidate boards that do not have a lot in common. The Golf and Country Club Advisory Board members understand golf, while this is not true for all of the Recreation Commission members. The board members are selected based on their background and interest in the boards, which is crucial to their success.

Councilman Garcia liked the suggestion to reduce the frequency of the board meetings unless Council needs them to discuss a particular issue. The Board of Parks and Parkways and Ecology Boards have important issues that could be discussed jointly, since the Ecology Board has had cancellations due to lack of a quorum. He would like to follow the City Attorney's previous suggestion to have those two boards meet together before changing any ordinances.

Councilman Dotson stated that the Ecology Board has had two vacancies for more than two years, which makes it difficult to have a quorum.

Councilman Garcia commented that it takes a special person to be interested in ecology and his appointee approached him asking to be a member of that board. He knows that other boards meet more frequently and are more interesting. The Chairman of the Board of Parks and Parkways is very informed and he might be willing to meet with the Ecology Board members.

Councilman Best commented that he spoke with all his appointees who want to leave the boards the same as they are now.

Mayor Bain stated that the Board of Parks and Parkways does not meet unless there is an issue to discuss and the Architectural Board has recently met at the direction of Council. He would like to leave the boards the same as they are now and try to fill the vacant positions on the Ecology Board.

Councilman Garcia reiterated that the boards could meet together for one meeting to see how it works out.

Councilman Best suggested that perhaps Council should be more proactive and give specific direction to the boards.

Mayor Bain mentioned that the new recycling bins will be delivered soon. The Ecology Board brought forth their recommendation for the rain barrels, which is done on a voluntary basis, plus the Grant Writer was directed to pursue funding for this purpose. He recommended leaving the boards the way they are now, unless Council wants to experiment with combining the Ecology Board with the Board of Parks and Parkways for one meeting.

Councilman Garcia stated that he was approached by residents asking about recycling fluorescent light bulbs, which is a matter that could be discussed by the Ecology Board.

Mayor Bain asked if Council wanted to experiment with scheduling a joint meeting with the Ecology Board and the Board of Parks and Parkways.

City Attorney Seiden felt that the Ecology Board and the Board of Parks and Parkways would be the most likely to coordinate their efforts. He suggested directing them to conduct one or two joint meetings with a total of eight members, five would be a majority and four would make a quorum. They could provide feedback to Council on whether or not they want to combine boards.

Councilman Best and Vice Mayor Youngs agreed with combining the boards on a trial basis for one or two meetings.

Vice Mayor Youngs would also like to give the members the charge to look into the disposal of fluorescent light bulbs.

To answer Councilman Best's question, City Attorney Seiden stated that since the Board of Parks and Parkways is a complete board and Mr. Richey has been the incumbent Chairman for some time, it would be appropriate to ask him to Chair the joint meeting.

**Councilman Garcia moved to direct the Ecology Board to meet with the Board of Parks and Parkways on December 11, 2008. Vice Mayor Youngs seconded the motion, which carried unanimously on roll call vote.**

Council agreed that the boards should consider the matter of disposing fluorescent light bulbs.

The City Attorney suggested that the City Clerk could send a brief memo to all members explaining that this is an experimental process and Council would like them to meet together at least one time.

(Agenda Items 9B and 9C were considered after Item 9D)

**9B) Approval of Contract with Link Construction to Build the New Community Center**

*(This item was discussed after the recess)*

City Manager Borgmann stated that he, Assistant City Manager Gorland and City Attorney Seiden met with the representatives from Link Construction and special counsel Vivien Montz on November 19<sup>th</sup> to discuss the final contract language to present to Council. He noted that Council members received the contract and all pertinent support documents under separate cover; the representatives were present to answer questions. The City's \$120,000 contingency fund included in the contract bid would be returned to the City in the event that it was not used.

City Manager Borgmann stated that they were going to approach the Ted Hendricks Foundation regarding equipment donations for the new Community Center.

City Attorney Seiden advised the Council that Manny Pérez-Vichot would be acting as a representative of the City to review the plans during the design phase of the project. In addition, Assistant City Manager Gorland is starting the process to hire two full time City employees as a Project Engineer and a Threshold Inspector, who will help expedite the various inspections in coordination with the Building Official, who has final approval. He emphasized that every item that Council was concerned about has been reviewed, discussed and accounted for.

City Manager Borgmann noted that a \$400,000 contingency fund has been created to hire the professional engineers and equipment for the Community Center, which is in addition to the contract.

In response to Vice Mayor Youngs' question, City Manager Borgmann said that the Project Engineer's salary would come out of this contingency fund; the Threshold Inspector salary would probably come out of the \$120,000 fund unless the City does not need it for equipment.

Councilman Best thanked Ms. Montz for protecting the best interests of the City. He asked for a definition of a "shop drawing" as noted on the revisions.

Ms. Montz replied that a contractor takes the design drawings provided by the architect and "mark them up" in the field with information and specifications as they inspect the site. The drawings are submitted back to the architect for approval or rejection depending on whether or not the drawings are in conformance with the contract documents. In this instance, Link has already retained an architect who is responsible for all of the design. The only changes that would be approved would be if the City wants to make a significant change to the design.

Councilman Best noted that there are provisions for storage and dressing rooms on either side of the main stage in the performing arts center.

City Manager Borgmann replied that the whole area may be fine tuned, since they decided to go with a "black box" concept. A bathroom also needed to be added, and Link did not charge the City for the revision.

Vice Mayor Youngs asked if the contract contained the kinds of specifications and changes that were talked about early on in the process.

City Manager Borgmann explained that after the construction company was selected, the Recreation Staff was asked to review the basic contract to make sure all their requirements were met. During that process a number of items were changed, storage space was added on the third floor, an office was deleted, and the bleachers were reconfigured due to the proximity of the jogging track on the second floor. Link did not charge for any of the changes since they were made before the walls started to go up.

Ms. Montz noted that she wanted to make sure that the City's architect reviewed all of the exhibits, plans, and elevations to ensure that all of the changes that were suggested had been included.

City Attorney Seiden pointed out that the agreement with the County that was approved at the last meeting was also included in the documents; the contractors and their sub-contractors have to abide by the same rules and regulations as the City.

Councilman Dotson noted that the City Attorney said that he believed that all the items that Council had asked for are now contained in this contract. He asked for specifics on the floor covering for the basketball courts. Council had requested maple wood several times, and the wording was vague in the exhibit. He was also concerned that placing the air conditioning units on the roof would be an inconvenience to the neighbors in terms of noise.

Ms. Montz replied that maple may be specified in some of the exhibits, but that was one of the reasons they wanted the architect to review all the drawings. If the City requested maple flooring, she will make sure it is in the specifications. She continued to explain that sound muffling requirements had been discussed and included in the original Request for Proposals. It should be included in the contract; sound deadening requirements are part of the Code. She suggested that a check list could be prepared for the architect to ensure that all specifications were being met.

Councilman Dotson reiterated that he was very concerned about the possible noise consequences for the residents in the surrounding neighborhood. He noted that it was thought that the windows could be opened at times during the year to reduce the need for air conditioning, but they were told that the temperature fluctuations would be detrimental to the gym flooring. He asked if that issue had been addressed.

Ms. Montz replied that the level of noise and soundproofing can be addressed. If the air conditioning unit did not comply with the standards specified, Link would have to replace it and any other items that were damaged because of the deficiencies at their own cost. The City would be protected in any event; warranty forms will be provided for the contractors and sub-contractors to fill out.

Mayor Billy Bain pointed out that maple flooring was stated in the presentation to the Council; and that a certain brand of air conditioner had been mentioned as a problem.

Orlando Ceballos, Project Manager for Link Construction Group, advised that the air conditioning issue had been addressed by adding a wall to the top of the building. This will act as a parapet to control the noise level and not allow it to filter down to the neighbors below. He continued to say that Link provided a sample of the light colored maple wood that was proposed for the gym floor.

In response to Councilman Dotson's question, Mr. Ceballos replied that they have performed three additional percolation tests in the surrounding areas to make sure that they had a more accurate reading of the overall location near the footprint of the actual new building. They are working on some preliminary submittals to present to the City for review. Link has approved and included all the changes that have been made so far, including the second restroom on the second floor near the stage area.

In response to City Attorney Seiden's suggestion, Mr. Ceballos stated that fire flow tests have been performed to make sure there is adequate fire protection for the new facility, of which there is none at the present time. The preliminary work has been done, and they are hoping for a late December submittal to the Building Department for review and a mid January permit. The design has been moving forward even though the contract has not been signed.

Councilman Dotson noted that he voted for Link Construction because the construction schedule was 365 days. This proposal calls for 425 days, and he asked why the additional time was needed.

Mr. Ceballos replied that the original proposal also included time for getting the contract signed. He pointed out that the construction times have not changed beyond that point. The delay has been from the proposal up until now, and has not affected the original submittal for the drawings that have been approved since that time.

Vice Mayor Youngs noted that the handicapped parking is shown near the northwest entrance of the building. He asked if a porte-cochere could be added to protect people during heavy thunder and lightning storms.

Mr. Ceballos agreed that a porte-cochere or similar structure could be taken into consideration. He thought it would be more protection from rain than lightning, and noted that the current lightning warning system to protect both the field and the new building will have to be moved at some point in time.

City Manager Borgmann said that another item to be considered is a marquee of some sort so that events could be advertised.

Councilman Dotson requested a clarification of the dispute resolution in Article 6 of the contract. He thought that litigation, as mentioned, was a more expensive and time consuming option than arbitration, and wondered why that option was selected.

Ms. Montz replied that there were several reasons. The first neutral parties to attempt to resolve claims or disputes would be the architect or the project manager. If that does not work, then the items escalate to mediation, and from there to litigation if necessary. Mediation would be a cost effective method to deal with any disputes as well, and generally resolves most of them. Recently, arbitration has been found to be as costly and time consuming as litigation. In addition, arbitration does not give the parties the evidentiary protection of litigation, and is harder to appeal. She believes that litigation would save the City money in the long run if there was a problem.

In response to Councilman Dotson's question, Ms. Montz said that the payment schedule would be based on a schedule of values submitted in a document and the percentage of work scheduled to be completed in each month. A further condition requires that they be in compliance with the project schedule. The lump sum is distributed according to the amount of work done each month. During those time periods the project manager and architect will review the work and make sure it is in compliance with the contract documents before they are paid.

Vice Mayor Youngs asked if it was common practice to reduce the retainage from ten percent to five percent on large projects after more than fifty percent was complete.

Ms. Montz replied that it was common in a public project, and there was a Florida Statute that was part of the Prompt Payment Act. The City as a municipality has to comply with the Prompt Payment Act and that gives the contractors the opportunity to reduce the retainage after the project is fifty percent complete. This also gives the contractors the opportunity to pay the sub-contractors earlier. The Prompt Payment Act protects both parties.

Vice Mayor Youngs noted that the City was also protected with the punch list items during each phase; the City is allowed to retain 150% of the estimated cost of the punch list items.

Ms. Montz agreed, and advised that if there was a dispute or claim for any reason, the City has the right to withhold payment regardless of the reduction of retainage provision.

Councilman Dotson asked Mr. Ceballos if there were any provisions made to wet down the area during the construction. He was concerned that the surrounding residents would be subject to a lot of dirt and dust swirling in the air and into their houses. He also asked the hours of operation.

Mr. Ceballos replied that they have hired a street sweeper to sweep up the tracks of the ingoing and outgoing equipment, and a watering truck service will be used during demolition and the construction of the foundation slab. The crews usually work from 8 a. m. to 5 p. m., but there are some items that may require an earlier start time. They will advise the City Manager in advance so the neighbors can be notified. The intent is to inconvenience the neighbors as little as possible.

City Attorney Seiden said that the staging of the site equipment and trailer are subject to approval from the City. It has already been agreed that virtually all of the traffic will come across from Ludlam Drive to minimize the traffic through the City.

In response to Councilman Dotson's question, Mr. Ceballos said that no change orders had been requested yet; they would look at the porte-cochere first to see if that required one. He continued to say that the \$120,000 contingency fund was recommended based on their experience and the amount of the contract. As a design build, the contingency fund should not create any change orders unless it is eliminated or used for other change orders.

Mayor Bain pointed out that a change order would have to be voted on by the Council.

City Manager Borgmann said that there may be changes that occur, but if they do not impact the bottom line, they may not require a change order.

City Attorney Seiden said that the project manager would be on site to approve or reject any minor matters that need immediate attention. He asked Council if they would want any decisions to use the contingency fund brought to their attention for approval first.

Mayor Bain would want the matter brought to the attention of Council first, even if it resulted in calling a special meeting. Council agreed.

In response to Vice Mayor Youngs' question, Mr. Ceballos said that Link had accepted Manny Pérez-Vichot as the neutral party for dispute resolution.

City Attorney Seiden suggested that the motion to authorize execution of the contract should be:

*“that the proper officials of the City are authorized to execute a contract proposed between Link Construction Group, Inc. and Miami Springs for the construction of a new Miami Springs Community Center and that the execution of the contract would be subject to the following:*

- 1) The satisfaction of City Officials to the adequacy and proper language contained in the proposed payment and performance bonds from Link.*
- 2) A review of the proper insurance documents required for the project, including but not limited to the builder's risk property damage insurance.*
- 3) A technical review by the City's architect to determine that all documentation contained within the contract and the drawings that are referenced in the contract are what has been proposed and agreed to previously and presented to Council and agreed to with Link in prior presentations.”*

**Vice Mayor Youngs moved the item as stated above by the City Attorney. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

In response to Mayor Bain's question, City Attorney Seiden advised that provisions for emergency meetings are in the Code should one be required.

*(Agenda Item 10E considered at this time)*

#### **9C) Discussion Regarding Status of Annexation Negotiations**

*(This item was discussed after item 10E)*

City Manager Borgmann stated that he, Mayor Bain, and City Attorney Seiden attended a meeting at the Medley Town Hall together with the Mayors from Virginia Gardens and Doral and their attorneys. It was agreed by all present that the County should be encouraged to continue moving the annexation process forward. The cities agreed that each would initiate whatever action is required to file amended applications. The only issue that was left undecided was a definite answer from the County on the availability of Area 9 for annexation by Miami Springs and the resulting southern boundary line between Miami Springs and Virginia Gardens regarding the six parcels on 36<sup>th</sup> Street.

City Manager Borgmann stated that if the City is unable to secure verification of availability and a strong indication of success with regard to Area 9, the City should take official action to establish and approve its four boundaries and allow the process to move forward. The City of Miami Springs further agreed to prepare a joint resolution mutually approving annexation by each of the other cities. The resolution would establish boundaries, address concerns of the individual cities and meet the County's requirement of mutual consent for annexation. City Council approval is required to authorize the action set forth in the memorandum and establish annexation boundaries. Any delay in the process will jeopardize the successful annexation of the proposed areas by the City.

City Manager Borgmann had provided a map for Council that depicted the main areas of concern. The northern boundaries agreed upon with the City of Medley follow the 74<sup>th</sup> Street Connector or Hialeah Expressway and stops in the center line of Milam Dairy Road, then goes north to 74<sup>th</sup> Street, down behind the Medley triangle to the center line of River Drive/North Royal Poinciana as it extends into the City. The boundaries on the southern side were discussed as the center line of 36<sup>th</sup> Street if Area 9 was not available; otherwise it excluded those first six parcels going west from Milam Dairy Road.

City Manager Borgmann said that he had received a letter from the County Mayor indicating his desire to keep Area 9 under the control of the County. Since the City seems to be precluded from Area 9, the boundaries would be the center line of 36<sup>th</sup> Street on the south; the service road running along the Palmetto as the western boundary, the northern boundary as shown on the aerial and the FEC on the west.

Mayor Bain said that Commissioners Diaz and Sosa wanted the four cities to come to an agreement amongst themselves before the item was brought before the County Commission. There has been an ongoing issue with area 9 and Attorney Wolfe said the County would be hesitant to give up control of the MIC. They are bringing the item to Council tonight so Staff can draw the boundaries in agreement with the other cities. Each city will support the others' interests and they hope to move forward with annexation.

Attorney Seiden explained that there are two issues. Every city needs to amend their application, and the County has agreed to accept amended applications. Council needs to authorize the manager and support staff to amend the application for annexation to submit to the County.

**Councilman Garcia moved to authorize the City Manager and Staff to amend the annexation application for submittal to the County. Councilman Best seconded the motion.**

Councilman Dotson thought that the discussions with the other three cities were to establish boundaries, which he agreed with. He did have a problem with the terminal ordinance.

City Attorney Seiden offered to address the terminal ordinance when discussing the boundaries.

**The motion was unanimously carried on roll call vote.**

City Attorney Seiden stated that it was important that the cities present a united front. It was suggested that a resolution of mutual consent from all four cities be signed and approved for submittal to the County. Within that resolution there would be special consideration for Doral to have certain control over Area 16. Miami Springs needs a special provision that he will work on with the cooperation of Virginia Gardens that will address annexation to the eastern boundary along Ludlam from the FEC property. They have been led to believe that the FEC no longer has an objection to annexation. Within that provision Miami Springs and Virginia Gardens will agree that annexation will not impact the rail yard as it is, but should that change, it would still be designated only as a commercial/industrial area. He would request that the County repeal or modify the effects of the terminal ordinance for the surrounding areas that would impact all four cities.

Councilman Dotson asked if a provision for the effects of possible pollution could be written into the resolution. He was concerned that if significant pollution issues were found, the City would be burdened with the cost of clean-up.

City Attorney Seiden said that the County would probably not want to assume that burden either. Pollution was not discussed at the meeting, and he did not know what the report said.

City Manager Borgmann passed out copies of the report from DERM, and read the paragraph concerning the enforcement of Section 24.

In response to Councilman Dotson's question, City Attorney Seiden said that he could attach that paragraph to the provisions he will work on. The report is consistent with the opinion from Bilzen Sumberg that the City will incur no liability.

Councilman Dotson asked if mitigation had been mentioned.

City Attorney Seiden replied that Mr. Wolfe has tried to get answers regarding mitigation and will continue to do so. He has the most experience in that area and has been very successful in the past.

Mayor Bain noted that Mr. Wolfe was instrumental in calling the meeting and getting the four cities to agree to the boundaries.

City Manager Borgmann asked if a formal motion was needed with regards to the letter Commissioner Sosa received from the County Mayor.

City Attorney Seiden said that a motion should be made to authorize the preparation of a joint resolution and included within that resolution should be a re-statement of the boundaries. The center line of 36<sup>th</sup> Street is the southern boundary, the 74<sup>th</sup> Street connector is indicated as the northern boundary, the eastern boundary is the boundary line of the FEC property adjacent to the roadway on Ludlam Drive by the bike path and the western boundary is the service road that runs parallel to the Palmetto Expressway. The County will have more to say about the western boundary.

In response to Councilman Dotson's question, City Attorney Seiden replied that no mention was made of the signatures submitted on the petition to request a City-wide vote. The question may have to be addressed in the future depending on the time line of the process.

**Vice Mayor Youngs moved the item. Councilman Best seconded the motion.**

Councilman Best stated that annexation issues were discussed in the Legislative sessions he attended recently. He was told that the City of West Palm Beach and Palm Beach County successfully entered into a dual resolution addressing similar issues of boundaries and pollution. He offered to provide a copy of the resolution to use as a template.

City Attorney Seiden said that he would be interested in the document, though he was guessing that it was more in the form of an inter-local agreement.

City Manager Borgmann noted that the Home Rule Charter puts municipalities in Miami-Dade County in a different position than those of other counties within the state.

Councilman Dotson expressed his appreciation for all the work that has gone into the items that have been discussed. They were all vital to the City, and he hoped that joining forces will strengthen their case for jurisdiction. He still believed that the people had the right to vote on the matter, and would continue to fight for that part of the package.

**The motion was unanimously carried on roll call vote.**

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

Councilman Best **re-appointed** Rafael Alpizar to the Architectural Review Board for a full 2-year term ending on October 31, 2010.

Councilman Dotson **re-appointed** Raúl Sora to the Architectural Review Board for a full 2-year term ending on October 31, 2010.

Councilman Garcia **re-appointed** Ramón Valdés-Denis to the Architectural Review Board for a full 2-year term ending on October 31, 2010.

#### **9E) Recommendation that Council Authorize the Withdrawal of the City's Proposed Public Education Facilities Element from the Florida Department of Community Affairs and the Preparation of a New Education Element by the Mellgren Planning Group**

City Manager Borgmann stated that Council had authorized this proposal as part of the Evaluation and Appraisal Report (EAR) process and the amendment process to the Comprehensive Plan.

Mr. Borgmann explained that the School Board and the County proposed an agreement that this document would be included in any municipalities' Comprehensive Plans. The County has since failed to adopt the document, and he felt it was in the City's best interest to withdraw its Educational Element Plan and formulate a new one.

City Planner Ventura stated that the Mellgren Planning Group is already working on the Water Supply Facilities Work plan and the Capital Improvements elements. It would make sense for them to take over the Educational element, leaving him time to compile the information that was requested by David Plummer and Associates to complete the traffic study. Once the traffic study is completed, the City's Comprehensive Land Amendment Package can be forwarded to the South Florida Regional Planning Council.

Vice Mayor Youngs expressed his frustration that the School Board makes these decisions about the school facilities for the City and other municipalities. His concern was that the City would spend the money and write something that was inconsistent with the County plan, and have to revise it again in the future.

City Planner Ventura replied that the document did not contain all of the necessary information when it was forwarded to the City. He was impressed with the quality of the Mellgren Group's work and believed they would produce a document that would meet all the requirements in a timely manner.

In response to Vice Mayor Youngs' question, City Planner Ventura said that the Water Supply Facilities Work plan has been completed and transmitted. The Capital Improvements element is almost finished, and once the Educational element is complete that will allow him to turn his attention to the traffic study.

Vice Mayor Youngs reiterated that the different components can be worked on in parallel, so the money is being spent to expedite the process.

In response to Councilman Dotson's question, Mr. Robert Daniels with the Mellgren Group said that they were asking the Council to withdraw the existing element and allow them to prepare a new element because it was faster to do it that way. In terms of time, he would estimate that they could have a complete document back to Council within six weeks. Council could expect to make a revision within a year once the County and the School Board have come back into agreement. He noted that the City Planner started the project when he was supposed to, but there was a conflict at the County level that delayed the process and threw the components out of sync.

**Councilman Best moved the item. Vice Mayor Youngs seconded the motion which was unanimously carried on roll call vote.**

**9F) Recommendation that Council Approve a Change Order to Purchase Order No. 081018 (Approved by Council on 4/14/08) in an Amount not to Exceed \$6,300 to the Mellgren Planning Group for Assistance with Completion of the Public Education Facilities Element and Related Amendments to the Intergovernmental Coordination and Capital Improvements Element, Pursuant to Section 31.11 (E) (6) (g) of the City Code**

City Attorney Seiden stated that this is a waiver of the competitive bidding process in keeping with an existing contract with a vendor that is providing like services to the City.

**Councilman Dotson moved the item. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

City Attorney Seiden stated that once the elements are finished they will come back to Council and go through the public hearing process with approval by resolution.

**10. New Business:**

**10A) Authorization to Send Petition to the Miami-Dade County Elections Department for Verification of Signatures to Amend the City Charter**

City Manager Borgmann stated that the City Clerk had received petitions to hold a Special Election for the purpose of voting on a Charter amendment regarding annexation of land by the City. The process is noted in a document from the City Attorney. As the next step in the process, Council must approve the submittal of the signatures to the Miami-Dade County Elections Department for their verification. Once the signatures are verified, the City must hold an election within 60 to 120 days after notification of validity. Given the time frame, it appears that the Municipal election on April 7, 2009 will fall within that window.

City Attorney Seiden said that assuming the signature petitions are sufficient, there is a 30-day window for Council to adopt it as their own or to let it go to an initiative process.

**Councilman Best moved the item. Councilman Garcia seconded the motion which was unanimously carried on roll call vote.**

**10B) Resolution – A Resolution of the City of Miami Springs Canvassing Returns of the Special Election of November 4, 2008, and Declaring Results Thereof**

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

Attorney Seiden stated that the certified results are attached to the resolution. Amendment One to change the date of the municipal election from the first to the fourth week in April failed by 39 votes, with 2,439 yes to 2,400 no; the second amendment to change the qualification period was defeated by approximately 500 votes or 2,396 yes, 2,809 no; and amendment three to eliminate run-off elections passed by 3,136 to 2,155 votes. The wording will be changed in the Charter and the amendment will be in effect for the next election.

**Councilman Best moved the item. Vice Mayor Youngs seconded the motion.**

To answer Councilman Garcia's question, City Attorney Seiden explained that approving the resolution is a ministerial act and if Council does not adopt it, a citizen, the City Manager, the City Clerk or the Supervisor of Elections would file a Writ of Mandamus against the Council.

**The motion was unanimously carried on roll call vote (Resolution No. 2008-3421).**

**10C) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-20, Normal Retirement, by Providing for Lifetime Health Insurance Coverage Eligibility Following Employee Normal Retirement; Establishing Eligibility for Like Benefits for 401-A Retirement Plan Participants and Other City Officials; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date**

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

Attorney Seiden stated that there are three new provisions to this ordinance that was suggested by the City Manager at an earlier date. The new provisions clarify items that were not clear in the current ordinances. Item C-1 deals with retirees who pay for their own coverage under the City's policy. Item C-2 covers those employees covered by a 401-A retirement plan; they will be allowed to purchase coverage as long as the policy is in effect for future coverage. Item C-3 covers anyone who is in a normal retirement situation but not covered by the City's policy; he or she should be eligible for the same benefits.

**Vice Mayor Youngs moved the item. Councilman Best seconded the motion.**

Councilman Dotson expressed concern for the City's monetary burden because of the current economic situation. Those employees covered under the 401-A plan receive a substantial benefit, about \$15,000 to \$20,000 a year in this City. He considered it a deferred income payment, and is satisfied that most of the people this will affect will have the opportunity to purchase some type of insurance. If they retire or leave at a much younger age or they do not find employment, they will be subject to the same COBRA laws as everyone else. He did not believe it was right for the City to keep piling on expenses at this time, and would vote against it.

Mayor Bain said that he did not believe there would be any costs to the City in this provision, unless it was an administrative cost.

City Manager Borgmann stated that the proposal was written to allow the affected employees the option to purchase health care coverage at their own expense through the existing policy in effect with the City. At present, there are only three employees affected, and they would be responsible for paying 100% of their premiums. There was no way of knowing what the rates for the City would be in the future since they are based on many factors, including the age of the employees. Those employees reaching the age of 65 will qualify for Medicare and could likely purchase supplemental coverage at a reduced rate instead of continuing on the City's policy.

Councilman Dotson pointed out that the top City officials enjoyed benefits that the general employees did not; they were hired based on certain circumstances and salary. Under normal circumstances he would not object to elevating the benefits for employees, but now he is reluctant to burden the City with more costs.

**The motion carried 3-2 on roll call vote, with Mayor Bain and Councilman Dotson casting the dissenting votes.**

**10D) Consideration of an Interlocal Agreement Between the Miami-Dade Metropolitan Planning Organization (MPO) and the City of Miami Springs, Required as a Condition of a Grant Award, in the Amount of \$10,880 from the MPO to Assist in Funding the 36<sup>th</sup> Street Traffic Impact Study**

City Manager Borgmann stated that the City must enter into this agreement before they can receive the funds from the grant.

City Planner Richard E. Ventura said that the traffic study proposal submitted by David Plummer and Associates quoted a fee that was well below the entire funding amount of \$20,000. The Metropolitan Planning Organization has revised the terms of the agreement, and the City will have to contribute \$2,720 instead of \$4,000 under the original terms.

**Vice Mayor Youngs moved the item. Councilman Garcia seconded the motion which was unanimously carried on roll call vote.**

**10E) Resolution – A Resolution of the City Council of the City of Miami Springs Providing for the Third Amendment to the FY2008-2009 Budget; Providing for the Transfer of the Prior Budgetary Appropriation and Establishment of the Current Budgetary Appropriation to the City Capital Projects Fund Budget for the City Community Center Construction Project; Finding the Appropriateness of the Budgetary Amendment Set Forth Herein; Effective Date**

*(This item was discussed after the contract, item 9B)*

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

Finance Director Leacroft E. Robinson said that a summary outlining the project and the funding requirements had been prepared for Council to review; it contained the overall capital budget for the project and components of that budget relating to the time line and cash flow. He explained that this resolution calls for the re-appropriation of the balance of what was budgeted for FY2007-2008 and not spent, and an additional appropriation for FY2008-2009 of \$4,579,792 for a total project budget of \$6,179,792. The breakdown is as follows: \$3,520,000 from the Miami-Dade County Building Better Communities General Obligation Bond, a federal grant of \$100,000 and proceeds from the SunTrust loan of \$2.5MM. The total funding to date is \$6,120,000, a shortfall of \$59,792.

**Councilman Best moved the item. Vice Mayor Youngs seconded the motion.**

To answer Vice Mayor Youngs' question, Finance Director Robinson explained that the City is pursuing grants in regards to some of the equipment purchases. He expected the shortfall to ultimately disappear, but that is the impact to the general fund at the present.

City Manager Borgmann also noted that there are dollars beyond the one year fiscal time frame that may become available. The final payment may extend into the year 2010, but they expect the building to be completed a year from now.

Finance Director Robinson reminded Council that this \$59,000 replaces the \$1.2MM that was originally earmarked from the general fund.

**The motion was unanimously carried on roll call vote (Resolution No. 2008-3422).**

Mayor Bain asked to establish a separate trust fund for Community Center donations.

City Attorney Seiden clarified that a separate trust fund would be established within the budget to receive all contributions.

City Manager Borgmann said that there is a question about the amount of funds from Washington; of a total grant for \$100,000, the federal government keeps \$1,000 for administrative costs. The City must be in total compliance, and if the City determines that the administrative costs outweigh the benefits of the grant, they may not accept the money.

City Attorney Seiden said it still might be possible that the funds could be used to purchase equipment instead of brick and mortar.

City Manager Borgmann reiterated that Mayor Bain wanted to set up a fund to which donations could be made that would be specifically earmarked for the Community Center.

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Mayor Bain asked that a route maps for the City's shuttle bus be made available for the Senior Center.

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**10F) Approval of IDD Document Storage Extension**

*(This item was discussed after item 10D)*

City Manager Borgmann stated that the City entered into an agreement to store its records off-site in a secure and climate controlled facility in December of 2007. The rate for the contract extension is approximately \$1,626, an 8% increase over the previous year.

**Councilman Garcia moved the item. Vice Mayor Youngs seconded the motion.**

Councilman Dotson asked what the cost per year is, and for clarification on the terms and conditions, specifically item 5B. He thought it was beneficial for the records to be stored, but it did not look like the company had much liability.

City Manager Borgmann said that the yearly cost was close to \$20,000 dollars.

Attorney Seiden explained that the company wants to protect itself from consequential damage; most companies in the field have similar clauses in their contracts. The items stored are records and paperwork that the City is mandated to keep by the State.

**The motion was unanimously carried on roll call vote.**

*(Mayor Bain called for a five minute recess)*

**11. Other Business:**

**11A) Consideration of Cancelling the December 22, 2008 Council Meeting**

*(This item was discussed after item 9C)*

City Manager Borgmann stated that the second meeting in the month of December was usually cancelled. If there were a need for a special meeting Council would be notified.

**Councilman Garcia moved the item. Councilman Best seconded the motion which was unanimously carried on voice vote.**

**12. Reports & Recommendations:**

**12A) City Attorney**

None.

## **12B) City Manager**

### **ADA Lawsuit**

City Manager Borgmann reported that motions are being filed for an extension to respond because today was the thirty-day deadline.

The City Attorney said that there was difficulty finding counsel for the State and the County. He responded to the attorney regarding a conference call with the attorneys next week to see how to approach the Plaintiff on how to resolve the case. He requested that she come to the City to participate in the conversation. It is similar to an unfunded mandate and the City will need time to comply.

City Manager Borgmann said that the city was asked to continue a sidewalk on Hunting Lodge and it was estimated to be a \$15,000 job for three blocks of sidewalk. The lawsuit is not specific and it is unknown how far the request will go.

### **All Angels Movie Night**

City Manager Borgmann said that All Angels Movie Night was so successful that Chief of Police Baan is recommending an additional police officer to help people cross the street. A recommendation will be brought to Council at the next meeting.

### **Lighting Grid Grant**

City Manager Borgmann stated that Council recently approved going forward with an application for a grant for the theatre lighting grid. He is happy to say that the City's application finished eleventh out of 33 applications and they will be able to fund 32 of the 33 applications.

### **Senior Center ADA Grant**

City Manager Borgmann said that unfortunately the City did not qualify for the grant for ADA compliance at the Senior Center for the installation of a new ramp and covered entrance on Apache Street.

### **Holiday Decorations**

City Manager Borgmann reported that the holiday lighting ceremony is proposed for Tuesday, December 2<sup>nd</sup> at approximately 7:00 p.m. The Public Works Department has begun putting up and testing the decorations.

## **Police Department Promotional Exams**

City Manager Borgmann announced that there are upcoming promotional exams for Police Sergeant and Lieutenant positions.

## **Film Shoot at the Gym**

City Manager Borgmann reported that a film shoot was held at the Gym last week and the star was rock star Iggy Pop.

## **Basketball Sign ups**

City Manager Borgmann reported that basketball sign ups are still going on. The gym floors were refinished for approximately \$3,000 in order to fix spots that were a safety hazard

## **Soccer Program**

City Manager Borgmann announced that the Soccer program is underway and the games have started.

## **Census**

City Manager Borgmann stated that Human Resources Director Loretta Boucher met with a representative from the Census Bureau that will have jobs available for census takers for 40-hours a week at \$13.75 to \$16.50 per hour. The City has agreed to let the Census Bureau conduct the interviews at City Hall. He will provide the information to the River Cities Gazette.

## **Turkey Donations**

City Manager Borgmann reported that thanks to Mayor Bain the City picked up ten turkeys from the Miami-Dade County League of Cities that will be raffled off at the Senior Center.

## **Anniversary**

City Manager Borgmann announced that today is the fifth anniversary of his employment as City Manager. He thanked Council for the privilege and pleasure of serving.

## **12C) City Council**

### **Happy Thanksgiving**

Councilman Best wished everyone a Happy Thanksgiving and reminded all to spend quality time with their families.

## **Happy Thanksgiving**

Councilman Dotson wished everyone a Happy Thanksgiving and a good holiday season.

## **Soccer Program**

Councilman Garcia thanked the all the volunteers that are coaching the soccer program. His son is participating on one of the traveling teams for the first time and he appreciates the volunteers because some other cities pay their coaches, which makes a big difference.

## **Recreation Center Ball Caps**

City Manager Borgmann distributed Recreation Center ball caps to Council now that the contract with Link was approved.

## **Christmas at the Gazebo**

Councilman Garcia noticed signs were posted about Christmas at the Gazebo on the Circle.

## **Christmas at the Gazebo**

City Manager Borgmann reported that Christmas at the Gazebo is going to be held on Saturday, December 13<sup>th</sup> from 5:30 to 9:00 p.m. with Santa Claus. Parents can bring their own cameras to take their kids' pictures.

Councilman Garcia expressed his concern with limiting the event to one day.

Assistant City Manager Gorland commented that the Recreation Department Staff said that there would be considerable savings by limiting the event to one day on an extended basis instead of having it for two days. He and the City Manager thought it was an excellent recommendation.

## **Happy Thanksgiving**

Councilman Garcia wished everyone a Happy Thanksgiving, including the Mayor, Council, City Clerk and Administration.

## **FEMA Reimbursement**

City Manager Borgmann stated that the City received more than \$700,000 from the Federal Emergency Management Agency (FEMA) for Hurricane Katrina and there is approximately \$135,000 still pending to be reimbursed.

## **Happy Thanksgiving**

Vice Mayor Youngs wished everyone a Happy Thanksgiving. He is thankful for living in a great country and a great city. He also thanked the City Manager, Police Department, City Clerk, City Attorney and Administration. He said that Thanksgiving was proclaimed a national holiday by President Abraham Lincoln.

## **Rotary Club**

Mayor Bain spoke at a Rotary Club social function and he had a good time and it was a lot of fun.

## **Community Center**

Mayor Bain thanked Council and Staff for the presentation of the Link Contract, as well as Link for their cooperation and the professionalism of the City Attorney, City Manager and Assistant City Manager. It was a team effort that is under total control and he is proposing special meetings if needed. He hopes that every resident will consider donating funds for this worthwhile project that will help the entire community.

## **Happy Thanksgiving**

Mayor Bain wished everyone a happy and safe Thanksgiving with their families.

## **13. Adjourn.**

There being no further business to be discussed the meeting was adjourned at 9:56 p.m.

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Billy Bain  
Mayor

**ATTEST:**

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Magalí Valls, CMC  
City Clerk

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

Transcription assistance provided by S. Hitaffer and M. Newton



**City of Miami Springs General Employees'  
Retirement System  
Minutes of the Meeting Held  
October 16, 2008**

The special meeting of the Board of Trustees of the City of Miami Springs General Employees' Retirement System was called to order at 10:05 am by Chairman Thomas Cummings in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

**TRUSTEES PRESENT**

Thomas R Cummings, Chairman  
Sherryl B Bowein, Secretary  
Robert Whittington  
Gail D Perron  
James R. Borgmann

**OTHERS PRESENT**

Grant McMurry, ICC Capital Management  
Bennett Harmon, ICC Capital Management  
Dixie Martinez, Pension Resource Center (PRC)  
Ron Gorland, Assistant City Manager

The Chairman of the Police Pension Board explained that he had called a special meeting so the Boards could get an update on the current market situation and to see what steps if any should be taken.

**REVIEW OF THE CURRENT MARKET SITUATION:ICC CAPITAL MANAGEMENT(GRANT MCMURRY)**

Mr. McMurry explained that he would review with the Board the September 30<sup>th</sup> funds performance at the next regular meeting unless the Board wanted to discuss it at this meeting. Mr. McMurry commented that the Presidential election has added to the uncertainty of the market. It seems that the investors are waiting to see who wins the presidential election. He also explained that the whole difficulty with the market to the extent of the decline has to do with the credit crunch, and has been triggered by the housing bubble burst and the associated credit problems with the mortgages. Mr. McMurry believes that in order to solve this problem the government will have to step in and help, in order to get money flowing again. He explained that the market volatility can be seen on a minute by minute basis. Mr. McMurry reviewed with the Board a chart that shows how the market has gone down in the past and how it has recovered. He commented that the market after the down periods tend to come back pretty strong. Mr. McMurry explained that as of September 30, 2008 the portfolio had 5.7 % in cash equivalent. He explained that as of today that amount in cash equivalent has been put to work; maybe a little bit too early, but it has been put back in the market. He explained that it has been invested in financials. Mr. McMurry commented that due to the well diversification of the portfolio the Plan has outperformed the market by 5%. He explained that as of September 30, 2008 the stocks have outperformed at -23.7% versus the S&P 500 at -30.7 %. Lastly, Mr. McMurry explained that the Plan has a senior Lehman Bond that they believe it will come back up in price.

The Board thanked Mr. McMurry for attending this special meeting. The Board had a brief discussion in regards to the Actuarial assumption rate and contribution rates.

**NEXT MEETING DATE**

Thursday November 6, 2008 at 8:30 AM.

**ADJOURN**

The meeting adjourned at 10:52 AM

Respectfully submitted,

---

Jimmy E. Deal, Secretary



**City of Miami Springs Police and Firefighters'  
Retirement System  
Minutes of the Meeting Held  
October 16, 2008**

The special meeting of the Board of Trustees of the City of Miami Springs Police and Firefighters' Retirement System was called to order at 10:05 am by Chairman Peter Baan in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida. Trustee, Greg Cates was not present at this meeting.

**TRUSTEES PRESENT**

Peter Baan, Chairman  
Jimmy E. Deal, Secretary  
Jonathan Kahn  
Gene Duffy

**OTHERS PRESENT**

Grant McMurry, ICC Capital Management  
Bennett Harmon, ICC Capital Management  
Dixie Martinez, Pension Resource Center (PRC)  
Ron Gorland, Assistant City Manager

M. Baan explained that he had called a special meeting so the Board could get an update on the current market situation and to see what steps if any should be taken.

**REVIEW OF THE CURRENT MARKET SITUATION:ICC CAPITAL MANAGEMENT(GRANT MCMURRY)**

Mr. McMurry explained that he would review with the Board the September 30<sup>th</sup> funds performance at the next regular meeting unless the Board wanted to discuss it at this meeting. Mr. McMurry commented that the Presidential election has added to the uncertainty of the market. It seems that the investors are waiting to see who wins the presidential election. Mr. McMurry explained that the whole difficulty with the market to the extent of the decline has to do with the credit crunch and has been triggered by the housing bubble burst and the associated credit problems with the mortgages. Mr. McMurry believes that in order to solve this problem the government will have to step in, in order to get money flowing again. He explained that the market volatility can be seen on a minute by minute basis. Mr. McMurry reviewed with the Board a chart that shows how the market has gone down in the past and how it has recovered. He commented that the market after down periods tends to come back pretty strong. Mr. McMurry explained that as of September 30, 2008 the portfolio had 5.1 % in cash equivalent. He explained that as of today that amount in cash equivalent has been put to work, maybe a little bit too early but it has been put back in the market. He explained that it has been invested in financials. Mr. McMurry commented that due to the well diversification of the portfolio the Plan has outperformed the market by 5%. He explained that as of September 30, 2008 stocks have outperformed at -23.7% versus the S&P 500 at -30.7 %. Lastly, Mr. McMurry explained that the Plan has a senior Lehman Bond that they believe it will come back up in price.

The Board thanked Mr. McMurry for attending this special meeting. Mr. Baan instructed Ms. Martinez to add to the November 6, 2008 Agenda the following: 1. a discussion on the Actuarial assumption, 2. Report on the proposed IRS rules on normal retirement age, 3. Election.

The Board had a brief discussion in regards to the Actuarial assumption rate and contribution rates.

NEXT MEETING DATE

Thursday November 6, 2008 at 8:30 AM.

**ADJOURN**

The meeting adjourned at 10:52 AM

Respectfully submitted,

---

Jimmy E. Deal, Secretary





**DRAFT**

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

The **Recreation Commission** met in Regular Session at 7:00 p.m., on Wednesday, November 19, 2008 in the Council Chambers at City Hall.

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

The meeting was called to order at: 7:04 p.m.

The following were present: Chairman John Shapiro  
Vice Chairman Clark Rinehart  
Jennifer Ator  
E. Jorge Santin

Absent: Dr. Stephanie Kondy

Also present: Assistant City Manager Ronald K. Gorland  
Clerk of the Board Marilyn A. Newton

**2) Approval of Minutes**

Minutes of the October 14, 2008 meeting were **approved as written** on motion by Board member Ator and second by Vice Chairman Rinehart. The motion carried unanimously on voice vote.

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**3) New Business**

**i) Establish Goals and Objectives for Fiscal Year 2008-2009**

Chairman Shapiro noted that at the previous meeting the members agreed to start compiling a list of items that they could start working on and present them to Council for approval.

Board member Ator said that she hoped that analyzing the data from the recreation surveys would be one of the first priorities of the new Recreation Director. She felt it was important to determine what the parents and children in the City were looking for, and how the Recreation Department could provide those services. The Recreation Commission would be willing to help in any way that they could to achieve those goals.

Assistant City Manager Gorland replied that Mr. Ralph Giglio, the new Recreation Director, is very interested in what is termed “leisure services”, like checkers and chess, in addition to the traditional recreational activities. The Administration has had many discussions with him over the last month regarding programming and volunteerism.

A copy of Mr. Giglio’s resume was distributed to the board members.

Assistant City Manager Gorland explained that Mr. Giglio was born and raised in this community, though he has lived in Georgia for the past 25 years. His mother still lives in Miami Springs, and he is looking forward to moving back into the City. Mr. Giglio was a track and football standout while attending Miami Springs Senior High School in the mid 1960’s. He has many contacts in the south Florida region because of his involvement in the field of recreation. Through his sales positions he has worked with a number of recreation equipment manufacturers, and is known to many of the region’s collegiate and city Athletic Directors. He is well aware of the problems facing all these programs. In addition, he is also known to many of the Staff at the Recreation Department. He has already spent time drumming up local support and volunteers, and would be very receptive to any ideas that the board might have concerning new programs.

In response to Chairman Shapiro’s question, Assistant City Manager Gorland replied that Mr. Giglio would be at the next Recreation meeting and introduced to the members.

Board member Ator noted that she would not expect the new Director to have much input into the new Community Center until it was nearing completion. Her hope was that Mr. Giglio would develop a long term plan for the Community Center and the pool.

Chairman Shapiro agreed, saying that the data from the recreation surveys should be analyzed for demographic purposes. At this point in time he is not sure how many children are in the City and what age groups they fall into; at one time they had a good idea just from the number of T-ball teams that participated in the leagues. Once the administration knows what age groups they are dealing with, it is easier to tailor programs to those needs.

Assistant City Manager Gorland noted that most of the sports used to be seasonal; now they are played all year long. People will go to other cities and facilities so they can continue to participate throughout the year.

Board member Ator pointed out that they are not only serving the people that are interested in sports specifically, but also those that are interested in the leisure activities. Not all children are sports oriented, so other alternatives need to be provided.

Assistant City Manager Gorland said that the City has always encouraged family activities, but it needs volunteer support to succeed. The Administration is also hoping to explore avenues that would encourage teen participation, which has always been difficult. They are looking at different programs that might appeal to that age particular age group. Patti Bradley and Noel Acosta would continue to handle all the programs that they are involved with; they do a great job and continue to provide a high level of service. Another suggestion has been to re-establish and develop a yearly Hispanic celebration due to the large number of Latins in the community.

In response to Board member Santin's question, Assistant City Manager Gorland replied that the City had received the responses from the adult and youth surveys, but Dr. Mitra has advised him that there has been a problem combining the data. They are going to have a meeting to discuss the matter. The City has not received the comments from the surveys either.

In response to Chairman Shapiro's question, Assistant City Manager Gorland replied that the City has the software to filter the information from the surveys, but has not received the raw data. There are some technical issues that need to be resolved first, then the intention is to update the information every five years or so.

Board member Ator asked if the Recreation Director had a contract, when he would assume his duties, and what his salary was.

Assistant City Manager Gorland replied that Mr. Giglio would officially start as of December 1, 2008 although he has already had many conversations with the Administration in the past month. He was not sure if there was a specific contract; if there was, the contract and the salary of \$89,000 would be available as public records.

Assistant City Manager Gorland continued to say that the Administration had been searching for a Recreation Director for the past two years, but had been hampered by not having the facility issue clarified. Once the decision was made to build a new Community Center, it was hoped that the position would become more attractive. The City wanted someone who had a background in recreation and understood the community and what it needed.

Chairman Shapiro agreed that a full time Director was needed.

Assistant City Manager Gorland commended Patti Bradley and Noel Acosta for how much they have accomplished and how well they have performed without a Director for the past two years. He commented that they will all be dealing with cutbacks in funding; the Fourth of July parade was a shorter event this year, and Christmas at the Gazebo has been scaled back to one night with slightly longer hours. He continued to say that funds for maintenance are also being reduced. Council has been supportive the past two years for funding to get the fields in shape and Sandy Pell has done an excellent job maintaining them, but there is no money in the budget available to continue at the same pace.

Assistant City Manager Gorland explained that the City has gone to part time help at many positions where possible. The aquatics supervisor teaches at Miami Springs Senior High School; she works part time as a lifeguard at the pool during the off season, and full time during the summer. Many people working in recreation are doing two jobs within their departments, and there are others that are working between departments. There are less City personnel available to monitor the fields; the new bathrooms have been vandalized, and are now open only when there is supervision available. The hope is that some of the groups using the fields and facilities will volunteer to police them while they are there. Other cities are being forced to close their fields, turning over the upkeep and the programs over to the users or raising fees.

Mr. Gorland said that the new Recreation Director will be dealing with these issues, and that the Board would also be involved in the process.

Vice Chairman Rinehart asked if the Community Center ground breaking and fundraising would be items that the Board could get involved with.

Chairman Shapiro replied that fundraising was on his list of possible goals for the Board to present to Council.

Assistant City Manager Gorland said that the ribbon cutting ceremony for the new Community Center should be some time in January, and he would see that the board members were notified of the date. He thought that the ceremony could be a good opportunity to kick off some fund raising possibilities.

In response to Vice Chairman Rinehart's question, Assistant City Manager Gorland replied that the City had obtained funding for the Community Center. Commissioner Sosa pledged an additional \$1MM at a recent Council meeting. Because of the current economic situation there might be some federal funds available for small communities in the near future.

Chairman Shapiro noted that Mr. Giglio's resume stated that he had been involved with requesting and writing federal grants.

Assistant City Manager Gorland said that the additional funds pledged by Commissioner Sosa were a welcome surprise, and money was also pledged for the Senior Center. The Mayor has said that he would like to have the Community Center paid off within five years. Ted Hendricks has also pledged his support, and money might be available from his foundation.

Discussion ensued regarding the possibility of corporate or collegiate sponsorships. Chairman Shapiro pointed out that bricks were sold to raise money for the Country Club and the Dog Park, and people donated money to the "Let's Build It" fund for the playground. Vice Chairman Rinehart suggested that Coca-Cola or Pepsi could be approached to install vending machines.

In response to Board member Ator's question, Assistant City Manager Gorland advised that the City had a contract with a vending machine company.

Assistant City Manager Gorland noted that the Optimist Club had obtained a professional style football scoreboard with the help of a grant. The estimates to install it were from \$15,000 to \$18,000 dollars. The Optimist Club was going to donate the labor for the engineering study and the electrical work and the City was going to pick up the balance, but the Optimist Club has not been able to follow through yet.

Board member Santin said that lighting for the fields should be in the long term plans for the City and the new Recreation Director. Lighting was mentioned at the last meeting, and he had done some research on companies that specialize in retro-fit lighting. He thought that was an item that should be addressed, even from a safety issue. He continued to say that he has some contacts through the Little League program, and would gather more information.

Assistant City Manager Gorland said that the intent is to have the various boards to present suggestions to Council on projects the board might be able to work on with Council's approval to either improve conditions and/or save the City money. As an example, he explained that the Golf and Country Club Advisory Board started researching alternatives when the City could not afford to replace the greens at the Golf Course. With Council's approval the project moved forward and a hybrid grass was chosen and installed at a significant cost savings.

Chairman Shapiro said that he would be willing to work on a project if the board got some feedback from Council.

Assistant City Manager Gorland noted that suggestions or recommendations made by the board would be brought to Council's attention. Council has been receptive to any projects that can save the City money

Vice Chairman Rinehart noted that a new lighting system would be "greener" and would save on electricity costs.

Assistant City Manager Gorland replied that he knew some of the newer systems are adjustable so the lights could be focused in the proper directions. The brackets on the current lights were twisted during some of the hurricanes and cannot be re-directed to the proper spots.

Board member Santin said that there should be a significant long term savings.

Assistant City Manager Gorland noted that the City has significant demands on it regarding its infrastructure right now; the Golf Course needs a new irrigation system, City Hall and the Senior Center need structural repairs, among other items. Costs are high for general maintenance and the City has to fund those repairs at some point in time. The long term plan for the Recreation Department includes a new pool or water park facility, and money will have to be set aside by Council. He continued to say that any equipment that can pay for itself or save the City money would most likely be embraced by Council.

Board member Santin noted that older buildings are usually more expensive to maintain in the long run. He was glad to see that a new Community Center was going to be built instead of rehabilitating the current one.

Assistant City Manager Gorland said that the ceiling and floor of the Senior Center were in very poor shape; the City has applied for grants to offset some of the repair costs. Part of the problem is that it is an old building and the foundation is probably not in the best shape.

Board member Ator said that there has been speculation that money from the federal government might become available for new construction to stimulate the economy. She asked if the grant writer was monitoring that situation. The City has some important needs, and the Senior Center is a perfect example; the seniors are at risk of falling on the uneven floor.

Assistant City Manager Gorland replied that Carol Foster has been able to obtain small grants, but there is not nearly as much money available now because of the state of the economy. The requirements for federal money are very stringent and difficult to work with, but she is continuing to search for grants that the City can apply for.

Chairman Shapiro pointed out that Virginia Gardens has been very successful through the years in obtaining state and federal grants.

Assistant City Manager Gorland noted that Virginia Gardens can qualify for more grants because the make-up of the community is very different than that of Miami Springs. If annexation occurs, it will change the situation for both communities.

Chairman Shapiro said that he also looked at the pool while trying to establish goals. The pool costs a great deal of money in the annual budget, and the City does not make any money on it. He believed it was open all year long now, and wondered if there were ways to generate more revenue through special interest groups like scuba diving and lifeguard certification classes. He knew there were water aerobic classes at one time, but he did not know how well the pool it was being utilized.

Assistant City Manager Gorland replied that the seniors exercise in the pool every day. The various swim teams are private organizations with about 28 members; almost half of them are Miami Springs' residents.

Chairman Shapiro asked how much money it costs to provide the service at the pool. If the City is talking about reducing the maintenance to the fields and asking the teams or leagues to help out, he thought it would be a good idea to try and generate more revenue from a facility that the City spends half a million dollars on a year to heat.

Assistant City Manager Gorland replied that the City has tried to generate revenue from the swim teams; part of the problem is that it is not a certified competition pool because of the size of the lanes.

Chairman Shapiro said that he was thinking more of other activities like scuba classes, etc.

Assistant City Manager Gorland said that there is a group that uses the pool for scuba certification; they pay the City to bring their kids in for classes.

Chairman Shapiro asked if the company did any advertising; he was not aware that the classes were available. He wondered if more groups could be accommodated to bring in more revenue and help offset the operating costs.

Assistant City Manager Gorland noted that there are fixed and incremental expenses; lifeguards have to be provided any time there is a group using the pool because of the liability issues. There is a fee chart available for all of the services provided at the pool, and he too would like to see the facility utilized more.

Chairman Shapiro said that he thought that there had to be other clubs or organizations in the County that would need access to a pool and willing to rent ours.

Assistant City Manager Gorland replied that finding the organizations and marketing the pool could be another project.

Board member Santin asked if other municipalities, like Coral Gables could be approached to find out how they handled the situation.

Chairman Shapiro said that he thought that one of the objectives of this meeting was to come up with some ideas to present to Council for approval to pursue. He would not want to research ways to market the pool if there was no support for the idea. He thought that this meeting was part of the process.

Assistant City Manager Gorland replied that if Council is interested in an idea, they will direct the Board, the Administration or both to pursue it. He was just trying to outline the process. If the Board agrees on an idea, they can present it to Council for follow up. Ways to market the pool and field lighting are both good ideas. They also have to take into consideration how much usage each facility gets by the residents.

Chairman Shapiro asked how much residential usage the pool got during the winter months.

Assistant City Manager Gorland replied that on average about 40 people use the pool on the weekends and about 20 people during the week, excluding the swim teams, water polo and special interest groups. The water polo and swim teams practice more during their seasons. He continued to say that the City decided to raise the usage fees for the schools, but the schools no longer have the funds to support the teams, and are asking for help from the City. He has been advised that the high school only has enough funding to support the football and basketball programs next year, which does not include the junior varsity. The parent organizations are not able to raise more money, and all the schools are struggling with reductions in revenue and funding. He would love to go back to the days when there were local competitive swimmers coming out of the high school programs. The facility was rented for a swim meet recently; the concession stand raised about \$1,100.00, which was used to offset the bill for the swim team. At the same time the City is trying to raise fees and find additional users, the users are reducing their spending; the water polo team will be practicing three times a week instead of five. It is difficult to balance the needs against the costs, and the City is looking at other municipalities for ideas. An annual membership might be an option.

Board member Ator asked if the pool heater ran all the time.

Assistant City Manager Gorland replied that the heater is turned on in advance of an event or usage. Thermal blankets are used to retain heat in between. The City was working on a contract with the City of Doral to allow its residents to use the pool. One of the requirements is that the pool will stay open all year round, and Doral will pay a determined fee. Since the City used County bond money for the latest repairs, it cannot charge members of another community within the County higher fees to use the facility.

Board member Santin asked what some of the other communities are doing.

Assistant City Manager Gorland replied that some are going to an annual membership; it depended on the affluence of the community.

Chairman Shapiro pointed out that at the time the gas heater for the pool was much cheaper than using an electric heater.

Assistant City Manager Gorland said the Administration has been looking at thermal heating.

Board member Santin said that he thought there might be a period during the off season that pool usage would drop.

Assistant City Manager Gorland said that the seniors use it for exercise year round since it is heated, and there are several swim and water polo teams that practice during their seasons. The water temperature may affect the walk in traffic but not the seasonal users.

Chairman Shapiro asked if anyone had anything else to contribute to establishing goals.

#### **4) Old Business**

Chairman Shapiro said that he noticed that the fencing had been removed around the dugouts at Stafford Park, and it looked like they were going to expand the dugouts under the shelter of the roof.

Assistant City Manager Gorland said that the benches were going to be moved back, and the fencing re-installed.

Chairman Shapiro said that he thought that would be a much more efficient use of the space.

Assistant City Manager Gorland advised the Board that the Dog Park also fell under the Recreation umbrella. The City maintains the facility, but the different groups that use it raise money for special items, like new picnic tables and agility equipment.

In response to Chairman Shapiro's question, Assistant City Manager Gorland said that the City assumed responsibility after the dog park was completed, but it was the efforts of Dr. Campbell and many other residents that raised money and got the project started. The City spent money on the fountain because of a safety issue, and a fence was later installed to keep the dogs out of it.

Chairman Shapiro noted that the park was quite an achievement. A lot of manual labor went into it, though he did not believe that an electrical permit was pulled for the fountain.

Assistant City Manager Gorland said that it was City policy to pull permits for anything built on City property. He continued to say that the new Recreation Director would be introduced to the Board at their next meeting in December. He thought that this would be a great opportunity for them to exchange ideas and make suggestions for programs in the new facility.

**5) Other Business**

There was no discussion under this item.

**6) Adjournment**

There were no additional items to discuss and the meeting was adjourned at 8:14 p.m.

Respectfully Submitted,

Clerk of 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”.*  
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**DRAFT**

## *City of Miami Springs, Florida*

The **Miami Springs Historic Preservation Board** met at 7:00 p.m., on Thursday, November 20, 2008 in the Council Chambers at City Hall.

The meeting was called to order at 7:20 p.m.

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

The following were present:

Chairman Mary Ann Goodlett-Taylor  
Vice Chairman Sydney Garton  
Yvonne Shonberger (arrived at 7:21 p.m.)  
Michael Windrem

Absent: Charles M. Hill

Also Present: Councilman Dotson  
Deputy City Clerk Suzanne Hitaffer

### **2) Approval of Minutes:**

#### **2a. October 16, 2008 Regular Meeting**

**Vice Chair Garton moved to approve the minutes as written and Board member Windrem seconded the motion, which carried 3-0 on voice vote (Board member Shonberger was not present).**

### **3) Old Business:**

#### **a. Designation Report for H. H. Highhouse – 160 Sunset Way**

Chair Goodlett-Taylor asked if there was any new information on the H. H. Highhouse.

Board member Shonberger suggested that the Board should proceed with the designation and add information later.

Vice Chair Garton stated that the item was tabled at the last meeting because there was no information on the property from 1925 to 1946.

Board member Shonberger reiterated that the Board could designate the property and get additional information later.

Vice Chair Garton asked how the significance of the site could be completed without the property records.

Board member Shonberger stated that the age of the house and the architecture is known and more information could be added later.

Discussion ensued regarding the history of the property and whether or not the County records contain more information on the property from 1925 to 1946.

Board member Windrem suggested a pencil search from a title company that normally costs \$100.00 or \$200.00. He offered to make a telephone call to see if someone is willing to do it free of charge.

Further discussion ensued regarding the property ownership.

Chair Goodlett-Taylor suggested canceling the December meeting and tabling the item until January.

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Councilman Dotson reported that at the last Council meeting the City Manager proposed consolidating six advisory boards into three boards. The suggestion was to combine the Ecology Board with the Board of Parks and Parkways, the Golf Advisory Board with the Recreation Commission and the Architectural Review Board with the Historic Preservation Board. No action was taken because Vice Mayor Youngs was not present.

Councilman Dotson said that due to the economy and the cost involved it is important for the board meetings to be necessary. Part of the recommendation was for the advisory boards to meet only when directed by Council, not by their own initiative. He is a strong supporter of the advisory boards initiating their own meetings because they serve a very important purpose. He added that boards that are idle for a certain period of time cannot attract interested participants.

Councilman Dotson stated that the Boards benefit Council, they should accomplish something and judgment should be made as to whether or not they are essential. He reiterated that he supports the boards operating with independence. Some board meetings are routinely cancelled if there are no issues to discuss, but they have the ability to meet on their own initiative without prompting from Council.

December is normally a month when some boards recess unless there is an urgent matter to address, according to Councilman Dotson. He would like the Historic Preservation Board to continue working hard and make their meetings worthwhile.

Discussion ensued regarding the proposal to combine the boards.

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Chair Goodlett-Taylor reiterated that she would like to table the item until January and acquire more information for the designation report.

The Board members reviewed the available property information in order to draft the language for the designation report.

**By consensus, the Board agreed to table the item until January.**

*Preserve America*

Board member Shonberger reported that she and Grant Writer Carol Foster had been working on the *Preserve America* designation that will showcase Miami Springs as a historic city. The Golf Course is the primary project because it is a public/private partnership that attracts people to Miami Springs.

**4) New Business:**

There were no items to discuss.

**5) Reports/Requests:**

**5a. Council Liaison:**

Councilman Dotson had no additional information to report.

**5b. Board Members**

Board member Shonberger asked about the status of the designation plaque for the Golf Course.

The Clerk of the Board stated that she provided information to the City Manager verifying the size and wording for the plaques.

6) **Adjourn**

There was no further business to discuss and the meeting adjourned at 8:14 p.m.

Respectfully Submitted,

Suzanne Hitaffer  
Clerk of the Board

Approved as at meeting of: \_\_\_\_\_

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

**ECOLOGY BOARD**

**NOTICE OF CANCELLATION**

The Ecology Board meeting of Tuesday,  
November 25, 2008 has been canceled due to lack of a quorum.

*Allene M Paz*  
\_\_\_\_\_  
Allene M. Paz, Secretary

cc: Mayor and Council  
City Manager  
City Attorney  
Ecology Board Members



DRAFT



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

The regular meeting of the **Miami Springs Code Enforcement Board** was held on Tuesday, December 2, 2008 at 7:00 p.m. in the Council Chambers at City Hall.

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

The meeting was called to order at 7:00 p.m. by Vice-Chairman Raul Saenz

Present: Vice-Chairman Raul Saenz  
Jacqueline Martinez-Regueira  
Rhonda Calvert  
Robert Williams  
Walter Dworak  
John Bankston

Absent: Chairman Marlene B. Jimenez

Also Present: Building Department Supervisor Tex Ziadie  
Code Compliance Officer Lourdes Taveras

**2) Invocation/Salute to the Flag**

All present participated.

**3) Approval of Minutes:**

Minutes of the September 2, 2008 meeting were approved as written.

**Board member John Bankston moved to approve the minutes of September 2, 2008. Board member Rhonda Calvert seconded the motion, which was passed by acclamation.**

**Swearing In:**

**All those who were scheduled to give testimony were sworn in by Tex Ziadie acting as clerk of the Board.**

**4) OLD BUSINESS: NONE**

5) **NEW BUSINESS- Cases (3)**

1-           **Case #       08-1247**  
              **Address:     851 Bluebird Avenue**  
              **Owner:       Antonieta Ticla**  
              **Violation:   Section 151-04 Application for Building Permit**  
                                  **Work Without a Permit**

(This case was heard first, although it was number 3 on the agenda due to none of the other parties being present at the start of the meetings. Angela Cruz was sworn in to speak on behalf of her mother Antonieta Ticla.)

Officer Lourdes Taveras presented the case as follows:

On April 18, 2008 based on a walk-in complaint from a tenant of the above property, he stated that the efficiency unit that he was renting had electrical problems. At the time of inspection knocked on the door and no one answered, but the tenant from unit A, requested that pictures be taken because he felt that there was danger of an electrical fire.

I noticed that the garage was converted into a studio, with a full bathroom, closet, kitchen sink, cabinets, full size refrigerator and a wall a/c unit. The side yard entrance door had a sign on it "Unit A", next to it there was another door apparently for another rental unit. Took pictures of the "Unit A" and posted a request for contact and granted 7 days for the owner to call me, referred the case to Supervisor Tex Ziadie.

On April 18, 2008 I received a call from Angela Cruz daughter of Antonieta Ticla she stated that she was not renting to the man that made the complaint, that he was just storing his personal belongings in the converted garage. She admitted to altering the garage without a permit, and that it was done to help with the finances.

I advised Ms. Cruz that she needed to get an architect to make the drawings and submit a permit for the garage conversion and that it had to have access to the house. She stated that she was having financial problems. I informed Ms. Cruz that she needed to meet with Mr. Ziadie and the Building Official to get more information on what was needed to comply.

On June 9, 2008 posted NCIV advising to apply for a permit for the garage conversion. Granted 7 days to comply.

On July 9, 2008 checked computer system and no permits were submitted or calls received from the property owner to request an extension. Issued UCVN #02169 in the amount of \$100.00 and granted 7 days to comply or start permit process.

On Friday, July 10th, 2008, Supervisor Tex Ziadie got several voice mails from Ms. Angela Cruz, asking for a call back to discuss 851 Bluebird Avenue. On Saturday, July 11, 2008 he returned her call. She asked that the ticket that had been written be voided. He told her that he could not do that. She asked if he would visit her property.

On Monday, July 14, 2008, Officer Lourdes Taveras and Tex Ziadie visited 851 Bluebird Avenue to speak to Ms. Angela Cruz, the daughter of the property owner about the work that had been done there without a permit.

We discussed the problem of her having done work without a permit. Mister Ziadie told her that she had two options. One was to put the room back the way that it was as a garage. The second was to get a permit for the changes, which would require an architect/engineer plan. He advised her that she would probably be best served by hiring a contractor to do the work and the plans. He told her that if she e-mailed him, he would send her a list of contractors.

On Nov. 12, 2008 checked the computer system and the property owner had not submitted a permit or contacted the office. Issued Summons to appear to the CEB at the meeting of Dec. 2, 2008. Summons was sent by Police service, via Certified mail and regular mail.

Officer Taveras displayed pictures related to the case, including those taken the day of her inspection of the premises with Tex Ziadie, showing the interior modifications to the garage.

Ms Cruz approached the podium and stated to the Board that she had only come to request a continuance. Her mother was out of the country attending her sick father and she would not be back until at least February. Chairman Raul Saenz asked her how much time she needed. She responded that her mother would not be back until at least late February. There was some additional discussion among the Board members.

**Board member Jacqueline Martinez Regueira made a motion that this case be continued until the March 3<sup>rd</sup>, 2009 Board Meeting and she cautioned Ms Cruz to be sure and come back with a plan. The motion was seconded by member Rhonda Calvert and it passed on roll call vote unanimously.**

2-            **Case #            08-990**  
                 **Address:        185 Corydon Drive**  
                 **Owner:            Connie J. Maldonado**  
                 **Violation:        Section 151-04 Application for Building Permit**  
                 **Work Without a Permit**

(This case was number two on the agenda, but the defendant in case number one had not appeared. Connie Maldonado and her husband Miguel Pita were sworn in by Tex Ziadie.)

Officer Lourdes Taveras presented the case as follows:

On March 11, 2008 during routine daily inspections noticed that a new fence was being installed in the rear and side yards of the property, with new posts and gates. Checked computer system and found that no permits were applied for. Posted NCIV and granted 7 days to comply.

On March 18th and 25th 2008 inspected the property with Supervisor Tex Ziadie and he agreed that a permit was required for the replacement of the main sections of the wood fence. Pictures were taken by Tex Ziadie. There were several new posts installed throughout the fence and there was a new section installed towards the rear of the property. Will issue Final NCIV and grant 7 days to comply or a UCVN ticket will be issued.

On April 1, 2008 posted Final NCIV requesting submittal of a permit, property owner stated that he only replaced one post and that it is not a new fence.

On April 14, 2008 called Mr. Pita and advised him that according to the pictures taken he needed to apply for a permit. He stated that the fence was not new and that he only replaced two posts. Advised him that I personally saw more than two post replaced on the front and west side of the property and that the section towards the rear was new. He stated that he had pictures and I advised him to bring the pictures to the office so that we could compare them to my pictures.

On June 6, 2008 during a posting of another Final NCIV to apply for a permit, noticed that the property owner had done additional work to the fence. New aluminum or PVC fence and gates were installed on the sides of the house. Granted 7 days to comply or UCVN would be issued.

On July 9, 2008 check computer system and no permit was submitted, mailed copy of UCVN to property owner's other address at 1451 Lenape Drive, via Cert. Mail. Granted 7 more days.

On July 22, 2008 at 3:40 PM, Mr. Pita, husband of Connie Maldonado came into the Building Dept. and left a message with Anna Gonzalez that he was appealing the ticket. Called him three times to phone number 786-488-1648 and the calls were dropped or hung up.

On Nov. 12, 2008 issued Summons to Appear in front of the Code Enforcement Board at the meeting of Dec. 2, 2008, summons was sent by service from the Police Dept, via Certified mail and regular mail.

Officer Taveras displayed the pictures that had been taken, showing the new panels on the fence and the appearance of new posts being installed.

Mister Pita approached the podium and stated that he had pictures taken with a digital camera showing that he had only installed new "pallets." And that none of the posts were new. He said that he had only "reinforced" some of the posts by pulling them upright and attaching another post as a support. He presented the pictures to the Board, along with two letters from neighbors stating that the fence had already been there and was not new. The Board members asked some questions and there was ensuing discussion. Tex Ziadie stated that it would be wise for the Board to table this case as there was no way to determine what the facts were between the two stories, unless Ms Maldonado and Mister Pita were willing to allow us onto their property to inspect the fence, the posts and concrete up close. The Chairman asked if they were willing to do that and Mister Pita said yes.

**Member John Bankston made a motion that this case be tabled until the January 6, 2009 meeting so that Tex Ziadie and Lourdes Taveras would be allowed to accompany Ms Maldonado and Mister Pita onto their property for the inspection. Member Rhonda Calvert seconded the motion and it passed unanimously on roll call vote.**

Tex Ziadie stated that if it is determined that no permit would have been needed, then the ticket would be voided and there would be no need for Ms Maldonado and Mister Pita to return.

3-           **Case #           08-662**  
              **Address:       941 Swan Avenue**  
              **Owner:         Mercedes Medina**  
              **Violation:     151-04 Application for Building Permit**  
                          **Work Without a Permit**

(Although this defendant did not appear, the Board decided that since this was a return case and had been going on so long that they would hear and act on the case. The preliminary narrative from the packet on the prior actions of Code Compliance was left out since the Board had heard it previously.)

Officer Lourdes Taveras presented the case as follows:

On May 12, 2008 No compliance had been met, and no calls had been received from the property owner. At the CEB meeting of April 1, 2008 the following decision was made:

“Board Member Raul Saenz made a motion that this case be tabled until the next meeting so that there could be clarification from the Building Official Skip Reed about the need for a permit. The motion was seconded by Rhonda Calvert and additional discussion ensued. Officer Ziadie clarified that if it is determined by Mister Reed that a permit is required and Ms Medina does apply for the permit, then there would be no need for her to come back before the Board. The vote was called and the motion passed unanimously.”

Therefore the case was referred back to the Board for action.

On May 13, 2008 Ms. Medina called and stated that she was out of town that she needed more time to submit the permit. Granted 2 weeks to comply until May 28, 2008.

On Sept. 18, 2008 no compliance had been met or any type of communication received from Ms. Medina. Will refer the case to CEB.

On Sept. 22, 2008 sent Summons to appear by certified mail, regular mail and service by the Police Dept, for meeting to be held on Oct. 7, 2008.

On October 6, 2008 received a message from the City Manager’s office that Ms. Medina wanted to reschedule the Code Enforcement meeting due to medical conditions.

On Nov. 12, 2008 sent Summons to appear by certified mail, regular mail and service by the

Police Dept, for meeting to be held on Dec. 2, 2008.

Officer Taveras displayed the pictures related to the case, showing the concrete truck and the new poured deck. There was some discussion among the Board members.

**Board member Jacqueline Martinez Regueira made a motion that a letter be sent to Ms Medina advising her that she had until December 19<sup>th</sup>, 2008 to comply by having a permit issued. If she does not comply by that date, then a fine of \$100 per day would begin, effective today's date, December 2, 2008 and running until she comes into compliance by having the permit issued. The motion was seconded by member Walter Dworak and it passed unanimously on roll call vote.**

- 6) Council Liaison report and request:  
NONE

**There being no further business the meeting was duly adjourned by Vice-Chairman Saenz at 8:03 p.m.**

Respectfully Submitted:



\_\_\_\_\_  
Tex Ziadie  
Building Department Supervisor &  
Code Compliance Officer

Approved as written during meeting of:

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





*City of Miami Springs, Florida*

**CANCELLATION NOTICE**

The Golf and Country Club Advisory Board meeting scheduled for Wednesday, December 10, 2008 has been canceled in advance.

*Marilyn Newton*

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Marilyn Newton  
Secretary to the Board

cc: Mayor and City Council  
City Manager  
Assistant City Manager  
City Attorney  
City Clerk  
Golf and Country Club Advisory Board Members  
Mike Aldridge, Golf Director



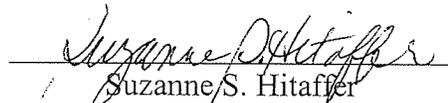


*City of Miami Springs, Florida*

**CANCELLATION NOTICE**

The Historic Preservation Board Regular Meeting of Thursday, December 18, 2008 was canceled in advance.

The next Regular Meeting is scheduled for Thursday, January 15, 2009, at 7:00 p.m. in the Council Chambers at City Hall.

  
Suzanne S. Hitaffer  
Secretary to the Board

cc: Historic Preservation Board Members  
Mayor and Council  
City Manager  
City Attorney  
City Clerk  
Post





*City of Miami Springs, Florida*  
*Architectural Review Board*

**NOTICE**

The Architectural Review Board meeting scheduled for Wednesday, December 3, 2008 did not convene for lack of a quorum.

*Marilyn A. Newton*

---

Marilyn A. Newton  
Board Secretary

Scrivener's Note:

The only members present were Kathy Fleischman and Ramón Valdés-Denis.

cc: City Council  
City Manager  
Assistant City Manager  
City Attorney  
Architectural Review Board Members





**DRAFT**

## **ZONING AND PLANNING BOARD**

The regular meeting of the Miami Springs Zoning and Planning Board was held on Monday, December 1, 2008 in the Council Chambers at City Hall following the Board of Adjustment meeting.

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

The meeting was called to order at 7:58 p.m.

Present were: Ariana Fajardo  
Vice Chairman Francisco Fernández  
Kevin Berounsky  
Daniel Espino  
Alternate Richard Mikluscak

Absent were: Chairman Manuel Pérez-Vichot

Also Present: City Attorney Jan K. Seiden  
City Planner Richard E. Ventura  
Board Secretary Marilyn Newton

### **2. MINUTES OF REGULAR MEETING:**

A) Minutes of the October 6, 2008 Zoning and Planning Board meeting were approved as written.

**Board member Fajardo moved the item. Board member Berounsky seconded the motion, which carried unanimously on voice call vote.**

### **3. NEW BUSINESS**

- A) **Case # 07-ZP-08**  
**Miami Springs Resorts Associates, Ltd.**  
**1111 South Royal Poinciana Blvd.**  
**Zoning: AHMBD; Airport, Highway, Marine Business District**  
**Lot size: 104,930 sq. ft. total**

Applicants are requesting approval per Code Section 150-161 *Signs* (E): For the placement of four high non-projecting wall signs and one ground sign at their property.

City Attorney Seiden suggested that the Board of Adjustment recommendation and minutes for Case #39-V-08, which is this same property, be duplicated unless there are additional questions. He explained that the Zoning and Planning meeting is required by ordinance. The material is essentially the same as presented in the Board of Adjustment meeting but the matter will automatically be presented to the City Council for approval.

**Board member Espino moved to request that the secretary to the Board duplicate the minutes from the Board of Adjustment meeting with the City Planner's recommendation and the ensuing discussion for the Zoning and Planning Board minutes. Board member Fajardo seconded the motion, which passed unanimously on voice vote.**

City Attorney Seiden stated that since a record has been created, Board members need to make a recommendation to approve or deny the proposed signage so that it will go to Council for their review.

**Board member Fajardo moved to approve the placement of the proposed signs. Board member Espino seconded the motion, which passed unanimously on voice vote.**

The following minutes have been duplicated from the December 1, 2008 Board Adjustment meeting, Case #39-V-08:

The Applicant's statement is attached to the recommendation in the case packet.

City Planner Ventura stated that Section 150-161 (A) limits the maximum height of a ground sign in the AHMBD to no more than 30 feet. Also, each sign surface of a ground sign is limited to no more than 30 square feet for each acre of land occupied by the development. (B) restricts the total area that a wall identification sign can occupy to no more than ten percent of the wall surface area.

City Planner Ventura explained that the proposal includes the installation of a new 33 foot, 11 inch high pylon sign atop an existing 4 foot base near the corner of South Royal Poinciana Blvd. and N.W. 36<sup>th</sup> Street and the mounting of new signage on the walls of the hotel structure itself, as depicted in the case plans. One sign will be facing each point of the compass. Staff understands that all existing signage is going to be removed.

Staff has scaled each face atop the proposed ground sign to be at least 12 feet by 7 feet, for a total of at least 84 square feet in area for the sign faces. Per code, the maximum allowable area for the sign surfaces would be 72 square feet:

104,930 sq. ft. lot area = 2.4 acres    30 sq. ft. x 2.4 acres = 72 sq. ft.

With regard to the wall identification signs proposed for the Holiday Inn, the new signs to be mounted on each side of the elevator penthouse would exceed the maximum area allowable by Code: Each wall sign is proposed to be approx. 135 square feet in area as opposed to the side faces of the elevator penthouse which are 400 square feet in area (Measurements obtained by using the "20-scale" on an engineer's ruler). The percentage of the penthouse wall area that each identification sign would occupy would be approximately 34%, where a maximum of ten percent is allowed.

Staff has visited the site and reviewed the Visual Impact Survey (photos) supplied by the Applicants.

Staff recommends approval of variance requests Nos. 1, 2 and 3: As with other signage proposals for the AHMBD, there is no existing, adjacent residential development that would be adversely affected by the proposed signs – The Holiday Inn is located within a business/commercial district, east of LeJeune Road, and is surrounded by other businesses. Also, there is the overall height and area of this 9-story hotel in comparison to the requested signage to consider.

Staff would set the only following condition: That in granting these variances the Applicants do, in fact, remove all existing comparable signage on the property.

In response to Board member Espino's question, City Planner Ventura replied that the Anthony Abraham tract was part of the Airport, Highway, Marine Business District and the same ordinances applies.

City Attorney Seiden noted that the ordinances might not have been in effect at the time those hotels were developed. He pointed out that the signs on the top of the building do not radiate light to the residential areas, but they do have the right to advertise. He suggested that the ordinances might have to be modernized at some point in time.

Discussion ensued regarding the number of signs allowed at the Aladdin Hotel and the impact on the surrounding neighborhood. It was noted that the Holiday Inn is a nine story structure surrounded by the highway and overpasses. Additionally, the signs will have no impact on the residential areas.

Mr. Ray Rubio of MEP Engineering Designs, 9330 N. W. 13<sup>th</sup> Street, stated that they were representing the Holiday Inn. He pointed out that the existing signs are all larger than the new signs that are being proposed. The signage is a hardship for the hotel in terms of visibility; the signs are very difficult to see and it is difficult to get to the hotel since the highway was revamped.

Vice Chairman Fernandez asked for any comments from the Board or the audience.

Board member Mikluscak reiterated that the existing signs on the hotel are larger than the proposed new ones; all the dimensions are noted in the plans. The new signs are much more modern looking.

**Board member Espino moved to approve all three of the requested variances, given the fact that this commercial property is unique. It does not abut any residential property and the proposed signs are smaller and better looking in his opinion. The proposal will also be beneficial to the commercial district. Board member Fajardo seconded the motion.**

Vice Chairman Fernandez stated that he would like to mention that the hotel sits in a unique location. The new on-ramps to Okeechobee Road and N. W. 36<sup>th</sup> Street block the view of the hotel; conditions were created after the fact and were out of the control of the Holiday Inn. He felt that the Board needed to keep this in mind when contemplating granting the variance.

**The motion carried unanimously on voice vote.**

City Attorney Seiden reminded the applicant of the ten-day appeal period. He continued to say that the Applicants would need more than the usual ten-day appeal period, since the item will need to be reviewed and approved by Council for Zoning and Planning. The next Council meeting is scheduled for December 8<sup>th</sup>, which will fall during the appeal period. The Council is not planning to meet at the end of December due to the Christmas holiday.

Mr. Marcos Rivas stated that he is the general manager for the Holiday Inn at 1111 South Royal Poinciana Blvd. He explained that the Holiday Inn brand is preparing a re-launch throughout the country. This property applied for and was approved for a re-launch in January. The hotel has not had a good sign since 2005 after Hurricane Katrina destroyed it; that has affected the walk-in rate by 25% or more. Heading into 2009 and the economic impact of the market downturn, new signage would be a great help. He hoped that they could have the signage installed in January and still meet the Holiday Inn brand standard; otherwise they might be pushed back at least six or seven months, which would be a hardship for the hotel.

In response to City Attorney Seiden's question, Mr. Rivas said that the sign is already out for bid. He estimated that the sign would take from 30 to 60 days at the most, once they get all their clearances and the design is approved.

City Attorney Seiden suggested that Mr. Rivas compose a letter to the City Manager detailing the circumstances that the hotel is dealing with. If there were to be a Council meeting at the end of the month it might be possible to get them scheduled for it; otherwise it will be the second Monday in January, and they would not have to wait an additional 10 days after that meeting.

\*\*\*\*\*

4. ADJOURNMENT

The meeting was duly adjourned at 8:03 p.m.

Respectfully submitted,

\_\_\_\_\_  
Marilyn A. Newton  
Board Secretary

Transcribed from tape by Marilyn Newton

Approved as written on \_\_\_\_\_

\*\*\*\*\*  
*“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”.*  
\*\*\*\*\*





**DRAFT**

**BOARD OF ADJUSTMENT**

The Miami Springs Board of Adjustment met on Monday, December 1, 2008 at 7:00 p.m. in the Council Chambers at City Hall.

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 7:04 p.m.

Present were: Vice Chairman Francisco Fernández  
Ariana Fajardo (arrived at 7:05 p.m.)  
Kevin Berounsky (arrived at 7:13 p.m.)  
Daniel Espino  
Alternate Richard A. Mikluscak

Absent: Chairman Manuel Pérez-Vichot

Also Present: City Attorney Jan K. Seiden  
City Planner Richard E. Ventura  
Board Secretary Marilyn Newton

**2. APPROVAL OF MINUTES OF REGULAR MEETING:**

A) Minutes of the November 3, 2008 Board of Adjustment meeting were approved as written.

**Board member Berounsky moved the item. Board member Espino seconded the motion, which carried 3-0 on voice vote, with Vice Chairman Fernandez and Board member Fajardo abstaining.**

\*\*\*\*\*

3. OLD BUSINESS

- B) Case # 34-V-08  
Perry Margolis  
102 Curtiss Parkway  
Zoning: CBD, Central Business District  
Lot size: 11,761 sq. ft.

Applicant is requesting a variance from Code Section 150-025 *Awnings and canopies in all zoning districts (D) Horizontal area*: To install an awning at his property greater than 20 ft. by 22 ft. in total horizontal area.

The Applicant's statement of hardship was attached as a separate statement.

City Planner Ventura stated that Section 150-025 *Awnings and canopies in all zoning districts (D) Horizontal area* restricts the maximum area of an awning or canopy to no more than 450 square feet.

City Planner Ventura explained that 102 Curtiss Parkway is the *Harvest Moon Bistro*. The restaurant owner, Mr. Perry Margolis, is proposing to install a "J-shaped" awning that will be attached both to the *Harvest Moon* itself and to the edge of an existing concrete canopy, as depicted in highlighting on the plan included with this case. The proposed awning will be approximately 74 feet in overall length as measured from the outer edge and 15 feet in width, and will extend out over the pavement but well short of the sidewalk.

City Planner Ventura continued to explain that using the survey included with this case, Staff has calculated the square footage of the *Harvest Moon* itself as being 420.42 square feet, excluding the existing canopy. This 420.42 square foot restaurant is situated on an 11,761 square foot lot, which it shares with a *Pappa John's Pizza*. Given the relative size of the 420.42 square foot *Harvest Moon* as compared to the 11,761 square foot lot, the Applicant, Mr. Margolis, is restricted from utilizing the full available space of the lot. This is in contrast to other restaurants in the Central Business District which have larger structures relative to the lots they are situated on; Staff does recognize that this is a *Business* and not a *Residential* district.

Staff has reviewed Mr. Margolis' attached statement and has concluded that it is thorough and that he has demonstrated a valid hardship. Staff therefore recommends approval of this variance request for Mr. Margolis to install his proposed awning as presented.

Mr. Perry Margolis of 324 South Drive stated that he is the owner of the *Harvest Moon*, and has permission from the building's owner to pursue a variance for the awning. He continued to say that they have been in business successfully for eleven years; the City is beginning to expand into other outdoor restaurants, and he would like to encourage and be part of that growth. An awning would protect his patrons from rain, sun and heat.

Vice Chairman Fernandez remarked that Mr. Margolis always kept his establishment tidy and clean. He asked if the City had any mechanisms in place to encourage property owners to maintain their awnings.

City Attorney Seiden replied that monitoring would fall under the jurisdiction of Code Compliance. The ordinance is geared more towards residential, but would still apply for commercial properties. He continued to say that he believed that this awning was perfectly suited for the location; it does not interfere with traffic or the sidewalk and is consistent with the City's policy of trying to generate development in the downtown area.

Vice Chairman Fernandez asked for any comments from the Board members or the audience.

Board member Mikluscak said that he was concerned that the awning met the load requirements for hurricane force winds; he did not want it to become a giant kite in the event of a storm.

City Attorney Seiden advised that the Building Official would review the material before a permit was issued.

Julia (?) of 1877 Opa Locka Blvd. noted that the wind load for the structure is 75 m.p.h. with the awning up and about 170 m.p.h. without it, which is in accordance to Code.

In response to Board member Espino's question, Mr. Margolis replied that the awning would be green; he thought he had submitted a sample with his paperwork. He said that he planned to remove the canopy at his own expense should a hurricane threaten the area.

**Board member Espino moved to approve the requested variance for an awning at the Harvest Moon. It is a commercial property, and the awning will not only enhance the business but also the downtown district. The Applicant has presented a sufficient hardship. Board member Fajardo seconded the motion, which carried unanimously on voice vote.**

City Attorney Seiden reminded the applicant of the ten-day appeal period.

Board member Espino asked if another ordinance needed to be created to address awnings specifically within the Business district.

City Attorney Seiden agreed that the areas should be differentiated, but more information was needed to develop standards to separate the two. They may ask for input from the Architectural Review Board but for the present the matter can be dealt with as a variance situation.

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#### 4. NEW BUSINESS

- A) **Case # 39-V-08**  
**Miami Springs Resorts Associates, Ltd.**  
**1111 South Royal Poinciana Blvd.**  
**Zoning: AHMBD; Airport, Highway, Marine Business District**  
**Lot size: 104,930 sq. ft. total**

Applicants are requesting the following variances from Code Section 150-161 *Signs* for their property, the Holiday Inn:

1. From (A): To install a ground sign greater than 30 feet in height;
2. From (A): Each sign surface of the proposed ground sign will exceed 30 sq. ft. per acre (of the lot) limitation.
3. From (B): To install identification signs on the walls which will exceed ten percent of the wall surface area.

The Applicant's statement is attached to the recommendation in the case packet.

City Planner Ventura stated that Section 150-161 (A) limits the maximum height of a ground sign in the AHMBD to no more than 30 feet. Also, each sign surface of a ground sign is limited to no more than 30 square feet for each acre of land occupied by the development. (B) restricts the total area that a wall identification sign can occupy to no more than ten percent of the wall surface area.

City Planner Ventura explained that the proposal includes the installation of a new 33 foot, 11 inch high pylon sign atop an existing 4 foot base near the corner of South Royal Poinciana Blvd. and N.W. 36th Street and the mounting of new signage on the walls of the hotel structure itself, as depicted in the case plans. One sign will be facing each point of the compass. Staff understands that all existing signage is going to be removed.

Staff has scaled each face atop the proposed ground sign to be at least 12 feet by 7 feet, for a total of at least 84 square feet in area for the sign faces. Per code, the maximum allowable area for the sign surfaces would be 72 square feet:

$104,930 \text{ sq. ft. lot area} = 2.4 \text{ acres}$      $30 \text{ sq. ft.} \times 2.4 \text{ acres} = 72 \text{ sq. ft.}$

With regard to the wall identification signs proposed for the Holiday Inn, the new signs to be mounted on each side of the elevator penthouse would exceed the maximum area allowable by Code: Each wall sign is proposed to be approximately 135 square feet in area as opposed to the side faces of the elevator penthouse which are 400 square feet in area (Measurements obtained by using the "20-scale" on an engineer's ruler). The percentage of the penthouse wall area that each identification sign would occupy would be approximately 34%, where a maximum of ten percent is allowed.

Staff has visited the site and reviewed the Visual Impact Survey (photos) supplied by the Applicants.

Staff recommends approval of variance requests numbers 1, 2 and 3: As with other signage proposals for the AHMBD, there is no existing, adjacent residential development that would be adversely affected by the proposed signs—The Holiday Inn is located within a business/commercial district, east of LeJeune Road, and is surrounded by other businesses. Also, there is the overall height and area of this 9-story hotel in comparison to the requested signage to consider.

Staff would set the only following condition: That in granting these variances the Applicants do, in fact, remove all existing comparable signage on the property.

In response to Board member Espino's question, City Planner Ventura replied that the Anthony Abraham tract was part of the Airport, Highway, Marine Business District and the same ordinances apply.

City Attorney Seiden noted that the ordinances might not have been in effect at the time those hotels were developed. He pointed out that the signs on the top of the building do not radiate light to the residential areas, but they do have the right to advertise. He suggested that the ordinances might have to be modernized at some point in time.

Discussion ensued regarding the number of signs allowed at the Aladdin Hotel and the impact on the surrounding neighborhood. It was noted that the Holiday Inn is a nine story structure surrounded by the highway and overpasses. Additionally, the signs will have no impact on the residential areas.

Mr. Ray Rubio of MEP Engineering Designs, 9330 N. W. 13<sup>th</sup> Street, stated that they were representing the Holiday Inn. He pointed out that the existing signs are all larger than the new signs that are being proposed. The signage is a hardship for the hotel in terms of visibility; the signs are very difficult to see and it is difficult to get to the hotel since the highway was revamped.

Vice Chairman Fernandez asked for any comments from the Board or the audience.

Board member Mikluscak reiterated that the existing signs on the hotel are larger than the proposed new ones; all the dimensions are noted in the plans. The new signs are much more modern looking.

**Board member Espino moved to approve all three of the requested variances, given the fact that this commercial property is unique. It does not abut any residential property and the proposed signs are smaller and better looking in his opinion. The proposal will also be beneficial to the commercial district. Board member Fajardo seconded the motion.**

Vice Chairman Fernandez stated that he would like to mention that the hotel sits in a unique location. The new on-ramps to Okeechobee Road and N. W. 36<sup>th</sup> Street block the view of the hotel; conditions were created after the fact and were out of the control of the Holiday Inn. He felt that the Board needed to keep this in mind when contemplating granting the variance.

**The motion carried unanimously on voice vote.**

City Attorney Seiden reminded the applicant of the ten-day appeal period. He continued to say that the Applicants would need more than the usual ten-day appeal period, since the item will need to be reviewed and approved by Council for Zoning and Planning. The next Council meeting is scheduled for December 8<sup>th</sup>, which will fall during the appeal period. The Council is not planning to meet at the end of December due to the Christmas holiday.

Mr. Marcos Rivas stated that he is the general manager for the Holiday Inn at 1111 South Royal Poinciana Blvd. He explained that the Holiday Inn brand is preparing a re-launch throughout the country. This property applied for and was approved for a re-launch in January. The hotel has not had a good sign since 2005 after Hurricane Katrina destroyed it; that has affected the walk-in rate by 25% or more. Heading into 2009 and the economic impact of the market downturn, new signage would be a great help. He hoped that they could have the signage installed in January and still meet the Holiday Inn brand standard; otherwise they might be pushed back at least six or seven months, which would be a hardship for the hotel.

In response to City Attorney Seiden's question, Mr. Rivas said that the sign is already out for bid. He estimated that the sign would take from 30 to 60 days at the most, once they get all their clearances and the design is approved.

City Attorney Seiden suggested that Mr. Rivas compose a letter to the City Manager detailing the circumstances that the hotel is dealing with. If there were to be a Council meeting at the end of the month it might be possible to get them scheduled for it; otherwise it will be the second Monday in January, and they would not have to wait an additional 10 days after that meeting.

\*\*\*\*\*

This item was heard after Case #34-V-08

- B) Case # 40-V-08**
- Jesus Filgueiras**
- 182 Pinecrest Drive**
- Zoning: R-1B, Single-Family Residential District**
- Lot size: 75 ft. x 132 ft.**

Applicant is requesting a variance from Code Section 150-010 *Roof materials, requirements and re-roofs* (E) to construct a flat roof over a new interior dining room and a rear terrace.

The Applicant's statement is attached to the recommendation in the case packet.

City Planner Ventura stated that Section 150-010 (E) allows an exception to the restriction on flat roofs provided that they are for open patios in the back of the home that are not going to be enclosed.

City Planner Ventura explained that 182 Pinecrest Drive is a legal-size lot and all present setbacks meet code requirements. This proposal for 182 Pinecrest also involves an addition to the home that will still meet code requirements. The flat roof proposed for installation will cover both an interior dining room and a terrace at the back of the home. French doors are proposed to be on both sides of the terrace and the terrace is open on the back side that is facing the rear yard. The dining room will be at the middle of the modified structure so that only the terrace and its portion of the flat roof will be visible.

Staff therefore recommends approval of this variance request for 182 Pinecrest Drive, provided that the Applicant, Mr. Filgueiras, agrees to execute the required Covenant per Section 150-010 (E). A visual examination of the neighborhood found at least three other flat roofs in the area so this proposal would not be out of character for the surrounding homes.

Mr. Jesus Filgueiras of 182 Pinecrest Drive stated that the only way he would be able to connect the east and west sides of the additions would be in the center. If he is not able to use a flat roof, he will have to install a complete new roof, and will not be able to retain the original dimensions or style of the roof.

Vice Chairman Fernandez reiterated that the hip roofs will be connected with a flat section.

City Planner Ventura noted that one favorable response was received from the courtesy notices that were sent out, which he read aloud.

Vice Chairman Fernandez asked for any comments from the Board or the audience.

**Board member Berounsky moved to approve the requested variance with the understanding that the applicant signs a covenant with the City that states the terrace will remain open. Board member Fajardo seconded the motion.**

Board member Fajardo pointed out that the design of this house was very unique and unusual. It was u-shaped around the flat terrace and the terrace would not be visible except from the rear of the house. While money is not usually considered for a hardship, she believed that this proposal was in keeping with the character of the neighborhood.

Vice Chairman Fernandez noted that both sides of the addition would have a hip roof which is consistent with the current design of the house.

**The motion passed unanimously on voice vote.**

City Attorney Seiden reminded the applicant of the ten-day appeal period.

\*\*\*\*\*

**C) Case # 41-V-08**  
**Ubaldo and Maria Gonzalez**  
**117 Navajo Street**  
**Zoning: R-1D, Single-Family Residential District**  
**Lot size: 60 ft. x 136**

Applicants are requesting a variance from Code Section 150-017 *Recreational vehicles (B) Parking and storage (3)*: To maintain an existing boat in the side yard of their property and that boat is closer than three feet to the side property line.

The Applicant's statement has been included in the case packet.

City Planner Ventura stated that Section 150-017 (B) (3) requires that "...If the recreational vehicle cannot be parked or stored in an enclosed structure or in the rear yard because of an obstruction which cannot be removed so as to permit parking of the vehicle...the property owner must apply for a variance to permit the recreational vehicle to be parked or stored in the rear yard or in the side yard..."

City Planner Ventura explained that the boat, an airboat, at 117 Navajo Street is currently parked in the south side yard (first case photo). The wheels of the trailer are in very close proximity to the side of the house and the south side property line, so much so that Staff doubts that the Applicants, the Gonzalezes, could move the boat into the rear yard from that alley (second photo). There is a large tree directly behind the boat that would further block access to the rear yard (third photo), although there is sufficient space in the rear yard to place the boat (fourth photo). The opposite (north) side yard would not be possible as an alternative because it is not as wide as the south side yard (last photo).

Staff recognizes that in its current location the airboat at 117 Navajo is a "tight fit" for the south side yard and that it might not be possible to place the boat in the back yard and access it from the south side yard. This is especially so because of the large tree to the back of the boat. The opposite side yard would not be an alternative location. Also, it must be pointed out that there is not an alley to the back of the lot from which the boat could be accessed. Lastly, in its current location, there is sufficient landscaping along the south side property line to aid in concealing the boat along the side (first and second photos). Provided that the existing gate across the chain link fence were moved in front of the boat, Staff recommends approval of this variance request for 117 Navajo Street.

Mr. Ubaldo Gonzalez of 117 Navajo Street stated that he is already working with a fence company to enclose that area. His intention is to install a 9 foot wide black iron gate that is 6 feet high.

Vice Chairman Fernandez asked for any comments from the Board or the audience.

Board member Espino noted that of the many recreational vehicles that have come before the board, there have been few with such a tight fit. The neighboring house is right next to it, though with the fence, it will not be that visible. The proximity to the house next door concerns him.

City Planner Ventura noted that the courtesy notices generated no responses.

Vice Chairman Fernandez reiterated that a vehicle in the side yard required a variance, and that a three foot setback was required from the property line. He asked if the three feet of space applied to just the trailer or the whole vehicle.

City Attorney Seiden replied that he did not see that the two could be separated.

Vice Chairman Fernandez pointed out that there was a big difference between a regular boat and an airboat; the airboat cabin protrudes upward.

City Attorney Seiden advised that that is one of the things they have to take into consideration before making a decision; the wheels of the trailer are much wider than the airboat itself, but they are hidden. There is enough landscaping to lessen the visual impact of the airboat, but that is another item to consider before granting a variance.

Vice Chairman Fernandez asked for any comments from the Board or the audience.

Board member Mikluscak pointed out that the lot is undersize at 60 feet wide. The Applicant would have considerably more room if it was a standard size lot.

Discussion determined that the side yards met the minimum required setbacks.

**Board member Fajardo moved to approve the requested variance to maintain an airboat in the side yard, with the provision that a gate be installed in front of the airboat for screening. Board member Berounsky seconded the motion, which passed 3 – 1 on voice vote, Board member Espino dissenting.**

City Attorney Seiden said that in his opinion, variances as a general rule are with the property. In these cases, if the owner sells the property and the new owner wants to store a cabin cruiser in the side yard, the new owner would have to apply for a variance. Variances are granted on a specific set of circumstances; any changes to those circumstances require a new application.

City Attorney Seiden reminded the applicant of the ten-day appeal period

\*\*\*\*\*

D)      **Case # 42-V-08**  
          **Maria C. Gonzalez**  
          **344 Payne Drive**  
          **Zoning: R-1C, Single-Family Residential District**  
          **Lot size: 65 ft. x 150 ft.**

Applicant is requesting a variance from Code Section 150-043 *R-1C district (C) Building site area required*: To construct additions to her home on an undersize lot.

The Applicant's statement is attached to the recommendation in the case packet.

City Planner Ventura stated that Section 150-043 (C) requires that the minimum width of a single-family residential lot for new construction be 75 feet. 344 Payne is 65 feet in width.

City Planner Ventura explained that 344 Payne is an undersize lot with existing encroachments in the front yard, with a setback of 25 feet instead of 30 feet, and the west side yard with a setback of 6 feet instead of 6.5 feet. The proposal is for the addition of two bedrooms, a family room, a kitchen, a dining room, a laundry room and a pantry to the rear of the home. If constructed as proposed, the additions will simply follow the lines of the existing home and the addition to the west side of the house will maintain the existing encroachment but not increase it. The resulting rear yard setback will still be within code requirements. Provided that there is at least a 10 feet of separation from the existing shed in the back yard to the edge of the patio slab proposed for the rear of the home, Staff recommends approval for the variance request for 344 Payne Drive.

Mr. Gerardo Gonzalez of 344 Payne Drive stated that he was representing his mother Maria. He explained that the family was growing, with several children, and needed more room.

In response to City Attorney Seiden's question, Mr. Gonzalez said that he understood the requirement regarding the shed and it would not be a problem.

City Attorney Seiden reiterated that Mr. Gonzalez was basically just squaring off the house.

Vice Chairman Fernandez asked for any comments or questions from the audience or the Board.

City Planner Ventura noted that he received one letter in support of the proposal.

City Attorney Seiden remarked that none of the proposed construction will increase any of the already existing encroachments.

**Board member Espino moved to approve the variance for construction on an undersize lot. The house is being squared off and does not increase any encroachments into the setbacks. The back yard is still a good size, and the applicant has agreed to maintain ten feet of separation from the shed and the addition. Board member Berounsky seconded the motion, which passed unanimously on voice vote.**

City Attorney Seiden reminded the applicant of the ten-day appeal period.

\*\*\*\*\*

5. ADJOURNMENT

The meeting was duly adjourned at 7:56 p.m.

\_\_\_\_\_  
Marilyn A. Newton  
Board Secretary

Approved as written on \_\_\_\_\_

\*\*\*\*\*  
The decisions of the Board of Adjustment may be appealed to the Board of Appeals pursuant to Code Section 150.113. Any person appealing any decision may need to ensure that a verbatim record is made of the proceedings, which record includes the testimony and evidence upon which the appeal is made. (F.S. 286.0105)  
\*\*\*\*\*

\*\*\*\*\*  
*“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”.*  
\*\*\*\*\*



# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared V. PEREZ, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS  
PUBLIC HEARING - DECEMBER 8, 2008

in the XXXX Court,  
was published in said newspaper in the issues of

11/26/2008

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

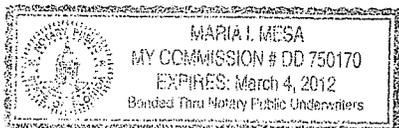


Sworn to and subscribed before me this

26 day of NOVEMBER, A.D. 2008

(SEAL)

V. PEREZ personally known to me



## CITY OF MIAMI SPRINGS PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, December 8, 2008, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinance:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 35-20, NORMAL RETIREMENT, BY PROVIDING FOR LIFETIME HEALTH INSURANCE COVERAGE ELIGIBILITY FOLLOWING EMPLOYEE NORMAL RETIREMENT; ESTABLISHING ELIGIBILITY FOR LIKE BENEFITS FOR 401-A RETIREMENT PLAN PARTICIPANTS AND OTHER CITY OFFICIALS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE**

Anyone wishing to offer verbal or written comment regarding the proposed ordinance may do so at the public hearing. A copy of the proposed ordinance is posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valls, CMC  
City Clerk

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).

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 seven days prior to the proceeding.  
11/26

08-3-172/1127842M

\$94.20



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City Clerk

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In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.

ORDINANCE NO. \_\_\_\_-2008

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 35-20, NORMAL RETIREMENT, BY PROVIDING FOR LIFETIME HEALTH INSURANCE COVERAGE ELIGIBILITY FOLLOWING EMPLOYEE NORMAL RETIREMENT; ESTABLISHING ELIGIBILITY FOR LIKE BENEFITS FOR 401-A RETIREMENT PLAN PARTICIPANTS AND OTHER CITY OFFICIALS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, it has been the long standing policy of the City to permit “Normally Retired” City employees to continue to purchase health insurance coverage under the City’s current group insurance policy; and,

**WHEREAS**, although this policy has existed for many years, it has not been codified within the retirement system provisions of Chapter No. 35 of the City of Miami Springs Code of Ordinances; and,

**WHEREAS**, the policy that has remained in effect has excluded City employees who were members of the 401-A retirement system and other employees who were not members of any retirement system; and,

**WHEREAS**, it is believed that the inclusion of such other employees within the established City policy will provide an attractive employment enhancement; and,

WHEREAS, the City Council of the City of Miami Springs has determined that the codification of the established health insurance policy and the extension of such policy to additional employees is in the best interests of the City and its citizens:

**NOW, THEREFORE, B E IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That Code of Ordinance Section 35-20, Normal Retirement, is hereby amended as follows:

**Sec 35-20. Normal Retirement.**

- (A) The normal retirement date for each member shall be the first day of the month coincident with or next following the earlier of:
  - (1) The date on which such member attains ~~his 62<sup>nd</sup> birthday~~ the age of 62 and completes five years of credited service, or
  - (2) The date on which the total ~~of his~~ age, computed in full months, plus his credited service, computed in full months, equals 900 months (i.e. 75 years).
- (B) Any member may continue in employment beyond ~~his~~ the member's normal retirement date; retirement shall not be compulsory at any age. Upon retirement on or after ~~his~~ the normal retirement date, the member shall be entitled to the pension provided for in §35-21.
- (C) Eligibility for Group Health Insurance.
  - (1) Any employee who retires from the City in accordance with the provisions of (A)(1)(2) or (B) above, and has not retired due to any conditions or circumstances that would have threatened continued employment with the City, shall be eligible to continue purchasing coverage under the City's then current group health insurance policy, so long as all the costs of such insurance are borne solely by the retired employee. The right to purchase such coverage shall continue as long as the City provides group health insurance coverage for its current employees.

(2) Any employee who retires from the City in accordance with the provisions of (A)(1)(2) or (B) above, has been a member of the 401-A Retirement System or Plan, and has not retired due to any conditions or circumstances that would have threatened continued employment with the City, shall be eligible to continue purchasing coverage under the City's then current group health insurance policy, so long as all the costs of such insurance are borne solely by the retired employee. The right to purchase such coverage shall continue as long as the City provides group health insurance coverage for its current employees.

(3) Any employee who retires from the City in accordance with the provisions of (A)(1)(2) or (B) above, has not been a member of any Retirement System or Plan, and has not retired due to any conditions or circumstances that would have threatened continued employment with the City, shall be eligible to continue purchasing coverage under the City's then current group health insurance policy, so long as all the costs of such insurance are borne solely by the retired employee. The right to purchase such coverage shall continue as long as the City provides group health insurance coverage for its current employees.

~~(C)~~(D) Deferred Retirement Option Plan ("Drop").

- (1) ...
- (2) ...
- (3) ...
- (4) ...

**Section 2:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 3:** That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida  
this 8<sup>th</sup> day of December, 2008.

The motion to adopt the foregoing ordinance was offered on second reading by \_\_\_\_\_, seconded by \_\_\_\_\_, and on roll call the following vote ensued:

Vice Mayor Youngs	“ ___ ”
Councilman Best	“ ___ ”
Councilman Dotson	“ ___ ”
Councilman Garcia	“ ___ ”
Mayor Bain	“ ___ ”

\_\_\_\_\_  
Billy Bain  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 11/24/2008  
Second reading: 12/08/2008

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.



APPROVED

*JLB*  
*12/2/08*

The City of Miami Springs  
Summary of Monthly Attorney Invoice  
Orshan, Lithman, Seiden, Ramos, Hatton & Huesmann, LLLP

December 2, 2008

<u>General Fund Departments</u>	<u>Cost</u>	<u>Hours</u>
Office of the City Clerk	313.50	2.85
Human Resources Department	621.50	5.65
Risk Management	522.50	4.75
Finance Department	418.00	3.80
Building, Zoning & Code Enforcement Department	258.50	2.35
Planning	594.00	5.40
Police Department		0.00
Public Works Department	192.50	1.75
Recreation Department	1,886.50	17.15
General - Administrative Work	4,680.50	42.55
<b>Sub-total - General Fund</b>	<u>\$9,487.50</u>	<u>86.25</u>
 <u>Enterprise Fund Divisions</u>		
Sewer Operations Fund		0.00
Water Operations Fund		0.00
Sanitation Fund		0.00
Stormwater Fund		<u>0.00</u>
<b>Sub-total - Enterprise Funds</b>	\$0.00	<u>0.00</u>
 <u>Special Revenue, Trust &amp; Agency Funds</u>		
Golf Course Operations		0.00
L.E.T.F.		0.00
Due from Pension Funds		<u>0.00</u>
<b>Sub-total - Special Funds</b>	\$0.00	<u>0.00</u>
 <b>GRAND TOTAL: ALL FUNDS</b>	 \$9,487.50	 86.25

City of Miami Springs				
Attorney fees				
Month		November		
Period		2 09		
			<u>Debit</u>	<u>Credit</u>
001 0601 514 3111			541.67	
001 0601 514 3101			9,487.50	
550 5950 519 3101				
560 5970 519 3101				
410 3301 533 3100				
420 3501 535 3100				
430 3401 534 3100				
180 5801 572 3101				
180 5802 572 3101				
150 5010 519 3101				
610 0000 519 3101	PL0103			
650 2011 521 3101				
001 0000 131 7000				
001 0000 101 0100				10,029.17
550 0000 101 0100				
560 0000 101 0100				
410 0000 101 0100				0.00
420 0000 101 0100				0.00
430 3401 534 3100				
180 0000 101 0100				0.00
150 0000 101 0100				
661 0000 101 0100				
650 0000 101 0100				
669 0000 518 3101			0.00	
669 0000 207 0100				0.00
			10,029.17	10,029.17





Wednesday, November 26, 2008

Rosita Hernandez  
City of Miami Springs  
345 N Royal Ponciana Blvd.  
Miami Springs, FL 33166  
Email: [HernandezR@MiamiSprings-Fl.Gov](mailto:HernandezR@MiamiSprings-Fl.Gov)

Reference: Renewal of Janitorial Service Agreement

Dear Rosita:

This letter is to confirm that SFM Services, Inc. will renew the above referenced contract under the same terms and conditions of the original agreement.

We look forward to continue our working relationship with the City of Miami Springs. If you have any questions, please do not hesitate to contact me directly at 305.525.9442.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Infante', is written over the word 'Sincerely,'.

Christian Infante  
Vice President





RESOLUTION NO. 20\_\_\_\_ - \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS CALLING FOR THE HOLDING OF A SPECIAL ELECTION FOR THE CITY ON TUESDAY, APRIL 7, 2009; DELINEATING CHARTER QUESTION FOR THE BALLOT OF THE MIAMI SPRINGS GENERAL MUNICIPAL ELECTION; PROVIDING AUTHORIZATION AND DIRECTIONS TO THE CITY CLERK; EFFECTIVE DATE.**

**WHEREAS**, in accordance with the provisions contained in the Miami-Dade County Charter and related Code of Ordinance sections, electors of the City may propose amendments to the City Charter by securing the required number of elector signatures on Petitions to be submitted to the City Council; and,

**WHEREAS**, on November 6, 2008, the City Clerk was presented with 154 Charter Amendment Petitions containing 1,359 signatures; and,

**WHEREAS**, upon submission of the Petitions and signatures to the Miami-Dade County Elections Department for verification, it was determined and certified that the Petitions contained \_\_\_\_\_ valid signatures of City of Miami Springs electors; and,

**WHEREAS**, on \_\_\_\_\_, 2008, the Department of Elections officially certified the Petition signature verification results which were provided to the City Council on \_\_\_\_\_, 2008; and,

**WHEREAS**, at its regular City Council meeting of \_\_\_\_\_, 2008, the City Council reviewed and considered the Charter Amendment Petition documentation and was advised by the City Clerk that a Special City Election on the proposed Charter Amendment could be scheduled by the Miami-Dade County Elections Department for the electors of the City to consider the adoption of the proposed Charter Amendment as part of the April 7, 2009 Miami Springs General Municipal Election; and,

**WHEREAS**, the City Clerk, as provided in City Charter Sections 3.03 and 8.02, is the Supervisor of Elections for the City and is charged with the responsibilities of preparing the ballot and conducting all City elections; and,

**WHEREAS**, all City elections are conducted in accordance with City Ordinance Section 11.01 which provides:

**§11.01 STATE ELECTION CODE ADOPTED FOR MUNICIPAL ELECTIONS.**

All General and Special Elections held in the City shall be held and conducted in accordance with the provisions of state law as nearly as practicable where state law is applicable to municipalities by reasonable construction, except as provided by the City Charter, this Chapter, or other Ordinance of the City. The City Council shall perform all acts in relation to such General and Special Election which by the state law is made the duty of the County Commission; and,

**WHEREAS**, the City Clerk has been advised by the Miami-Dade County Elections Department that the City may place the proposed Charter Amendment question on the ballot of the Miami Springs General Municipal Election to be conducted on Tuesday, April 7, 2009, so long as all information and documentation is submitted to the Elections Department prior to \_\_\_\_\_, 2009; and,

**WHEREAS**, the City Council of the City of Miami Springs has determined that it is both proper and appropriate to conduct a Special City Election for the proposed Charter Amendment contained herein to be placed upon the ballot of the Miami Springs General Municipal Election to be conducted on April 7, 2009 for consideration by the electors of the City:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:**

**Section 1:** That a Special City Election shall be conducted for the proposed Charter Amendment submitted to the City by citizen Petitions on November 6, 2008, which shall be placed on the Miami Springs General Municipal Election April 7, 2009 ballot for consideration by the electors of the City.

**Section 2:** That the purpose of the Special City Election is for the placement of the proposed Charter Amendment on the Miami Springs General Municipal Election ballot of April 7, 2009 and to allow the electors of the City of Miami Springs to determine if the City Charter should be amended.

**Section 3:** That the Miami-Dade County Elections Department is hereby requested to schedule a Miami Springs Special Election and to include the following question on the ballot for the Miami Springs General Municipal Election to be conducted on Tuesday, April 7, 2009:

**PROPOSED AMENDMENT TO MIAMI SPRINGS CHARTER**

**Annexation Amendment:**

Shall the Charter of the City of Miami Springs be amended to read as follows:

**“The City of Miami Springs shall not Annex any lands outside of the existing boundaries of The City of Miami Springs, without first being approved and authorized by a majority of qualified city electors voting in a election to consider any such action”**

YES [    ]

NO [    ]

**Section 4:** That the City Clerk, as the Supervisor of Elections for the City, is hereby authorized and directed to forward this Resolution to the Miami-Dade County Elections Department to insure that the Charter Amendment question is properly placed on the Miami Springs General Municipal Election Ballot of April 7, 2009, to conduct the Election in accordance with all the requirements of law, and to cooperate with and assist the Miami-Dade County Elections Department in the conduct of this Election.

**Section 5:** That the provisions of this Resolution shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

The motion to adopt the foregoing resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_,

and on roll call the following vote ensued:

Vice Mayor Youngs	“ _____ ”
Councilman Best	“ _____ ”
Councilman Dotson	“ _____ ”
Councilman Garcia	“ _____ ”
Mayor Bain	“ _____ ”

\_\_\_\_\_  
Billy Bain  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO LEGALITY AND FORM:**

Jan K. Seiden, City Attorney

# CHARTER AMENDMENT PROCESS

## 1. MIAMI-DADE COUNTY CHARTER SECTION 5.03 - MUNICIPAL CHARTERS

- Petition of 10% of qualified electors of the municipality.
- Draft provision for submission to voters.
- Election not less than 60 days nor more than 120 days.
- Copy of proposal available to voters 30 days before election.
- Alternative proposals may be submitted.
- Effective as provided in proposal or upon adoption.

## 2. MIAMI-DADE COUNTY CHARTER SECTION 7.01- INITIATIVE AND REFERENDUM

- \*Person (citizen) proposes ballot language and petition for City Council approval - as to form.
- After City Council form approval - 60 days to obtain signatures on petition.
- Filing of petitions with City Council within 60 days - City Council has 30 days **to order** a canvass of the signatures to determine sufficiency.
- If signatures are insufficient or other deficiency in petition or process, City Council shall notify person filing petition.
- City Council may, within 30 days of submission of a sufficient petition, propose the initiative proposal as its own for submission to the voters or authorize the initiative proposal for inclusion on a ballot for voter consideration. (Not less 60 days nor more than 120 days for election to be held).

3. **MIAMI-DADE COUNTY CHARTER SECTION 8.07 - AMENDMENTS**

- Charter Amendments may be proposed by City Council action or by initiative petitions of 10% of the electors of the municipality.
- Initiatory petitions for Charter Amendments shall be certified in the manner required for ordinance initiatory petitions.
- Initiatory petition elections shall be called by the City Council not less than 60 nor more than 120 days of when a certified petition is presented back to the City Council.

4. **MIAMI-DADE COUNTY CHARTER SECTION 12-23 - INITIATIVE, REFERENDUM AND RECALL PETITIONS - - VERIFICATION OF SIGNATURES; DISQUALIFICATION OF NON-COMPLYING PETITIONS**

- The provisions contained in this Section shall be utilized to determine proper petition form, disqualification of forms, and disqualification of signatures.
- The Miami-Dade County Supervisor of Elections is charged with the responsibility of the verification or disqualification of petition formats and petition signatures.

CITY OF MIAMI SPRING  
2006 MAY 26 AM 11:29

Agenda Item No. 9B

Additional back-up information  
to be provided  
at a later date





Miami Springs  
Police Department

Memorandum

**To:** James R. Borgmann, City Manager  
**From:** Peter G. Baan, Chief of Police  
**Subject:** Family Night Police Staffing  
**Date:** 12/03/2008

Handwritten signature of Peter G. Baan, Chief of Police.

The Family Night event on the Circle, Friday 11/21/2008, went off without a hitch. However, it was very well attended and the attendance seems to be growing. Since it impossible to control where the patrons enter and exit the Circle, I believe it will be necessary to add additional personnel for future events to ensure safety. I recommend a minimum of three.

If the officers are paid by All Angels or another organization the cost per event would be:

\$35.00/hr X 4 Hrs. X 3 officers = \$420.00

If the officers are paid by the City the cost per event would be:

\$49.00/hr X 4 Hrs. X 3 officers = \$588.00

If a partial closure of the Circle was utilized, it could probably be safely manned by two officers, but closing and re-opening the Circle would require additional time, signage and barricades.

The need for these officers cannot be accommodated with normally on-duty personnel. If the detail is handled as an extra duty job, (officers paid directly by event sponsor) the cost per officer is \$35.00 per hour, for a minimum of three hours. If the City pays for the officers, then payment to the officers must be on an overtime basis, per the current City/PBA Contract. Under this scenario, the cost per officer is approximately \$49.00, also for a minimum of three hours. For prior events, the officers have been scheduled for four hours.

cc: Captain J. Kahn  
Lieutenant R. Walker  
CPO

Agenda Item No.

City Council Meeting of:

DEC 8, 2008





**OFFICE OF THE CITY CLERK  
MEMORANDUM**

**TO:** Honorable Mayor Billy Bain and Members of the City Council

**FROM:** Magalí Valls, City Clerk

**DATE:** November 3, 2008

**SUBJECT:** City Council Advisory Board Vacancy

\*\*\*\*\*

As mandated in Section 32.02(A) (2) of the Code of Ordinances: *"Unless otherwise provided by ordinance, any member of any city board, which is scheduled to meet on a monthly basis, who fails to attend any three regular or special meetings of such board during any 12-month period, shall be deemed to have resigned their membership position on such board. The remainder of the term of such resigned board member shall be filled in the manner provided by law."*

In accordance with the foregoing, the following vacancy has been created by absence:

<u>BOARD/INCUMBENT</u>	<u>APPOINTMENT TO BE MADE BY</u>
Golf and Country Club Advisory Board Phyllis Causey	Councilman Xavier Garcia (Group 3)

The term of office of the Golf and Country Club Advisory Board member expires on July 31, 2009 and an appointment for the unexpired term by Councilman Garcia is in order.

The appointment to fill the vacant position will be scheduled for the November 10, 2008 City Council Regular Meeting.

- cc: City Manager
- Assistant City Manager
- City Attorney
- Affected Board Member
- Board Secretary





## City of Miami Springs Interoffice Memo

DATE: December 1, 2008

TO: The Honorable Mayor Billy Bain and Members of the City Council

FROM: James R. Borgmann, City Manager *JRB*

RE: Interlocal Agreement with Miami-Dade County for Recycling Services

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Attached is a copy of the interlocal agreement for recycling services recently approved by Miami Dade County. Passage by the City Council on December 8<sup>th</sup> is required to begin the process of getting Miami Springs on board.

As you may recall, I gave Council a brief synopsis of the new recycling system several months ago. The highlights of the new system are as follows:

1. Each single family residential unit will receive a new 60 gallon blue barrel on wheels. This means that the residents will no longer have to carry heavy bins out to the street for collection. All materials will be co-mingled in this one roll out container. The homeowner simply rolls the container out to the street in the morning and rolls the empty container back to the house that evening.
2. The fee for this service is actually going down. We currently charge our residents \$2.65 and the County charges us \$3.14, so we have been absorbing a loss in that area for some time. The new charge is \$2.47 per household, with an annual CPI increase not to exceed 3.0%. At that rate, we will be near the \$2.65 level again in the third year. Therefore I recommend that we continue the rate at \$2.65 now and until such time that the expense exceeds the revenue. This would allow us to recapture some of the revenue we lost by not raising the rates over the past few years.
3. The old green and blue bins can either be recycled or the residents may keep them for storage, etc.
4. The County will be sending out a brochure (English, Spanish and Haitian) explaining the new system, what materials can or can't be put in them, scheduled day of collection, etc.

The City Attorney has some minor concerns about the agreement, but in discussions with the County staff, we agreed that a simple Memorandum of Understanding can be added to the attached document to clear up those issues. However, we do agree that the City can approve the attached agreement without further delay.

Agenda Item No.

City Council Meeting of:

DEC 8, 2008

**INTERLOCAL AGREEMENT FOR  
INCLUSION IN THE MIAMI-DADE COUNTY  
CURBSIDE RECYCLING PROGRAM**

**MUNICIPALITY:** \_\_\_\_\_

This Interlocal Agreement ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between Miami-Dade County ("County") and \_\_\_\_\_ ("Municipality") in order that the Municipality may be included as a portion of the COUNTY SERVICE AREA to be provided with curbside collection of recyclable materials under the terms and conditions agreed to between the County and any Contractors that the County enters into contracts with for the provision of Recycling Collection Services, Recycling Processing Services, Recycling Container Manufacturing and Delivery Services, or other Recycling Services as necessary.

**Section I: Definitions**

In all instances, terms used in this Agreement shall have the definitions as contained in any Contracts that the County enters into for the provision of Recycling Collection Services, Recycling Processing Services, Recycling Container Manufacturing and Delivery Services, or other Recycling Services as necessary ("Contracts").

**Section II: County Services Area – Municipality's Portion**

The Municipality's portion of the entire County Services Area is designated on the attached map (Exhibit "A"), incorporated herein by reference).

**Section III: Agreement Governs; Entire Agreement**

This Agreement supersedes any previous agreements that the County and the Municipality may have previously had for recycling services.

**Section IV: Recycling Service**

Residents of single-family housing within the Municipality will be provided with curbside collection service of recyclable materials in the manner provided for in the Contracts. All residents included in the program will be responsible for preparation and placement of materials in the manner specified pursuant to the Contracts. All participating residents of the Municipality will be eligible to call the County's 3-1-1 Answer Center to receive assistance and information regarding recycling services provided to them.

Collection of materials will take place on a schedule consistent with the hours and days provided for the unincorporated area. Days or hours differing from the unincorporated area collection service but coinciding with regular garbage or trash service within the Municipality (e.g., Wednesday and Saturdays) may be provided subject to negotiation and agreement with Contractor and approval by the County.

**Section V: Authorization/Responsibilities**

The Municipality hereby authorizes the County to act on its behalf in the administration of the contract for this recycling service in the areas of municipal jurisdiction. However, the Municipality will be responsible for monitoring all aspects (collection days, hours, equipment, personnel etc.) of any Contractor's performance within its jurisdiction and reporting any problems or violations to the County in order to initiate corrective action in accord with the Contracts.

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**INTERLOCAL AGREEMENT FOR  
INCLUSION IN THE MIAMI-DADE COUNTY  
CURBSIDE RECYCLING PROGRAM**

The Municipality agrees to abide by all those terms and conditions that the County agrees to meet as contained in the Contracts except as modified herein.

The Municipality agrees to provide the County with an update of additions and deletions to this list each month in a format to be specified by the County. This update shall be delivered to the County on the first day of the month. Any discrepancies between the Municipality's monthly house count and the Contractor's monthly billing allocated to the Municipality shall be reconciled through a field inspection to be performed by the County within 60 days, with any corrections to be reflected in the subsequent month's billing to the Municipality.

**Section VI: Payments**

In compensation for provision of this recycling collection service on a regular basis, the Municipality will make monthly payments to the County in an amount equal to the Monthly Fee or such other fee, as negotiated subject to approval by the County and the Municipality, times the average number of Residential Properties serviced during that month within the Municipality's portion of the entire County Service Area. This payment will not be dependent upon the number of households participating in the program, but will be a flat rate for each household. The County will charge the Municipality consisting with the costs to the residents within the unincorporated area of the County.

During the first fiscal year (between October 1, 2008 and September 30, 2009) of this Interlocal Agreement, the monthly fee will be \$2.47 per household per month. This fee is consistent with the cost that residents of the unincorporated area are paying for the same period.

During the second fiscal year (between October 1, 2009 and September 30, 2010) of this Interlocal Agreement and annually thereafter through the final year of Agreement, the monthly fee paid by the Municipality to the County for the services to be provided will be adjusted by the percent change in the Consumer Price Index (CPI), All Urban Consumers, South Urban, All items, annual average during the previous Service Year, not to exceed three percent (3%) based on the change in such Index from October 1 through September 30 of the previous year. The source of the consumer price indices applied in the annual adjustment to the Collection Payment shall be the U. S. Bureau of Labor Statistics. Each adjustment shall be in effect for the following 12-month period. The Amount paid per Household shall be extended to all Households served based on the Household counts provided by the County in accordance with provisions of this Agreement.

The Municipality shall be responsible for delivering payment for recycling collection services to the County within twenty (30) days of the date of an invoice from the County. The County shall be responsible for making the total Monthly Payment for the entire Service Area, including the Municipality's portion, to the Contractor in accord with all the Contracts.

**Section VII: Containers**

The County shall be responsible for purchase of a sufficient number of containers to provide a container to each Residential Property in the program. All containers delivered within the incorporated area shall be the property of the Miami-Dade County Recycling Program and will be printed with the County's information, not the municipality's. These containers are for the permanent use of the household to which they are delivered for the specific purpose of participation in the curbside recycling program. The containers are intended to remain with each property through the life of any contracts and/or any subsequent extensions. In the event that a unit's residents vacate the property, the containers shall remain at that location for use by

**INTERLOCAL AGREEMENT FOR  
INCLUSION IN THE MIAMI-DADE COUNTY  
CURBSIDE RECYCLING PROGRAM**

the subsequent residents. The Municipality shall not mark or label the containers in any fashion.

Additional or "new" containers shall be placed at newly constructed and occupied Residential Properties added into the program by the County at no cost to the resident or the Municipality.

Lost or stolen containers will be reported to the County and will be replaced by the County within a timeframe consistent with the timeframes provided to residents of the unincorporated area.

In the event that the Municipality withdraws from this Interlocal Agreement prior to the final debt payment for recycling containers, the Municipality will pay the remaining amortized cost of those containers in the Municipality within one year of withdrawal.

**Section VIII: Reporting**

The County shall send the Municipality correspondence in a manner and on a schedule mutually agreed upon by the Municipality and the County. The Municipality shall also be sent a copy of any Annual Reports required by the contracts.

Staff of the Municipality will also be notified of all, and may attend any, regular meetings held with the Contractor to review performance.

**Section IX: Enforcement**

The Municipality agrees to take such steps as may reasonably be necessary to protect the County's ownership of all recyclable materials placed at curbside for collection under the terms of the Contracts, including the preparation and submission of an anti-scavenging ordinance for the Municipality. The staff of the Municipality shall propose anti-scavenging laws as agreed upon between the Municipality and the County.

Unless provided otherwise by County ordinance, the Municipality shall be responsible for enforcement of this recycling program in that portion of the service area within its incorporated limits.

**Section X: Program Revisions**

Minor program adjustments affecting the entire Service Area may be made from time to time as agreed to by the County and the Contractors. Such minor adjustments could include, but would not be limited to, such items as variations in the required preparation of materials by the resident or hours of collection. In the event that such changes will require notice to the residents, the County and the Contractors shall jointly take full responsibility for providing adequate notice to all of the residents.

Any major program changes having a material impact on the financial relationship among the parties or resulting in substantial variation in the amount and type of Recyclables collected shall be subject to review by the Municipality.

**Section XI: Liquidated Damages**

In the event that the Contractor fails to perform in accord with the Contract, liquidated damages will be imposed by the County as provided for in the Contracts.

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**INTERLOCAL AGREEMENT FOR  
INCLUSION IN THE MIAMI-DADE COUNTY  
CURBSIDE RECYCLING PROGRAM**

**Section XI: Service Initiation Schedule**

Contractor will initiate delivery of containers and pickup of Recyclable Materials to the Municipality within 60 days of execution of this Agreement. Service will commence within two weeks of receipt of each household's receipt of a container.

**Section XIII: Other Recycling Program Options**

The Municipality and the County may negotiate any other recycling options at a cost and scope agreeable to both parties.

**Section XIV: Default/Termination**

Failure of the Municipality to make payment to the County in accord with the provisions of Section VI of this Agreement shall constitute default. In the event that such default occurs, the County shall provide written notice to the Municipality concerning the nature of this default. The Municipality shall have thirty (30) days from the date of the notice in which to resolve the default, the County shall have option to terminate this agreement and/or withhold local revenue that the County distributes to the Municipality in an amount sufficient to pay for all recycling services provided to date for which the Municipality has failed to make payment.

Either party may terminate this Agreement without cause by communicating the desire to do so in writing 30 days prior to the termination date.

**Section XV: Grant Funds**

The Municipality may choose to utilize any grant funding available to pay all or part of the monthly payments due to the County.

**Section XVI: Amendment to Agreement**

Except as otherwise provided for herein, this Agreement may be modified, altered or amended only by a written amendment duly executed by the parties hereto. Any oral representations or modifications concerning this Agreement shall be of no force or effect.

**Section XVII: Headings**

Captions and headings in this Agreement are for ease of reference only and do not constitute a part of this Agreement and shall not affect the meaning or interpretation of any provisions herein.

**Section XVIII: Approvals**

Whenever approval of a Party is required by this Agreement, such approval shall not be unreasonably withheld.

**Section XIX: Performance by Parties**

Except as otherwise provided in this Agreement, in the event of any dispute arising over the provisions of this Agreement, the parties shall proceed with the timely performance of their obligations during the pendency of any legal or other similar proceedings to resolve such dispute.

**Section XX: Rights of Others**

Nothing in the Agreement express or implied is intended to confer upon any person other than the parties hereto any rights or remedies under or by reason of this Agreement.

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**INTERLOCAL AGREEMENT FOR  
INCLUSION IN THE MIAMI-DADE COUNTY  
CURBSIDE RECYCLING PROGRAM**

**Section XXI: Counterparts**

This Agreement may be executed in one or more counterpart(s), each of which shall be deemed an original.

**Section XXII: Waiver**

There shall be no waiver of any right related to this Agreement unless in writing signed by the party waiving such right. No delay or failure to exercise a right under this Agreement shall impair such right or shall be construed to be a waiver thereof. Any waiver shall be limited to the particular right so waived and shall not be deemed a waiver of the same right at a later time, or of any other right under this Agreement.

**Section XXIII: Time is of Essence**

It is mutually agreed that time is of the essence in the performance of all terms and conditions to be kept and performed pursuant of this Agreement.

**Section XXIV: Representations of the County**

The County represents that

- (1) this Agreement has been duly authorized, executed and delivered by the Board of County Commissioners as the governing body of the County, and
- (2) it has the required power and authority to perform this Agreement.

**Section XXV: Representations of the Municipality**

The Municipality represents that

- (1) this Agreement has been duly authorized, executed and delivered by the Board of Commissioners as the governing body of the Municipality, and
- (2) it has the required power and authority to perform this Agreement.

**Section XXVI: Approvals and Notices**

Notices and approvals required or contemplated by this Agreement shall be written and personally served or mailed, registered or certified United States mail, with return receipt requested, addressed to the parties as follows:

To the County:  
Miami-Dade County Department of Solid Waste Management  
2525 NW 62nd Street, Suite 5100  
Miami, Florida 33147  
Attn: Department Director  
305-514-6628

To the Municipality:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, Florida \_\_\_\_\_  
Attn.: \_\_\_\_\_  
\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

**Section XXVII: Term**

The initial term of this Agreement shall begin on the date of execution of this Agreement and end within 30 days of either party requesting termination. Upon any and all renewal(s) of the

**INTERLOCAL AGREEMENT FOR  
INCLUSION IN THE MIAMI-DADE COUNTY  
CURBSIDE RECYCLING PROGRAM**

Contracts in accordance with Article 1 thereof, this Agreement shall automatically be extended without separate written amendment for the term(s) of any and all such renewal period(s).

IN WITNESS WHEREOF, Miami-Dade County, Florida, has caused this Agreement to be executed in its name by the County Manager or this designee, attested by the Clerk of the Board of County Commissioners and has caused the seal of the Board of County Commissioners to be hereto attached; and the Municipality \_\_\_\_\_, Florida has caused this Agreement to be executed in its name by the Municipal Mayor or designee, attested by the Clerk of the Municipal Council and has caused the seal of the Council to be hereto attached, all on the day and year first written above.

**MIAMI-DADE COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS**

Attest: Miami-Dade County:

Attest: \_\_\_\_\_ (municipality)

By: \_\_\_\_\_  
County Clerk

By: \_\_\_\_\_  
Municipal Clerk

By: \_\_\_\_\_  
County Mayor or Designee

By: \_\_\_\_\_  
Municipal Mayor or Designee

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

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**RESOLUTION NO. 2008-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MIAMI SPRINGS  
AMENDING THE SCHEDULE OF CHARGES  
AND FEES FOR THE OPERATION OF THE  
MIAMI SPRINGS GOLF AND COUNTRY  
CLUB; EFFECTIVE DATE**

**WHEREAS**, the City of Miami Springs purchased the property commonly known as the Miami Springs Golf and Country Club on October 23, 1997; and,

**WHEREAS**, the City Council of the City of Miami Springs established an initial Schedule of Charges and Fees for the Golf and Country Club by Resolution 97-3066, adopted on October 13, 1997; and,

**WHEREAS**, the City Council of the City of Miami Springs most recently amended its Schedule of Charges and Fees for the operation of the Golf and Country Club by adopting Resolution No. 2008-3413 on September 22, 2008; and,

**WHEREAS**, the City Administrative Staff proposed an amended Schedule of Charges and Fees for the operation of the golf course, which may from time to time be further amended; and,

**WHEREAS**, the City Council has reviewed the proposed amended Schedule and has determined that the amended Schedule of Charges and Fees is both fair and appropriate, and that its approval is in the best interests of the City and its citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS:**

Section 1: That the amended Schedule of Charges and Fees attached hereto as Exhibit "A" is hereby approved and becomes effective on December 13, 2008.

Section 2: That the City Council hereby reserves the right and authority to amend or supplement the attached Schedule of Charges and fees at any and all times as may be in the best interests of the City.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida,  
this 8<sup>th</sup> day of December, 2008.

The motion to adopt the foregoing resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_,  
and on roll call the following vote ensued:

Vice Mayor Youngs	“ _____ ”
Councilman Best	“ _____ ”
Councilman Dotson	“ _____ ”
Councilman Garcia	“ _____ ”
Mayor Bain	“ _____ ”

\_\_\_\_\_  
Billy Bain  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO LEGALITY AND FORM:**



Jan K. Seiden, City Attorney

# CITY OF MIAMI SPRINGS

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Miami Springs Golf Course  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5180  
Fax: (305) 805-5192

TO: The Honorable Mayor Bain and Members of the Council

VIA: James R. Borgmann *JRB*  
City Manager

FROM: Mike Aldridge  
Golf Director

SUBJECT: Golf Course 2008 – 2009 Winter Fees and Charges  
Recommendation

DATE: November 28, 2008

Attached you will find the recommended winter rates for the Golf Course starting Saturday, December 13, 2007 thru Sunday, April 19, 2009.

The rates which I am recommending are approximately the same as the 2007–2008 winter rates and are in line with the purposed revenue budget. The increase in revenue will be derived by the increase in rounds played. Most of the area golf courses have decreased their rates for the up coming season. With the condition of the golf course and the consistent repeat business that we do have, I do not feel we need to decrease our rates.

Please feel free to contact me if you need any further information about the rates.

Agenda Item No.

City Council Meeting of:

DEC 8, 2008



## **MEMBERSHIPS**

### **MIAMI SPRINGS RESIDENT, BUSINESS & PROPERTY OWNER**

Annual 7 Day Single	\$ 895.00
Annual 7 Day Family	\$ 1,200.00
Annual 5 Day Single	\$ 815.00
Annual 5 Day Family	\$ 905.00
Senior 7 Day Single	\$ 815.00
Senior 7 Day Couple	\$ 1,050.00
Senior 5 Day Single	\$ 25.00
Senior 5 Day Couple	\$ 845.00
Junior	\$ 100.00

### **NON-RESIDENT**

Annual Single	\$ 122.00
Annual Family	\$ 1,525.00
5 Day Single	\$ 1,075.00
5 Day Family	\$ 1,250.00
Senior 7 Day Single	\$ 1,175.00
Senior 7 Day Couple	\$ 1,450.00
Senior 5 Day Single	\$ 1,025.00
Senior 5 Day Couple	\$ 1,185.00
Junior	\$ 150.00
Trail Fee	\$ 775.00
Corporate	\$ 5,250.00

***All fees plus State Sales Tax***

### **DEFINITIONS**

Senior - age 55 yrs. and older

Junior - less than 20 years old

Resident - resides Miami Springs

Senior Couple - one must be at least 55 yrs. old with both living at the same residence

Business Owner - registered owner of a business in Miami Springs

Property Owner - registered owner of property in Miami Springs

Family - limited to immediate family (father, mother, & children under 25) living in same household

Weekends include Federal and City of Miami Springs designated holidays (ex. Thanksgiving Friday)

***Eligibility for any qualified fee or charge (residency, age, family, employment) must be documented***

***Golf Courses***  
***Winter Rates for Dade County Residents***  
***And Non Dade County Residents***  
***All are Tax Included***

***Country Club of Miami:***

Weekend 7:00am – 11:00am	\$55.00
Weekend 11:00am – 3:00pm	\$43.00
Twilight after 3:00pm	\$27.00
Weekday 7:00am – 11:00am	\$44.50
Weekday 11:00am – Close	\$36.00
No Twilight	

***Shula's:***

Weekend 7:00am – 11:00am	\$65.00
Weekend 11:00am – 1:00pm	\$55.00
Twilight after 1:00pm	\$38.00
Weekday 7:00am – 11:00am	\$65.00
Weekday 11:00am – 1:00pm	\$55.00
Twilight after 1:00pm	\$38.00

***Miami Shores:***

Weekend 7:00am – 4:00pm	\$50.00
Twilight after 4:00pm	\$25.00
Weekday 7:00am -4:00pm	\$40.00
Twilight after 4:00pm	\$25.00

***Key Biscayne:***

Weekend All Day	\$88.00
Weekday All Day	\$83.00

***Miccosukee:***

Weekend 7:00am – 1:00pm	\$65.00
Twilight after 1:00pm	\$55.00
Weekday 7:00am – 12:00pm	\$45.00
Twilight after 12:00pm	\$35.00

***International Links:***

Weekends 7:00am – 2:00pm	\$63.00
Twilight after 2:00pm	\$35.00
Weekdays 7:00am – 2:00pm	\$63.00
Twilights after 2:00pm	\$35.00

**Non Dade County Rates**

***International Links:***

Weekend	\$125.00
Weekday	\$125.00

***Key Biscayne:***

Weekend	\$160.00
Weekday	\$155.00

***Shula's***

Weekend	\$108.00
Weekday	\$83.00



**Magali Valls**

Received  
*gub*

**From:** City of Miami City Clerk's Office [Clerks@miamigov.com]  
**Sent:** Monday, December 01, 2008 5:01 PM  
**To:** Billy Bain; Bob Best; Paul C. Dotson; Xavier Garcia; Rob Youngs  
**Subject:** Consideration and Support of R-08-0652  
**Importance:** High  
**Attachments:** R-08-0652.pdf

*MAYOR &  
COUNCIL -  
I recommend  
Support*

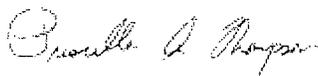
Dear Commissioner,

On behalf of the City of Miami Commission, I am transmitting to you a copy of Resolution 08-0652, which the City Commission passed and adopted at its meeting on November 13, 2008.

This resolution 08-0652 is "...urging the Florida Legislature to equalize the proportionate amount of funding provided to each jurisdiction from state funds based on population to each region of Florida, including South Florida; directing the City of Miami's state lobbyists to advocate for South Florida's fair share of state spending and to include this resolution in the 2009 State Legislative Package..."

The City of Miami greatly appreciates your consideration and support of Resolution 08-0652.

Sincerely,



Priscilla A. Thompson, CMC  
City Clerk

PAT:ro

**CC: CITY COUNCIL**  
**CITY MANAGER**  
**ASSISTANT CITY MANAGER**  
**CITY ATTORNEY**

*me*  
**F.Y.I.**



**City of Miami**  
**Legislation**  
**Resolution: R-08-0652**

City Hall  
3500 Pan American  
Drive  
Miami, FL 33133  
www.miamigov.com

File Number: 08-01309

Final Action Date: 11/13/2008

A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE FLORIDA LEGISLATURE TO EQUALIZE THE PROPORTIONATE AMOUNT OF FUNDING PROVIDED TO EACH JURISDICTION FROM STATE FUNDS BASED ON POPULATION TO EACH REGION OF FLORIDA, INCLUDING SOUTH FLORIDA; DIRECTING THE CITY OF MIAMI'S STATE LOBBYISTS TO ADVOCATE FOR SOUTH FLORIDA'S FAIR SHARE OF STATE SPENDING AND TO INCLUDE THIS RESOLUTION IN THE 2009 STATE LEGISLATIVE PACKAGE; FURTHER DIRECTING THE TRANSMITTAL OF A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

WHEREAS, the Florida Legislature approved a state budget of approximately \$66 Billion for Fiscal Year 2008-2009; and

WHEREAS, a recent Miami Herald report concluded that the residents of Miami-Dade and Broward Counties sent more than \$7.15 Billion in tax revenues annually to the State of Florida, but only received \$6.69 Billion back, resulting in a difference of more than \$460 Million - which equates to a gap of \$144 for every adult in these two counties; and

WHEREAS, with the inclusion of Palm Beach County, the annual difference will be more than a 1/2 Billion dollars between what the residents of the tri-county area contributed in tax revenue to the State of Florida in comparison to what they received in state services and programs; and

WHEREAS, in these extremely difficult economic times, the residents need the benefits of more state support in these three heavily-populated South Florida counties;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The Miami City Commission urges the Florida Legislature to equalize the proportionate amount of funding based on population to each region of Florida, including South Florida.

Section 3. The City Commission directs its state lobbyists to advocate for South Florida's fair share of state spending and to include this resolution in the 2009 State Legislative Package.

Section 4. The City Clerk is further directed to transmit a copy of this Resolution to the Governor, the President of the Senate, the Speaker of the House and all the members of the Florida Legislature, the Mayor and Members of the Broward County Board of Commissioners, the Chair and Members of the Palm Beach County Board of County Commissioners, and the Mayors, Chairs and

members of the governing bodies of the municipalities within Miami-Dade, Broward, and Palm Beach Counties.

Section 5. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.{1}

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**Footnotes:**

{1} If the Mayor does not sign this Resolution, it shall become effective at the end of ten calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.



# CITY OF MIAMI SPRINGS



City Manager's Office  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5010  
Fax: (305) 805-5040

TO: Honorable Mayor Bain and Members of the City Council  
VIA: James R. Borgmann, City Manager *JRB*  
FROM: Ronald K. Gorland, Assistant City Manager *R. Gorland*  
SUBJECT: Devil Ray's Hosted Swim Meet Cost/Benefit Analysis  
DATE: December 1, 2008

Per Council request, following is the additional information requested concerning subject presented to Council November 14, 2008 (Attachment "A").

## DEVIL RAY'S SWIM MEET (11/8-9/2008) AUDITABLE COST/BENEFIT ANALYSIS

Pool Rental Revenue	\$1,350.00 (total paid by Devil Rays)
Less Swim Meet Direct Labor Costs	\$ (837.32) (see below footnote #1)
Auditable Direct Net Revenue	\$ 512.68
Less Estimated costs:	\$ 77.38 (footnotes #'s 2 & 3)
Net Estimated Benefit	\$ 435.30

1. \$837.32 lifeguard and supervisory personnel cost (Attachment "B"). Clean-up expense is estimated to be \$104.67. This expense is already included in the Direct Labor cost of \$837.32 because it was incurred by Aquatic staff on an ongoing basis during the event as part of their normal responsibilities. There was no additional cost for picking up the over-full dumpster.
2. Cost of gas for heating the pool for the two day event is estimated to be \$68.68 based on the actual gas bill for November.
3. Cost of chemicals (CO<sub>2</sub>, chlorine, etc.) for the two day event is estimated to be \$8.70 based on the actual bills for November

Please note that indirect costs were considered including Rec Department personnel overhead (Dir, Admin., Sen. Sup.) and non-Rec Department overhead (PD, Finance, Management, etc.), but Finance determined them to be neither material nor reasonably estimated.

Revenues/costs of the swim meet host team, Parents' Associations, and/or any other parties participating in this meet are not included in this analysis.

Agenda Item No.

City Council Meeting of:

DEC 8, 2008

# CITY OF MIAMI SPRINGS



City Manager's Office  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5010  
Fax: (305) 805-5040

TO: Honorable Mayor Bain and Members of the City Council

VIA: James R. Borgmann, City Manager *JB*

FROM: Ronald K. Gorland, Assistant City Manager, and *RK*  
Interim Parks and Recreation Director

SUBJECT: Devil Ray's Hosted Swim Meet Cost/Benefit Analysis

DATE: November 14, 2008

Per Council request, following is an overview and cost/benefit analysis of subject event held at our pool the weekend of November 8 & 9, 2008.

In addition to being a net positive revenue generator of over \$500 for us (below analysis), subject event showcased both our City and our Aquatic facility to more than an estimated 500 people including over 250 competitors from the Miami-Dade and Broward areas. Not only do these events showcase our community, our local restaurants and take-out food services benefit as well due to all the food purchased by the attendees.

The Miami-Dade County Aquatics Club, the independently managed swim team whose home is our pool, did extremely well in subject meet. Over one-third of the members of the club are residents including Doug Ramos. Doug is a high school sophomore who came in second in the State in the 100 meter breaststroke event, just behind a high school senior in the Florida High School Swimming State Championship meet recently held in Orlando.

Subject meet was one of the largest swim meets at our pool in recent memory and it was conducted almost flawlessly by our Aquatic staff and management. We were fortunate to have attracted this event, the second year in a row, which is one of the approximately two to three swim meets we try to host annually. By the way, it is not unusual during one of our hosted swim meets to hear a mother or father on the pool deck bragging to their child that they themselves competed in this very same pool 30 (or more) years ago.

## DEVIL RAY'S HOSTED SWIM MEET (11/8-9/2008) COST/BENEFIT ANALYSIS

Pool Rental Revenue	\$1,350.00 (total paid by Devil Rays)
Less Swim Meet Labor Direct Costs	\$ (837.32) (A)
Net Direct Revenue	\$ 512.68 (B)

(A) \$837.32 lifeguard and supervisory personnel cost

(B) Does not include the benefit gained by offsetting the average November weekend net direct cost of approximately \$60.00, or indirect costs such as overhead, etc.

**CMS AQUATIC PERSONNEL COSTS - DEVIL RAYS SWIM MEET**

ATTACHMENT "B"

<b>SATURDAY, NOVEMBER 8, 2008</b>		<b>HOURS WORKED</b>	<b>TOTAL HOURS FOR DAY</b>	<b>DIRECT LABOR COST AUDITABLE TOTAL</b>	<b>ESTIMATED CLEAN-UP COST (1) (included in preceeding column)</b>
HEAD LIFEGUARD / WSI	6:43-4:00 P.M.		9.25	\$106.38	\$12.53
LIFEGUARD/WSI	7:03-4:00 P.M.		9	\$72.00	\$9.00
LIFEGUARD/ WSI	7:00-4:00 P.M.		9	\$83.25	\$10.25
LIFEGUARD/ WSI	9:19-11:58 A.M.		2.75	\$24.75	\$3.09
LIFEGUARD/ WSI	11:55- 3:46 P.M.		3.75	\$36.56	\$4.57
CASHIER	10:17- 11:22 A.M.		1	\$10.00	\$1.25
SUPERVISOR	8:00- 4:00 P.M.		8	<u>\$160.00</u>	<u>\$20.88</u>
SUB-TOTAL				\$492.94	\$61.62
<b>SUNDAY, NOVEMBER 9, 2008</b>					
HEAD LIFEGUARD / WSI	6:41-2:47 P.M.		8	\$96.00	\$12.88
LIFEGUARD/ WSI	8:08- 2:46 P.M.		6.5	\$60.13	\$9.94
LIFEGUARD / WSI	7:27-2:42 P.M.		7.25	\$65.25	\$9.78
LIFEGUARD/ WSI	7:38- 2:47 P.M.		7	\$63.00	\$9.75
SUPERVISOR	7:30- 10:30 A.M.		3	<u>\$60.00</u>	<u>\$7.50</u>
SUB-TOTAL				\$344.38	\$43.05
<b>TOTAL</b>				<b><u>\$837.32</u></b>	<b><u>\$104.67</u></b>

(1) CLEAN-UP COSTS ARE INCURRED DURING LIFEGUARD'S "BREAK" PLUS ONE HOUR FOR THOSE PRESENT AT THE END OF THE DAY  
 (2) ALL CITY PERSONNEL DIRECTLY INVOLVED ARE PART-TIME EMPLOYEES WITH NO PERSONNEL RELATED OVERHEAD COSTS



# CITY OF MIAMI SPRINGS



Finance Department  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5014  
Fax: (305) 805-5037

To: The Honorable Mayor Billy Bain and Members of the City Council

VIA: James Borgmann, City Manager

FR: Leacroft Robinson, Finance Director

Date: December 4<sup>th</sup>, 2008

Re: FY2007-2008 4<sup>th</sup> Quarter Budget Status Report (Unaudited)

Dear Mayor and Council:

Attached, please find the above referenced report based on revenues received and appropriations expended through September 30<sup>th</sup>, 2008. The purpose of this report is to apprise the City's governing body of the final FY2007-2008 budgetary status and projected year-end revenues, expenditures, and fund balances. **Please be aware that the information reflected in this report has yet to be audited by our external auditors and as such could change due to audit adjustments.** You should also be aware that the Water and Sewer Fund, as presented in this report, does not at this time reflect the anticipated extraordinary loss due to the transfer of the utility to Miami-Dade County. Once validated thru discussions with our auditors, the loss will be presented to Council and reflected on the Comprehensive Annual Financial Report.

As in previous months, the report is organized as follows with the Hurricane Fund added:

- I. Overview - Pages 1-5
- II. General Fund Revenues – Page 6
- III. General Fund Expenditures – Page 7
- IV. General Fund Subsidized Departments
  - a) Senior center - Page 8
  - b) Golf Course - Page 9
- V. Enterprise Funds - Pages 10-12
- VI. Investments/Charts – Pages 13-14
- VII. Analysis of Charges for Services
  - a) Building & Zoning/Code Enforcement – Page 15
  - b) Recreation Department – Page 16
- VIII. Other Funds
  - a) Road and Transportation Fund – Page 17
  - b) Law Enforcement Trust Fund – Page 18
  - c) Capital Fund – Page 19
  - d) Hurricane Fund – Page 20

Agenda Item No.

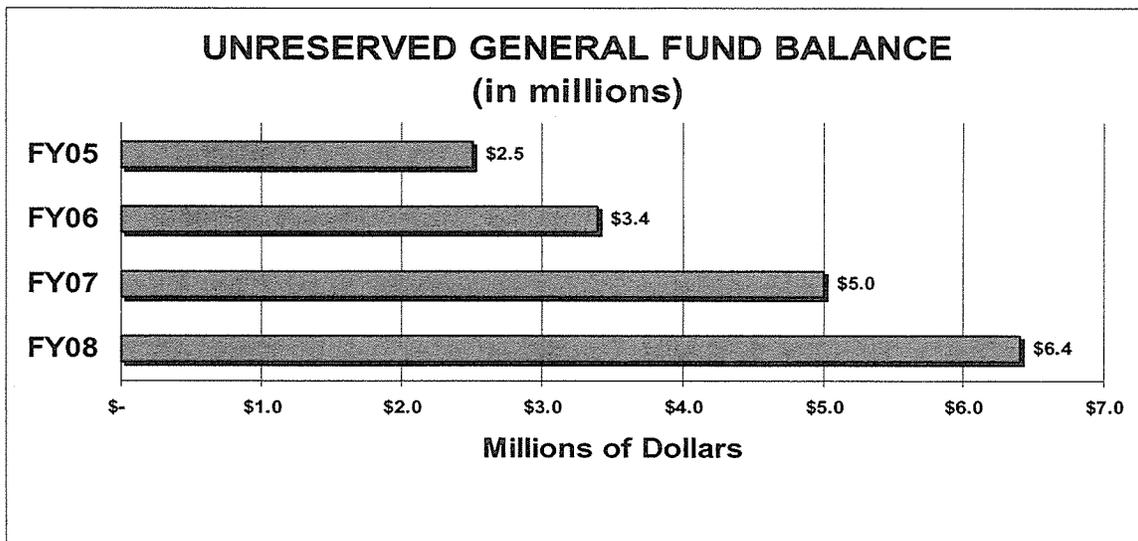
City Council Meeting of:

DEC 8, 2008

## I. OVERVIEW

As of September 30, 2008, the City's total general fund balance increased to \$6,591,330 while our unreserved fund balance increased to \$6,395,837. (See Chart A on page 3). This represents an increase of approximately \$1,441,852 to our unreserved general fund balance. **UNRESERVED FUND BALANCE** represents that portion of a fund's balance that is not restricted for a specific purpose and is available for general appropriation. The difference between total general fund balance (\$6,591,330) and unreserved fund balance (\$6,395,837) represents encumbrances carried over from FY2008 to FY2009 as well as inventories and deferred charges which are not available liquid assets that can be quickly converted to cash.

Over the past four years, both the prior and current Councils have set as a priority, the improvement of the city's fund balance. The graph below shows the significant strides that have been made towards achieving this priority. As you can see, our unreserved fund balance has increased from \$2.5 million in FY 2005 to \$6.4 million at the end of FY 2008. It is also important to note that this has been accomplished while lowering millage rates to the lowest levels since FY 1998, addressing infrastructure needs that had been ignored for many years, and maintaining and/or improving the levels of service to our residents. The conservative fiscal policies of the past four years have greatly improved the financial health of the city.



## General Fund Budgetary Highlights

Over the course of the year, the City amended the General Fund budget twice. The budget amendments fall into two categories: (1) Amendments are approved for rollovers related to prior year encumbrances; and (2) supplemental appropriations to provide appropriations for various other needs which have arisen since the adoption of the budget.

The fiscal year 2008 amended final budget was \$13,139,379, an increase of \$624,996 or 5 percent over the originally adopted General Fund budget of \$12,514,383. The increases were primarily related to FY07 encumbrances totaling \$578,487. Other increases were to match various grants and other unbudgeted expenditures.

These increases were to be funded from available fund balance, however during the year revenues were higher than projected and expenditures were less than budgetary estimates, thus eliminating the need to draw upon the unreserved fund balance.

The difference between the estimated revenues and the actual revenues in the General Fund was approximately \$99,686 for FY 2008. The higher revenues were due primarily to higher than expected utility and franchise taxes, as well as an uptick in building and electrical permit fees. Offsetting these increases were lower sales tax revenues and investment income, both a result of current economic downturn.

The difference between the appropriations and the actual expenditures in the General Fund was approximately \$1,240,115 for fiscal year 2008. These variances are explained below:

- \$1,350,543 in lower operating expenditures as follows: a) Cost reductions totaling \$401,691 in the Public Safety (police) budget resulting mainly from vacant positions during the fiscal year as well as lower than budgeted expenditures, \$316,356 in cost reductions in Non-Departmental since the hurricane contingency was not used, and \$135,886 lower expenditures in Building and Code due to open positions and a lower need for building inspector services. Public Works came in under budget by \$291,470 as the Streets Division needed fewer repairs to equipment (\$136,394), and Public Properties Division had lower utility and operating supplies expenditures (\$65,759). The departments within General Government were a combined \$210,682 under budget with the most significant variance occurring in the Planning Department where a budgeted \$100,000 related to the 36<sup>th</sup> St. Comprehensive Plan Evaluation was not fully utilized. Parks and Recreation came in slightly above budget by \$5,542 and this was due primarily to higher than budgeted costs related to seasonal and part-time employee expenditures.
- \$110,428 in additional funding support for the Golf Course Fund due to lower than budgeted revenues and an increase in maintenance cost.

The following chart represents the City's revenues, expenditures, and general fund balance as of the FY2008 year-end:

**Chart A – General Fund Budget Summary FY2007-2008**

	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Actual FY07-08</u>	<u>Variance</u>
<b>Sources:</b>				
General Fund beginning balance	5,611,002	5,611,002	5,611,002	-
Current revenues	12,166,269	12,195,899	12,295,585	99,686
Transfers in	584,000	584,000	584,000	-
<b>Total Sources</b>	<u>18,361,271</u>	<u>18,390,901</u>	<u>18,490,587</u>	<u>99,686</u>
<b>Uses:</b>				
Operating expenditures	12,366,667	12,911,488	11,560,945	(1,350,543)
Transfers out	147,716	227,884	338,312	110,428
<b>Total Uses</b>	<u>12,514,383</u>	<u>13,139,372</u>	<u>11,899,257</u>	<u>(1,240,115)</u>
<b>Projected ending balance</b>	<u>5,846,888</u>	<u>5,251,529</u>	<u>6,591,330</u>	<u>1,339,801</u>
<b>Projected change in Fund Balance</b>			980,328	
<b>Projected unreserved fund balance</b>			6,395,837	

## **Water & Sewer Fund**

The water and sewer operation was transferred to Miami-Dade County effective September 3<sup>rd</sup>, 2008. An increase in net assets of approximately \$7,291 (prior to extraordinary gains/losses), is reflected for the period ending September 30<sup>th</sup> 2008. This resulted in net assets (fund balance), increasing to \$2,502,224. The net asset was a deficit of (\$525,970) as recent as in FY 2005. The current net asset is expected to be more than sufficient to absorb an expected loss from the transfer of the utility to Miami-Dade County. The fund will remain open until all remaining expenditures are captured and any remaining balance sheet items (assets/liabilities) extinguished.

## **Sanitation**

The sanitation system reported an increase to net assets of approximately \$175,771 for the fiscal year ended September 30, 2008. As such, no funding was required from the General Fund as compared to the \$230,000 required in FY07. With the current year's profit, the total net asset balance (fund balance) is now at \$481,775. This compares to a negative \$108,333 as recent as for FY06. Rates will continue to be monitored in order to provide sufficient revenues to generate profits in the future.

## **Storm Water**

The Storm Water Fund ended the year with a marginal deficit of \$16,068, (change in net assets). The net asset balance at September 30<sup>th</sup> 2008 was \$3,318,800.

## **Other Funds**

1. The Senior Center Fund reported a net change in fund balance of approximately \$20,914 after the budgeted General Fund contribution of \$142,716. Higher than expected donations and lower operating expenditures accounted for the increase in fund balance to \$31,497.
2. The Road and Transportation Fund is used to account for the People's Transportation Tax revenue and part of the Local Option Gas Tax revenues received from the State. At fiscal year end, the fund had available fund balance of \$1,787,213, an increase of \$191,398 from the previous year. These funds are restricted to be used for road and street improvements, while 20% of the funds may be used for transportation related expenditures.
3. The Law Enforcement Fund is used to account for forfeiture funds received and may only be used for approved law enforcement expenditures. At year end this fund had a fund balance of \$1,009,888, an increase of \$12,884 from the previous year.
4. The Hurricane Fund is used to account for all hurricane related expenditures and FEMA reimbursements. During FY 2008, the City received \$206,295 in hurricane reimbursements from FEMA (Wilma \$107,759, Katrina \$77,832, No Name

\$4,051) without incurring any storm damages during the year. The fund balance is now \$465,709.

**Other Funds (continued)**

5. The Golf Course Fund required a General Fund subsidy of \$190,596 to cover the operating deficit for the year. This deficit was due primarily to lower than expected revenues coupled with higher maintenance costs for the year.

**XI Financial Assessment Report FY 2008**

This assessment will be provided as part of the final audit presentation to Council.

**Chart B-Schedule of General Fund Budgeted and Projected Revenues  
For the Period Ending September 30th, 2008  
(100% OF YEAR COMPLETED)**

Department	FY2006-07 ACTUAL	ORIGINAL BUDGET	FISCAL YEAR 2007-2008			NOTES
			AMENDED BUDGET	AS OF 9/30/2008	% OF BUDGET	
Ad Valorem Taxes - Current	\$ 7,117,485	\$ 6,641,055	\$ 6,641,055	\$ 6,701,228	101%	
Ad Valorem Taxes - Delinquent	13,111	20,000	20,000	13,068	65%	
Utility and Franchise Taxes	2,595,119	2,471,374	2,471,374	2,644,576	107%	
Occupational Licenses - City	63,279	64,000	64,000	73,322	115%	
Occupational Licenses - County	22,652	15,000	15,000	18,794	125%	
Building Permits	136,190	158,877	158,877	174,299	110%	
Electrical Permits	31,898	36,682	36,682	46,208	126%	
Plumbing Permits	17,162	20,362	20,362	22,650	111%	
Roofing Permits	61,897	84,631	84,631	32,314	38%	
Mechanical Permits	15,019	18,439	18,439	33,671	183%	
Zoning Permits	5,129	6,712	6,712	5,525	82%	
Certification of Completions	400	360	360	2,300	639%	
Structural Permits	15,800	19,305	19,305	18,275	95%	
POD Permit Fees	2,850	2,025	2,025	2,125	105%	
Other Permits	95,006	112,600	112,600	110,805	98%	
Local Option Gas Tax	285,842	294,258	294,258	273,386	93%	
2/3-cent Cigarette Tax (Rev. Shr)	323,101	304,073	333,703	335,632	101%	
8-cent Motor Fuel Tax	120,115	121,000	121,000	113,233	94%	
Alcoholic Beverage License	10,154	12,000	12,000	8,863	74%	
1/2-cent Sales Tax	919,433	943,294	943,294	868,369	92%	
Gas Tax Rebate	10,637	11,000	11,000	10,821	98%	
School Crossing Guards	18,864	20,200	20,200	16,569	82%	
Program Activity Fees	19,434	23,770	23,770	5,401	23%	
After School Programs	60,252	65,000	65,000	76,986	118%	
Water Polo/Aquatics Teams	8,740	2,150	2,150	21,125	983%	
Swimming Pool Admissions	42,577	47,000	47,000	49,169	105%	
Tennis Fees	2,202	3,000	3,000	429	14%	
Pelican theatre	2,322	3,000	3,000	1,080	36%	
Vending Machines	10,764	7,500	7,500	10,380	138%	
Fireworks-VG	3,000	3,000	3,000	3,000	100%	
Tennis Lessons	3,063	3,100	3,100	277	9%	
Tennis Merchandise	282	500	500	56	11%	
Tennis Memberships	1,676	1,500	1,500	1,307	87%	
Basketball Fees	11,889	12,000	12,000	14,720	123%	
Jazzercise/Ceramics Classes	4,600	4,200	4,200	4,200	100%	
Miscellaneous Charges for Serv	5,591	3,000	3,000	8,467	282%	
Copies & Other Charges	2,013	2,000	2,000	2,371	119%	
Tree Replacement	2,300	1,500	1,500	7,100	473%	
Lien Search	14,265	18,000	18,000	8,415	47%	
Re-occupancy inspection fee	7,025	7,500	7,500	7,500	100%	
Clerk of the Court - Fines	133,064	152,000	152,000	147,455	97%	
Code Enforcement tickets	7,435	8,073	8,073	18,350	227%	
Disabled Parking tickets	2,787	3,500	3,500	2,617	75%	
Interest - Checking	18,628	11,000	11,000	52,739	479%	
Interest-CD's	44,012	100,000	100,000	106,655	107%	
Interest-Money Market	-	-	-	59,336	0%	
Interest - State Board	159,673	150,000	150,000	70	0%	
Interest - Tax Collections	19,440	18,000	18,000	13,975	78%	
Rent - Metro Fire	16,069	15,000	15,000	16,883	113%	
Rent - Dade Co. Library	8,253	8,253	8,253	8,253	100%	
Rent - Bus Benches	3,876	3,876	3,876	3,876	100%	
Recreational Activities	4,186	3,500	3,500	5,104	146%	
Sprint Tower	51,912	52,000	52,000	49,347	95%	
Nextel	7,300	7,300	7,300	7,592	104%	
Metro PCS	6,749	6,800	6,800	7,019	103%	
Surplus sale of equipment	28,390	10,500	10,500	38,350	365%	
Other Miscellaneous	31,269	28,000	28,000	6,866	25%	
Donations	-	-	-	-	100%	
Returned check charges	2,281	2,500	2,500	3,080	123%	
Code Enforcement Liens	-	1,000	1,000	-	0%	
Loan Proceeds	140,927	-	-	-	0%	
ITF - Golf Course	19,222	-	-	-	0%	
ITF - Water Admin Fee	75,640	98,000	98,000	98,000	100%	
ITF - Sewer Admin Fee	272,019	342,000	342,000	342,000	100%	
TF - Sanitation Admin Fee	97,000	124,000	124,000	124,000	100%	
ITF- Stormwater Adim Fee	18,000	20,000	20,000	20,000	100%	
<b>TOTALS &gt;&gt;&gt;</b>	<b>\$ 13,251,268</b>	<b>\$ 12,750,269</b>	<b>\$ 12,779,899</b>	<b>\$ 12,879,585</b>	<b>101%</b>	

III) EXPENDITURES

Chart C-Schedule of General Fund Budgeted and Projected Expenditures  
For the Period Ending September 30, 2008  
(100% OF YEAR COMPLETED)

Department	FY2006-07 ACTUAL	FISCAL YEAR 2007-2008				Notes
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2008	% OF ACTUAL VS. BUDGET	
<b>General Government:</b>						
Mayor & City Council	51,771	52,709	56,025	53,591	96%	
Office of the City Manager	427,864	417,696	474,135	478,830	101%	
Office of the City Clerk	244,168	260,995	263,251	227,325	86%	1
Office of the City Attorney	114,391	117,000	117,000	105,531	90%	
Human Resource Department	197,995	219,282	233,122	202,046	87%	
Finance Department	633,878	673,605	677,343	619,622	91%	
IT Department	258,663	294,570	295,862	300,632	102%	2
Planning Department	131,109	241,858	244,932	163,411	67%	3
Non-Departmental	514,158	860,261	722,061	405,705	56%	
Total General Government	2,573,998	3,137,976	3,083,731	2,556,693	83%	
<b>Public Safety:</b>						
Police Department	4,804,611	5,211,871	5,269,645	4,867,954	92%	
Building ,Zoning & Code Enforce	566,240	666,696	686,764	550,878	80%	4
Total Public Safety	5,370,851	5,878,567	5,956,409	5,418,832	91%	
<b>Public Works:</b>						
Public Works - Administration	497,224	501,183	504,078	489,767	97%	
Public Works - Streets	289,457	434,007	435,735	282,597	65%	
Public Works - Properties	738,519	845,398	845,983	728,172	86%	
Public Works - Building Maintenance	284,165	216,438	248,186	216,848	87%	
Public Works - Fleet Maintenance	(2,543)	20,063	35,509	60,636	171%	
Total Public Works	1,806,821	2,017,089	2,069,491	1,778,021	86%	
<b>Parks and Recreation:</b>						
Recreation	1,022,290	827,090	1,264,958	1,298,895	103%	5
Aquatics	315,613	260,985	286,638	342,094	119%	5
Tennis	79,745	115,157	115,572	41,815	36%	6
Park Maintenance	201,757	129,803	134,689	124,595	93%	
Total Parks and Recreation	1,619,405	1,333,035	1,801,857	1,807,399	100%	
<b>TOTAL GENERAL FUND EXPS.</b>	<b>11,371,076</b>	<b>12,366,667</b>	<b>12,911,488</b>	<b>11,560,945</b>	<b>90%</b>	
Transfers to other funds						
Golf Course Fund	127,000	-	80,168	190,596	238%	
Sanitation Fund	230,000	-	-	-	0%	
Hurricane Fund	-	-	-	-	0%	
Grants Fund	10,762	5,000	5,000	5,000	100%	
Senior Center fund	120,000	142,716	142,716	142,716	100%	
Total Transfers Out:	487,762	147,716	227,884	338,312	148%	
Increase (decrease) in fund balance	1,392,428	235,886	(359,473)	980,328		
<b>TOTAL GENERAL FUND USES</b>	<b>13,251,266</b>	<b>12,750,269</b>	<b>12,779,899</b>	<b>12,879,585</b>	<b>101%</b>	

NOTES TO STATEMENTS:

- 1 - Budget included approx. \$20k related to anticipated special election that did not materialize
- 2 - Actual includes emergency purchase of back-up computer tape drive needed for disaster recovery
- 3 - Budget included \$100k for the 36th St. Comp. Plan Evaluation.
- 4 - Lower Full & Part-Time Building Inspectors as well as 1 open FT position for most of the year
- 5 - Higher Part-Time and Seasonal Employee expense verses Budget
- 6 - Lower costs due to outsourcing of the pogram activities to an independent contractor

IV) FUNDS SUBSIDIZED BY GENERAL FUND

CHART D-CITY OF MIAMI SPRINGS  
 ACTUAL VS BUDGET REPORT-SENIOR CENTER  
 (100% OF YEAR COMPLETED)

	FY2006-07 ACTUAL	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2008	
<b>Revenues:</b>					
USDA C-1	\$ 17,078	\$ 26,076	\$ 26,076	\$ 24,792	95%
USDA C-2	6,739	11,176	11,176	10,909	98%
Local Grants C-1	100,098	77,715	77,715	78,694	101%
Local Grants C-2	35,242	39,653	39,653	40,070	101%
Local Grants III-B	21,121	19,683	19,683	20,413	104%
Sales to Va Gardens	15,379	21,000	21,000	20,045	95%
Donations	3,209	3,500	3,500	7,741	221%
Misc Revenues	-	-	-	132	0%
Total revenues	<u>198,866</u>	<u>198,803</u>	<u>198,803</u>	<u>202,796</u>	102%
<b>Expenditures:</b>					
Administrative Costs	132,030	142,141	142,137	143,817	101%
Catering and operating supplies	169,970	164,431	174,083	155,804	89%
Operating Costs	30,420	32,147	29,110	24,977	86%
Capital Outlay	-	2,800	2,800	-	0%
Total expenditures	<u>332,419</u>	<u>341,519</u>	<u>348,130</u>	<u>324,598</u>	93%
Excess (deficiency) of revenues over expenditures	<u>(133,554)</u>	<u>(142,716)</u>	<u>(149,327)</u>	<u>(121,802)</u>	82%
<b>Other financing sources</b>					
Transfers in	120,000	142,716	142,716	142,716	100%
Transfers out	-	-	-	-	0%
Total other financing sources	<u>120,000</u>	<u>142,716</u>	<u>142,716</u>	<u>142,716</u>	100%
<b>Net change in fund balance</b>	<u>(13,554)</u>	<u>-</u>	<u>(6,611)</u>	<u>20,914</u>	0%
Beginning fund balance	<u>24,137</u>	<u>10,583</u>	<u>10,583</u>	<u>10,583</u>	
<b>Ending fund balance</b>	<u>\$ 10,583</u>	<u>\$ 10,583</u>	<u>\$ 3,972</u>	<u>\$ 31,497</u>	

**NOTES TO STATEMENTS:**

IV) FUNDS SUBSIDIZED BY GENERAL FUND

CHART F-CITY OF MIAMI SPRINGS  
 ACTUAL VS BUDGET REPORT-GOLF COURSE  
 FOR THE PERIOD ENDING SEPTEMBER 30, 2008  
 (100% OF YEAR COMPLETED)

	FY2006-07 <u>ACTUAL</u>	FISCAL YEAR 2007-2008		
		<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2008</u>	<u>% OF ACTUAL VS. BUDGET</u>
Revenues:				
Charges for services	\$ 1,324,805	\$ 1,491,653	\$ 1,370,286	92%
Proceeds from debt	91,069	-	86,833	100%
Total revenues	<u>1,415,874</u>	<u>1,491,653</u>	<u>1,457,118</u>	98%
Expenditures:				
Administrative	68,871	49,324	48,435	98%
Pro shop	503,421	533,920	547,669	103%
Maintenance	758,668	822,700	849,695	103%
Debt service	88,825	133,432	113,087	85%
Capital Outlay-Improvements	27,142	21,086	1,995	9%
Capital Outlay-Machinery	91,760	-	86,833	0%
Total expenditures	<u>1,538,687</u>	<u>1,560,462</u>	<u>1,647,714</u>	106%
Excess (deficiency) of revenues over expenditures	<u>(122,813)</u>	<u>(68,809)</u>	<u>(190,596)</u>	277%
Other financing sources				
Transfers in	127,000	80,168	190,596	238%
Transfers out	<u>(19,222)</u>	<u>-</u>	<u>-</u>	
Total other financing sources	<u>107,778</u>	<u>80,168</u>	<u>190,596</u>	238%
Net change in fund balance	<u>(15,035)</u>	<u>11,359</u>	<u>0</u>	
Beginning fund balance	<u>-</u>	<u>(15,035)</u>	<u>(15,035)</u>	
<b>Ending fund balance</b>	<b><u>\$ (15,035)</u></b>	<b><u>\$ (3,676)</u></b>	<b><u>\$ (15,035)</u></b>	

**Notes:**

This financial statement is prepared in accordance with governmental accounting guidelines and as such is not a "business-type" financial which reports operating profits or losses.

Under governmental accounting, what is reported is the excess(deficiency) of revenues over expenditures.

FY 2007-2008 results reflect a \$190,596 deficiency in revenues over expenditures for the Golf Course Operations. The Subsidy from the General Fund to support this deficiency was increased by \$94,318 over the budgeted \$80,168. Lower than budgeted revenues of \$121,368 coupled with higher maintenance costs were the primary reasons for the loss in the fund.

V) ENTERPRISE FUNDS

CHART G-CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-WATER AND SEWER FUND  
(100% OF YEAR COMPLETED)

	FY2006-07 ACTUAL	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2008	
Operating revenues:					
Water -Inside City	\$ 1,490,234	\$ 1,550,000	\$ 1,550,000	\$ 1,292,182	83%
Water -Outside City	106,441	110,000	110,000	84,695	77%
Water Tapping Fees	5,500	7,000	7,000	4,200	60%
Water penalties	12,510	12,600	12,600	15,350	122%
Water Turn On Fees	28,300	60,000	39,000	37,950	97%
Water-Misc revenue	7,646	-	5,000	1,508	0%
Sewer-Miami Springs	3,997,691	4,200,000	4,200,000	3,560,899	85%
Sewer-Outside City	297,910	210,000	210,000	271,404	129%
Sewer Penalties	38,619	40,500	40,500	40,796	101%
Sewer-Misc revenues	-	72,000	2,000	11,867	593%
Total operating revenues	<u>5,984,851</u>	<u>6,262,100</u>	<u>6,176,100</u>	<u>5,320,852</u>	86%
Operating expenses:					
Administrative costs	472,194	471,102	466,102	437,612	94%
Operations and maintenance	461,302	366,948	577,379	519,647	90%
Water and disposal costs	3,082,391	3,471,184	3,390,000	2,940,932	87%
Depreciation and amortization	614,039	622,600	622,600	611,552	98%
Total operating expenses	<u>4,629,926</u>	<u>4,931,834</u>	<u>5,056,081</u>	<u>4,509,742</u>	89%
Operating income (loss)	<u>1,354,925</u>	<u>1,330,266</u>	<u>1,120,019</u>	<u>811,109</u>	72%
Nonoperating revenues (expenses):					
Interest Income	100,878	86,000	86,000	43,900	51%
Interest expense and fees	(424,932)	(406,022)	(408,522)	(407,718)	100%
Misc income(expenses)	-	-	-	-	
Total nonoperating revenues (expenses)	<u>(324,054)</u>	<u>(320,022)</u>	<u>(322,522)</u>	<u>(363,818)</u>	113%
Income (Loss) before transfers	1,030,871	1,010,244	797,497	447,291	56%
Transfer from other funds	-	-	-	-	
Transfer to other funds	<u>(347,779)</u>	<u>(440,000)</u>	<u>(440,000)</u>	<u>(440,000)</u>	100%
Change in net assets	<u>683,092</u>	<u>570,244</u>	<u>357,497</u>	<u>7,291</u>	2%
<b>Total net assets, October 1</b>	<u>1,811,841</u>	<u>2,494,933</u>	<u>2,494,933</u>	<u>2,494,933</u>	
<b>Total net assets, September 30</b>	<u>\$ 2,494,933</u>	<u>\$ 3,065,177</u>	<u>\$ 2,852,430</u>	<u>\$ 2,502,224</u>	

**NOTES TO STATEMENTS:**

Capital Outlay increase from original budget was due primarily to Encumbrance Roll Forward.  
Results excludes loss on transfer/sale of the Water & Sewer Utility to Miami-Dade WASD

**CHART H-CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-SANITATION  
(100% OF YEAR COMPLETED)**

	FY2006-07 <u>ACTUAL</u>	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2008</u>	
Operating revenues:					
Residential	\$ 1,620,522	\$ 2,010,600	\$ 2,010,600	\$ 2,000,921	100%
Recycling	132,008	127,000	127,000	129,173	102%
Penalties	21,583	21,400	21,400	27,330	128%
Bulk Collection	23,759	24,000	24,000	23,781	99%
Commercial	5,838	-	-	5,708	100%
Misc Revenues	25,511	17,000	17,000	14,378	85%
Total operating revenues	<u>1,829,222</u>	<u>2,200,000</u>	<u>2,200,000</u>	<u>2,201,291</u>	100%
Operating expenses:					
Administrative costs	803,758	860,373	860,373	784,041	91%
Operations and maintenance	270,159	242,709	278,002	302,350	109%
Disposal costs	654,820	752,550	757,998	701,367	93%
Depreciation and amortization	120,722	124,000	124,000	108,841	88%
Total operating expenses	<u>1,849,458</u>	<u>1,979,632</u>	<u>2,020,373</u>	<u>1,896,600</u>	94%
Operating income (loss)	<u>(20,237)</u>	<u>220,368</u>	<u>179,627</u>	<u>304,692</u>	170%
Nonoperating revenues (expenses):					
Interest income	388	-	-	696	
Interest expense and fees	(8,272)	(5,617)	(5,617)	(5,617)	100%
Total nonoperating revenues (expenses)	<u>(7,885)</u>	<u>(5,617)</u>	<u>(5,617)</u>	<u>(4,920)</u>	0%
Income (Loss) before transfers	(28,122)	214,751	174,010	299,771	172%
Transfer from other funds	230,000	-	-	-	
Transfer to other funds	<u>(97,000)</u>	<u>(124,000)</u>	<u>(124,000)</u>	<u>(124,000)</u>	100%
Change in net assets	<u>104,879</u>	<u>90,751</u>	<u>50,010</u>	<u>175,771</u>	351%
<b>Total net assets, October 1</b>	<u>201,125</u>	<u>306,004</u>	<u>306,004</u>	<u>306,004</u>	
<b>Total net assets, September 30</b>	<u>\$ 306,004</u>	<u>\$ 396,755</u>	<u>\$ 356,014</u>	<u>\$ 481,775</u>	

**NOTES TO STATEMENTS:**

*The Sanitation operation reported a YTD profit, prior to transfers, of \$299,771. No funding subsidy came from the General Fund as compared to a transfer of \$230,000 for the same period in FY07.*

**CHART I-CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-STORMWATER  
FOR THE PERIOD ENDING SEPTEMBER 30, 2008  
(100% OF YEAR COMPLETED)**

	FY2006-07 <u>ACTUAL</u>	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET	NOTES
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2008</u>		
Operating revenues:						
Residential Class I	\$ 222,145	\$ 250,000	\$ 250,000	\$ 217,993	87%	
Commercial Class II	33,978	30,000	30,000	34,049	113%	
Greenspace Class III	22,839	20,500	20,500	23,013	112%	
Penalties	2,928	3,000	3,000	3,369	112%	
Total operating revenues	<u>281,890</u>	<u>303,500</u>	<u>303,500</u>	<u>278,424</u>	92%	
Operating expenses:						
Administrative costs	78,230	82,834	82,834	84,461	102%	
Operations and maintenance	52,591	49,991	161,839	49,565	31%	
Depreciation and amortization	137,243	137,000	137,000	140,676	103%	
Total operating expenses	<u>268,064</u>	<u>269,825</u>	<u>381,673</u>	<u>274,702</u>	72%	
Operating income (loss)	<u>13,825</u>	<u>33,675</u>	<u>(78,173)</u>	<u>3,722</u>	-5%	
Nonoperating revenues (expenses):						
Interest income	52,621	60,000	60,000	19,541		
Interest expense and fees	(6,232)	(19,000)	(19,000)	(19,331)	100%	
Total nonoperating revenues (exp)	<u>46,389</u>	<u>41,000</u>	<u>41,000</u>	<u>210</u>	1%	
Income (Loss) before transfers	60,214	74,675	(37,173)	3,932	-11%	
Transfer from other funds	-	-	-	-		
Transfer to other funds	(18,000)	(20,000)	(20,000)	(20,000)	100%	
Change in net assets	<u>42,214</u>	<u>54,675</u>	<u>(57,173)</u>	<u>(16,068)</u>	28%	
<b>Total net assets, October 1</b>	<u>3,292,654</u>	<u>3,334,868</u>	<u>3,334,868</u>	<u>3,334,868</u>		
<b>Total net assets, September 30</b>	<u>\$ 3,334,868</u>	<u>\$ 3,389,543</u>	<u>\$ 3,277,695</u>	<u>\$ 3,318,800</u>		

**NOTES TO STATEMENTS:**

CITY OF MIAMI SPRINGS  
INVESTMENT SCHEDULE

Sep-08

Investment Schedule  
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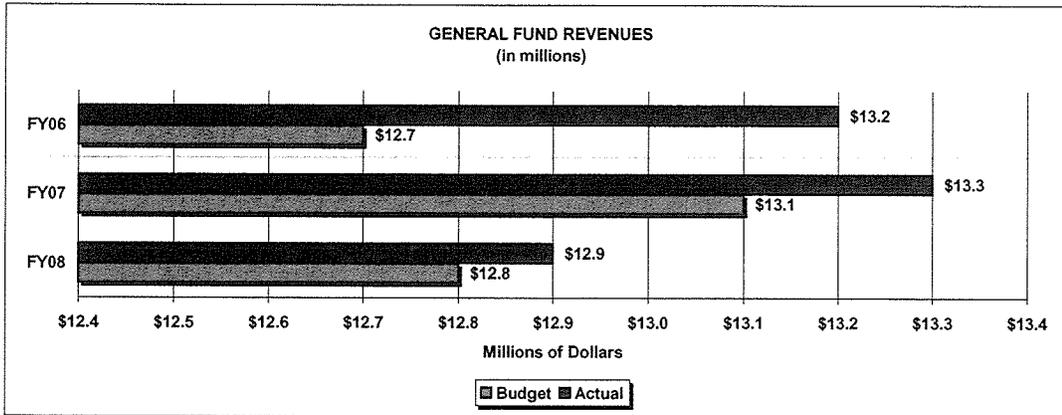
<u>Institution</u>	<u>Acct#</u>	<u>Principal Amount</u>	<u>Rate</u>	<u>Date Opened</u>	<u>Maturity</u>	<u>Interest to Maturity</u>	<u>Actual Earned Interest</u>
Colonial Bank - CD	9093027346	\$ 581,445.67	2.96%	6/3/2008	11/15/2008	\$ 7,169.56	1,469.22
Colonial Bank - CD	9093033338	\$ 583,820.39	3.05%	7/21/2008	1/18/2009	\$ 8,905.61	1,516.26
Colonial Bank - CD	8048877453	\$ 537,848.80	3.20%	4/28/2008	10/25/2008	\$ 8,562.99	1,477.47
Colonial Bank - CD	9093030363	\$ 563,481.99	3.69%	9/4/2008	3/3/2009	\$ 10,274.33	1,434.37
Colonial Bank - CD	9093030703	\$ 553,566.57	3.20%	5/3/2008	11/13/2008	\$ 9,182.13	1,516.66
Colonial Bank - CD	9093032315	\$ 538,000.63	3.20%	6/6/2008	12/2/2008	\$ 8,565.50	1,470.01
Colonial Bank - CD	9093032420	\$ 537,934.32	2.96%	5/27/2008	10/27/2008	\$ 6,633.06	1,362.47
Colonial Bank - CD	8048877552	\$ 918,477.32	3.20%	5/20/2008	11/15/2008	\$ 14,623.93	2,516.43
Colonial Bank - CD	8048934536	\$ 500,000.00	3.93%	6/27/2008	10/27/2008	\$ 6,562.62	1,679.89
Colonial Bank - Repo	9091003563	\$ 663,994.72	2.69%	12/18/2007	DEMAND	\$ 17,834.90	1,283.65
<b>Subtotal Colonial Bank</b>		<b>\$ 5,978,570.41</b>				<b>\$ 98,314.63</b>	
Wachovia-Money Mkt		\$ 4,062,660.44	1.77%	12/18/2007	DEMAND	\$ 71,909.09	6,211.15
<b>Subtotal Wachovia Bank</b>		<b>\$ 4,062,660.44</b>				<b>\$ 71,909.09</b>	
Suntrust Bank NOW		\$ 277,040.18	1.62%	3/20/2006	DEMAND	\$ 4,488.05	365.20
Suntrust Bank CD		\$ 501,659.97	1.39%	8/15/2008	10/3/2008	\$ 936.97	573.87
Suntrust Bank Checking (Loan)		\$ 2,500,000.00	1.32%	9/30/2008	DEMAND	\$ 33,000.00	89.73
<b>Subtotal SunTrust Bank</b>		<b>\$ 3,276,700.15</b>				<b>\$ 38,425.02</b>	
SBA (Pool A)		\$ 12.97	2.43%	Demand account		\$ -	-
SBA (Pool B)	221371	\$ 226,651.30	0.00%	Demand account		\$ -	-
<b>Subtotal SBA</b>		<b>\$ 226,664.27</b>				<b>\$ -</b>	
<b>Subtotal Investments</b>		<b>\$ 13,546,595.27</b>				<b>\$ 208,648.73</b>	
Colonial Bank - CD (Law Enforcement Trust-restricted)	9093031459	\$ 800,000.00	3.01%	8/28/2008	2/22/2009	\$ 11,974.65	2,059.77
<b>Total all investments</b>		<b>\$ 14,346,595.27</b>				<b>\$ 220,623.38</b>	<b>25,026.15</b>

Interest rates on demand instruments are as of September 30st, 2008 and Interest to Maturity is annualized  
SBA balances are withdrawn as they become available in Pool A

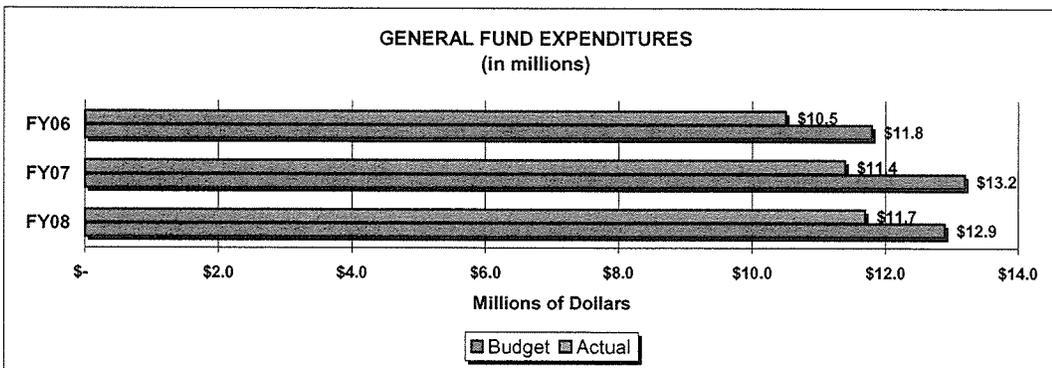
Notes

**CITY OF MIAMI SPRINGS  
REVENUE/EXPENDITURE ANALYSIS  
FISCAL YEAR ENDING SEPTEMBER 30, 2008**

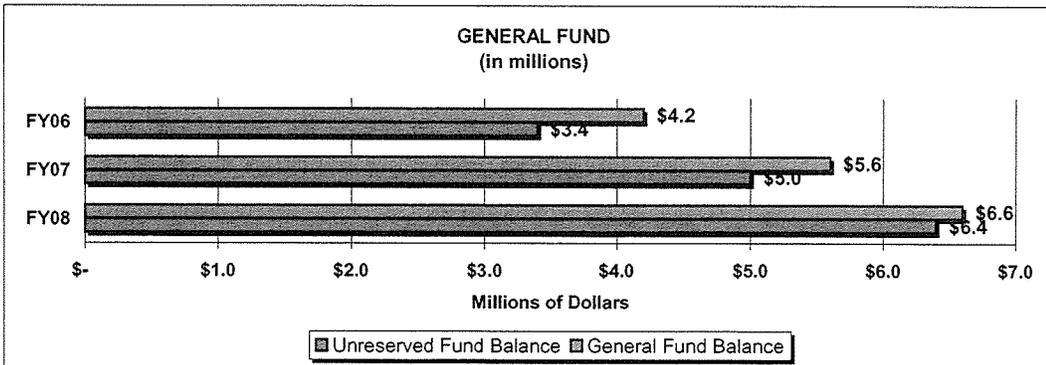
For the fiscal year ending September 30, 2008 the City collected \$12.9M in revenues vs. \$12.8M budget. This is 2.8% lower than the \$13.3M collected in FY07 and 2.2% lower than the \$13.2m collected FY06.



As of September 30, 2008, total expenditures were \$11.6M vs. an amended budget of \$12.9M. This is 1.7% higher than the FY07 amount of \$11.4M and 9.9% higher than the \$10.5M in FY06. These numbers exclude transfers to other funds.



As of September 30, 2008, The General Fund balance was \$6.6M compared to \$5.6M in FY07



VII) ANALYSIS OF CHARGES FOR SERVICES

Chart J-Schedule of Building & Zoning/Code Enforcement  
 Comparative for the periods ending September 30, 2007 and 2008  
 (100% OF YEAR COMPLETED)

Charges for Services:	YTD <u>9/30/2007</u>	YTD <u>9/30/2008</u>
Occupational Licenses - City	\$ 63,279	\$ 73,322
Occupational Licenses - County	22,652	18,794
Building Permits	136,190	174,299
Electrical Permits	31,898	46,208
Plumbing Permits	17,162	22,650
Roofing Permits	61,897	32,314
Mechanical Permits	15,019	33,671
Zoning Permits	5,129	5,525
Certification of Completions	400	2,300
Structural Permits	15,800	18,275
Other Permits	97,856	112,930
Code Enforcement tickets	7,435	18,350
<b>Total Fees Collected</b>	<u><u>474,716</u></u>	<u><u>558,640</u></u>
 <b>Expenditures:</b>		
Personnel	416,443	408,036
Inspector Costs	98,801	96,907
Operating costs	49,598	45,936
Capital outlay	1,396	-
<b>Total expenditures</b>	<u><u>566,238</u></u>	<u><u>550,878</u></u>
 <b>Excess charges for services over expenditures</b>	 <u><u>(91,522)</u></u>	 <u><u>7,761</u></u>

The purpose of this report is to show if the charges being collected by the building & zoning /code enforcement departments are more than sufficient to cover the operating expenditures of these departments.

**Chart K-Schedule of Recreation Department Operations  
Period Ending September 30, 2008  
(100% OF YEAR COMPLETED)**

	Admin (3)	Pool (2)	Tennis	Maintenance	YTD as of 9/30/2008	YTD as of 9/30/2007
<b>Charges for Services:</b>						
Program Activity Fees	\$ 5,401	\$ -	\$ -	\$ -	\$ 5,401	\$ 19,434
After School Care	76,986	-	-	-	76,986	60,252
Water Polo/Aquatics Teams	-	21,125	-	-	21,125	8,740
Swimming Pool Admissions	-	49,169	-	-	49,169	42,577
Tennis Fees	-	-	429	-	429	2,202
Vending Machines	10,380	-	-	-	10,380	10,764
Cheerleading	1,575	-	-	-	1,575	1,800
Tennis Lessons	-	-	277	-	277	3,063
Tennis Merchandise	-	-	56	-	56	282
Tennis Memberships	-	-	1,307	-	1,307	1,676
Softball	-	-	-	-	-	-
Pelican Playhouse	1,080	-	-	-	1,080	2,322
Rental-recreational Facilities	5,104	-	-	-	5,104	4,186
Basketball Program	14,720	-	-	-	14,720	11,889
Jazzercise Classes	4,200	-	-	-	4,200	4,600
Tai-chi Classes	-	-	-	-	-	-
VG- Fireworks	3,000	-	-	-	3,000	3,000
<b>Total Fees Collected</b>	<b>122,447</b>	<b>70,294</b>	<b>2,069</b>	<b>-</b>	<b>194,810</b>	<b>176,786</b>
<b>Expenditures:</b>						
Personnel	460,312	191,652	4,812	129	656,906	719,577
Operating costs	259,133	124,788	17,803	124,466	526,190	437,161
Debt Service	75,005	-	-	-	75,005	77,107
Capital outlay	504,445	25,654	19,200	-	549,298	347,543
<b>Total expenditures</b>	<b>1,298,895</b>	<b>342,094</b>	<b>41,815</b>	<b>124,595</b>	<b>1,807,399</b>	<b>1,581,388</b>
<b>Excess exp. over charges for services</b>	<b>\$ (1,176,448)</b>	<b>\$ (271,800)</b>	<b>\$ (39,746)</b>	<b>\$ (124,595)</b>	<b>\$ (1,612,589)</b>	<b>\$ (1,404,602)</b>

Percentage of expenditures collected in fees

10.8%

11.2%

**NOTES TO STATEMENTS:**

- 1- Capital Outlay for FY08 primarily due to new restrooms and concession stand at City parks, and the baseball dugouts
- 2- Pool is not reflective of all attributable revenues and cost that are currently shown in Admin.

VIII) OTHER FUNDS

CHART L-CITY OF MIAMI SPRINGS  
 ACTUAL VS BUDGET REPORT-ROAD & TRANSPORTATION  
 (100% OF YEAR COMPLETED)

	FY2006-07 ACTUAL	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET	NOTES
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2008		
Revenues:						
Local Option Gas Tax	\$ 106,403	\$ 110,109	\$ 110,109	\$ 106,245	96%	
Peoples Transportation Tax	461,618	484,674	484,674	408,728	84%	
Misc Revenues-Interest	97,623	-	-	39,958	100%	
Total revenues	665,644	594,783	594,783	554,931	93%	
Expenditures:						
Administrative	22,338	33,000	33,000	35,523	108%	
Contractual/Professional Services	39,567	185,000	286,316	223,148	78%	
Repairs and maintenance	82,195	60,000	65,000	58,913	91%	
Operating Supplies/Road Materials	8,657	16,451	20,649	10,161	49%	
Capital Outlay-Improvements	13,559	355,000	355,000	35,789	10%	1
Capital Outlay-Machinery	21,722	-	-	-		
Total expenditures	188,037	649,451	759,965	363,534	48%	
Excess (deficiency) of revenues over expenditures	477,607	(54,668)	(165,182)	191,398	-116%	
Other financing sources						
Transfers in	-	-	-	-		
Transfers out	-	-	-	-		
Total other financing sources	-	-	-	-		
Net change in fund balance	477,607	(54,668)	(165,182)	191,398		
Beginning fund balance	1,118,208	1,595,815	1,595,815	1,595,815		
Ending fund balance	\$ 1,595,815	\$ 1,541,147	\$ 1,430,633	\$ 1,787,213		

**NOTES**

1 - Budget included planned expenditures for Guard Rails N. Royal, and Parking Lot for downtown area

VIII) OTHER FUNDS

**CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-LAW ENFORCEMENT TRUST FUND  
(100% OF YEAR COMPLETED)**

	FY2006-07 <u>ACTUAL</u>	FISCAL YEAR 2007-2008			% OF ACTUAL VS. BUDGET	NOTES
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF Sep-08</u>		
Revenues:						
Fines and Forfeitures	4,208	106,000	106,000	70,204	66%	
Interest Income	51,496	45,000	45,000	37,126	83%	
Other Miscellaneous	400	-	-	-		
Total revenues	<u>56,104</u>	<u>151,000</u>	<u>151,000</u>	<u>107,331</u>	71%	
Expenditures:						
Administration Expenses	62,543	47,000	116,650	29,514	25%	1
Community Police Office	55,254	87,010	96,212	55,048	57%	2
Police education	4,533	10,000	10,000	-		
Capital Outlay-Vehicles	117,424	-	-	-	100%	
Capital Outlay-Machinery & Eqpt	20,117	2,000	71,060	9,885	14%	3
Total expenditures	<u>259,871</u>	<u>146,010</u>	<u>293,922</u>	<u>94,447</u>	32%	
Excess (deficiency) of revenues over expenditures	<u>(203,767)</u>	<u>4,990</u>	<u>(142,922)</u>	<u>12,884</u>	-9%	
Other financing sources						
Transfers in	30,437	-	-	-		
Transfers out	-	-	-	-		
Total other financing sources	<u>30,437</u>	<u>-</u>	<u>-</u>	<u>-</u>		
Net change in fund balance	(173,330)	4,990	(142,922)	<b>12,884</b>		
Beginning fund balance	<u>1,170,334</u>	<u>1,102,928</u>	<u>997,004</u>	<u>997,004</u>		
<b>Ending fund balance</b>	<u>\$ 997,004</u>	<u>\$ 1,107,918</u>	<u>\$ 854,082</u>	<u>\$ 1,009,888</u>		

**NOTES**

1 -

VIII) OTHER FUNDS

**CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-CAPITAL FUND  
(100% OF YEAR COMPLETED)**

	FY2006-07 <u>ACTUAL</u>	FISCAL YEAR 2007-2008			NOTES	
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF Sep-08</u>		<u>% OF ACTUAL VS. BUDGET</u>
<b>Revenues:</b>						
Intergovernmental	\$ 37,725	\$ 3,600,000	\$ 3,600,000	\$ 124,338	3%	1
Interest and Other Income	-	5,000	5,000	1,590	32%	
<b>Total revenues</b>	<u>37,725</u>	<u>3,605,000</u>	<u>3,605,000</u>	<u>125,928</u>	3%	
<b>Expenditures:</b>						
General government	31,000	325,000	325,000	149,992	46%	2
Capital Outlay	6,725	3,280,000	3,280,000	-	0%	
<b>Total expenditures</b>	<u>37,725</u>	<u>3,605,000</u>	<u>3,605,000</u>	<u>149,992</u>	4%	
Excess (deficiency) of revenues over expenditures	-	-	-	(24,065)	-100%	
<b>Other financing sources</b>						
Issuance of Debt	-	-	-	2,500,000	100%	
Transfers in	-	-	-	-	0%	
<b>Total other financing sources</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>2,500,000</u>	100%	
Net change in fund balance	-	-	-	2,475,935	100%	
Beginning fund balance	-	-	-	-		
<b>Ending fund balance</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>\$ 2,475,935</u>	100%	

**Notes:**

1 - GOB reimbursement for the Curtiss Mansion project

2 - Professional Services: Community Center \$22,231, Curtis Mansion \$127,761

VIII) OTHER FUNDS

**CHART E-CITY OF MIAMI SPRINGS  
HURRICANE FUND  
FOR THE PERIOD ENDED SEPTEMBER 30, 2008  
(100% OF YEAR COMPLETED)**

	<u>FY2006-07 ACTUAL</u>	<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2008</u>	<u>% OF ACTUAL VS. BUDGET</u>	<u>NOTES</u>
Revenues:					
FEMA Reimbursements	\$ 439,747	\$ -	\$ 189,642	100%	1
Insurance Reimbursements	-	-	-	0%	
Interest & Other Misc. Revenues	<u>32,505</u>	<u>-</u>	<u>16,653</u>	0%	
Total revenues	<u>472,252</u>	<u>-</u>	<u>206,295</u>	100%	
Expenditures:					
Administrative	1,779	-	-	0%	
Contractual Services	201,510	-	-	0%	
Repairs and maintenance	9,549	-	-	0%	
Rentals and leases	-	-	-	0%	
Operating Supplies	-	-	-	0%	
Capital Outlay-Improvements	-	-	-	0%	
Capital Outlay-Machinery	<u>-</u>	<u>-</u>	<u>-</u>	0%	
Total expenditures	<u>212,838</u>	<u>-</u>	<u>-</u>	0%	
Excess (deficiency) of revenues over expenditures	<u>259,414</u>	<u>-</u>	<u>206,295</u>	100%	
Other financing sources					
Transfers in	-	-	-	0%	
Transfers out	<u>-</u>	<u>-</u>	<u>-</u>		
Total other financing sources	<u>-</u>	<u>-</u>	<u>-</u>	0%	
Net change in fund balance	<u>259,414</u>	<u>-</u>	<u>206,295</u>		
Beginning fund balance	<u>-</u>	<u>-</u>	<u>259,414</u>		
<b>Ending fund balance</b>	<u>\$ 259,414</u>	<u>-</u>	<u>\$ 465,709</u>		

**Notes:**

(1) Storm reimbursements as follows: Wilma \$107,759, Katrina \$77,832, No Name \$4,051.



# CITY OF MIAMI SPRINGS



*Finance Department*  
 201 Westward Drive  
 Miami Springs, FL 33166-5289  
 Phone: (305) 805-5014  
 Fax: (305) 805-5037

**TO:** The Honorable Mayor Billy Bain and Members of the City Council  
**VIA:** James Borgmann, City Manager *[Signature]*  
**FR:** Leacroft Robinson, Finance Director *[Signature]*  
**DATE:** December 3<sup>rd</sup>, 2008  
**SUBJECT:** Golf Course (UNAUDITED) Financials for the fiscal year ending September 30th, 2008.

Attached hereto are the unaudited financial reports for the Golf and Country Club Fund for the fiscal year ending September 30<sup>th</sup> 2008. Please be aware that the information reflected in this report has yet to be audited by our external auditors and as such could change due to audit adjustments. As in the past, the report is divided into three sections as follows: 1) Section A is a comparative profit and loss statement for the periods ending September 30<sup>th</sup> for fiscal years 2008, 2007, and 2006. 2) Section B is a fiscal year-to-date actual to budget comparison for FY2008. 3) Section C is the FY 2008 year-to-date rounds report.

**Key Financial Indicators**

The following are key year-to-date indicators from pages A-1, A-2, and C-1 of the attached report.

	Twelve Months			Twelve Months	
	Ending	Ending	% Change	Ending	% Change
	9/30/2008	9/30/2007	From 9/30/07	9/30/2006	From 9/30/06
<b>Golf Operations:</b>					
Total Revenues	1,370,285	1,324,807	3.4%	1,129,747	21.3%
Operating Profit (Loss)	(27,079)	62,685	-143.2%	(300,175)	-91.0%
Profit(Loss)including non-golf costs	-	(15,035)	-100.0%	(110,985)	-100.0%
Pro Shop Costs	547,669	505,419	8.4%	554,813	-1.3%
Maintenance Costs	849,695	756,703	12.3%	716,131	18.7%
Total Rounds Played	40,872	39,509	3.4%	32,678	25.1%
Total Greens Revenues	1,205,425	1,133,748	6.3%	875,123	37.7%
Average per Round	29.49	28.70	2.8%	26.78	10.1%
Memberships Sold	117,305	94,502	24.1%	93,582	25.3%
Driving Range revenues	112,824	118,177	-4.5%	103,018	9.5%

Agenda Item No.

City Council Meeting of:

DEC 8, 2008

**Key Financial Indicators (continued)**

Despite several positive key revenue indicators for the fiscal year, the overall Golf and Country Club Operations recognized a loss of \$190,596 (prior to General Fund subsidy) for the period ending September 30<sup>th</sup>, 2008. This loss compares to losses of \$122,813 and \$548,133 for the same periods in FY07 and FY06 respectively. It should also be noted that a loss of \$316,596 was also realized for FY05. The General Fund subsidy for FY08 amounted to \$190,596, an increase of \$82,818 from the \$107,778 in FY07, but lower by \$246,552 from the \$437,148 in FY06. The variance between FY08 and FY07 is partly attributable to the switch from an underfunded maintenance program to the Greens Grades contract. Positive indicators include modest increases in Total Revenues and Rounds Played of 3.4% from the same period last year. Memberships sold reflected significant increases of 24% and 25% over the same periods in FY07 and FY06, and a new discounted Senior Weekday rate (page C1) generated better than expected results.

Increases in total Greens Fees and Memberships of \$71,677 contributed to the overall 3.4% gain over FY07's Total Pro Shop Revenues. The increase was 32.4% when compared to the same period in FY06. It should be noted that inclement weather and golf course closures during the 1<sup>st</sup> Qtr of fiscal year 2006 contributed, in part, to the fiscal year 2006 variance.

Expenditures related to the Pro Shop increased by only 8.4% when compared to the same period in FY07 and is primarily attributable to the hiring of an Assistant Golf Director as well as normal salary and benefits increases. It should be noted that the added position was eliminated in the FY08-09 Budget. Maintenance Department's costs have risen 12.3% or \$92,992 from that of last year. Within the Maintenance Department, a decrease in personnel costs of \$164,085 was more than offset by higher Contractual Services expenditures of \$231,127 as the City implemented a new business model whereby most maintenance functions are outsourced to a third party vendor. Administration Department expenditures declined by \$30,456 from FY07 and were due primarily to lower risk management and capital outlay expenditures.

Page B-1 provides an actual to budget comparison for the fiscal year. The bottom line break-even for FY08 falls short of the budgeted by \$11,369, but also includes an additional \$110,428 in subsidies from the General Fund versus the budget. The higher subsidy stems primarily from lower than budgeted revenues of \$121,368. Administration Department expenditures totaled \$50,430 as compared to a budget of \$53,076.

Page C-1 is an analysis of rounds played for the twelve months of FY2008 and reflects an increase of 3.4% in rounds played with a corresponding 3.4% increase in revenues. Average revenue per Paid Round increased to \$29.49 compared to \$28.70 for the same period last year, a 2.75% increase. However, it is important to note that during fiscal year 2007, memberships were extended from September 30 to November 30, 2006 due to the greens renovation. This led to more member rounds being played during this period that resulted in a lower average per round.

CITY OF MIAMI SPRINGS, FLORIDA  
 ACTUAL VS ACTUAL-PRO SHOP/FOOD & BEVERAGE OPERATIONS  
 FOR THE FISCAL YEARS ENDING:

	<u>9/30/2008</u>	<u>9/30/2007</u>	<u>9/30/2006</u>	<u>% Change 2008 vs.</u>	
				<u>2007</u>	<u>2006</u>
TOTAL FOOD & RESTAURANT- REVENUES	\$ -	\$ -	\$ 94,838	-	-
TOTAL PRO-SHOP AND GOLF COURSE- REVENUES	<u>1,370,285</u>	<u>1,324,807</u>	<u>1,034,909</u>	<u>3.4%</u>	<u>32.4%</u>
TOTAL REVENUES	<u>1,370,285</u>	<u>1,324,807</u>	<u>1,129,747</u>	<u>3.4%</u>	<u>21.3%</u>
TOTAL PERSONNEL SERVICES (Including Management Fee)	295,232	234,386	297,787	26.0%	-0.9%
TOTAL FOOD & RESTAURANT- EXPENDITURES	-	-	158,978	-	-
TOTAL OPERATING EXPENDITURES	<u>1,102,132</u>	<u>1,027,736</u>	<u>973,157</u>	<u>7.2%</u>	<u>13.3%</u>
TOTAL MANAGEMENT OPERATING EXPENDITURES	<u>1,397,365</u>	<u>1,262,122</u>	<u>1,429,922</u>	<u>10.7%</u>	<u>-2.3%</u>
NET MANAGEMENT EXCESS OF EXP. OVER REV.	<u>(27,079)</u>	<u>62,685</u>	<u>(300,175)</u>	<u>-143.2%</u>	<u>-91.0%</u>

OTHER COSTS ASSOCIATED WITH OPERATIONS OF THE GOLF COURSE:

<b>NET TRANSFERS TO (FROM) GENERAL FUND</b>	<b>(190,596)</b>	<b>(107,778)</b>	<b>(437,148)</b>	<b>76.84%</b>	<b>-56.40%</b>
ADMINISTRATIVE EXPENSES	48,435	68,840	66,099	-29.6%	-26.7%
PROCEEDS FROM DEBT - MAINTENANCE	(86,833)	(91,069)	(274,892)	-4.7%	-68.4%
IMPROVEMENTS O/T BUILDINGS & ADMIN.	1,995	12,046	130,134	-83.4%	-98.5%
IMPROVEMENTS O/T BUILDINGS - MAINTENANCE	-	15,097	156,091	-100.0%	-100.0%
DEBT SERVICE PAYMENT-MAINTENANCE	113,087	88,825	41,638	27.3%	171.6%
MACHINERY & EQUIPMENT	-	1,510	3,996	-100.0%	-100.0%
MACHINERY & EQUIPMENT-MAINTENANCE	<u>86,833</u>	<u>90,249</u>	<u>124,892</u>	<u>-3.79%</u>	<u>-30.47%</u>
TOTAL OTHER COSTS ASSOCIATED WITH- OPERATIONS OF THE PRO-SHOP	<u>(27,079)</u>	<u>77,720</u>	<u>(189,190)</u>	<u>-134.8%</u>	<u>-85.7%</u>
EXCESS EXPENDITURES OVER REVENUES	<u>\$ -</u>	<u>\$ (15,035)</u>	<u>\$ (110,985)</u>	<u>-100.0%</u>	<u>-100.0%</u>

CITY OF MIAMI SPRINGS, FLORIDA  
ACTUAL VS ACTUAL-PRO SHOP OPERATIONS  
FOR THE FISCAL YEARS ENDING:

	9/30/2008	9/30/2007	9/30/2006	% Change 2008 vs.	
				2007	2006
<b>REVENUES</b>					
GREEN FEES	\$ 974,251	\$ 951,446	\$ 729,382	2.4%	33.6%
MEMBERSHIPS	117,305	94,502	93,582	24.1%	25.3%
CART REVENUES	93,121	80,379	55,047	15.9%	69.2%
RANGE FEES	112,824	118,177	103,018	-4.5%	9.5%
GOLF - OTHER REVENUES	11,009	7,270	3,154	51.4%	249.1%
MERCHANDISE SALES	61,775	73,033	50,726	-15.4%	21.8%
<b>TOTAL PRO SHOP REVENUES</b>	<b>1,370,285</b>	<b>1,324,807</b>	<b>1,034,909</b>	<b>3.4%</b>	<b>32.4%</b>
<b>PERSONNEL EXPENSES</b>					
REGULAR SALARIES	134,475	100,833	201,221	33.4%	-33.2%
PART TIME SALARIES	121,644	104,698	-	16.2%	-
OVERTIME	657	-	-	-	-
SEASONAL & OTHER	557	-	-	-	-
FICA TAXES	19,734	15,723	15,925	25.5%	23.9%
PENSION	7,619	5,643	1,836	35.0%	315.0%
MEDICAL INSURANCE	9,669	6,032	2,515	60.3%	284.5%
WORKER'S COMPENSATION	878	1,457	8,242	-39.8%	-89.4%
MANAGEMENT FEE	-	-	66,000	-	-
UNEMPLOYMENT COMPENSATION	-	-	2,048	-	-
<b>TOTAL PERSONNEL SERVICES</b>	<b>295,232</b>	<b>234,386</b>	<b>297,787</b>	<b>26.0%</b>	<b>-0.9%</b>
<b>OPERATING EXPENSES</b>					
CONTRACTUAL SERVICES	7,564	8,364	3,980	-9.6%	90.1%
RENTALS AND LEASES	57,618	64,379	57,844	-10.5%	-0.4%
REPAIRS AND MAINTENANCE	3,395	17,097	28,005	-80.1%	-87.9%
PRINTING AND BINDING	3,297	862	3,667	282.5%	-10.1%
PROMOTIONS & ADVERTISING	28,016	39,054	15,107	-28.3%	85.5%
OTHER CHARGES - BANK & CREDIT CARD CHARGES	36,680	25,367	17,137	44.6%	114.0%
OPERATING SUPPLIES	5,282	4,503	8,651	17.3%	-38.9%
UTILITY SERVICES-ELECTRICITY	30,088	24,385	46,888	23.4%	-35.8%
UTILITY SERVICES-WATER	948	686	7,757	38.2%	-87.8%
LIABILITY INSURANCE	14,508	17,990	16,586	-19.4%	-12.5%
TELECOMMUNICATIONS	8,287	10,810	6,122	-23.3%	35.4%
MERCHANDISE	40,163	44,872	32,819	-10.5%	22.4%
DRIVING RANGE	13,807	10,193	7,207	35.5%	91.6%
OFFICE SUPPLIES	1,440	1,984	4,445	-27.4%	-67.6%
DUES AND MEMBERSHIPS	1,344	487	811	176.0%	65.7%
ADMINISTRATIVE EXPENSES (SHARED @ 50%)	-	-	-	-	-
MAINTENANCE (Department Total)	849,695	756,703	716,131	12.3%	18.7%
<b>TOTAL OPERATING EXPENDITURES</b>	<b>1,102,132</b>	<b>1,027,736</b>	<b>973,157</b>	<b>7.2%</b>	<b>13.3%</b>
<b>TOTAL PRO SHOP OPERATION EXPENDITURES</b>	<b>1,397,365</b>	<b>1,262,122</b>	<b>1,270,944</b>	<b>10.7%</b>	<b>9.9%</b>
<b>OPERATING PROFIT (LOSS) BEFORE OTHER COSTS</b>	<b>(27,079)</b>	<b>62,685</b>	<b>(236,035)</b>	<b>-143.2%</b>	<b>-88.5%</b>
<b>OTHER COSTS ASSOCIATED WITH OPERATIONS OF THE PRO-SHOP</b>					
DEBT SERVICE PAYMENT-MAINTENANCE	113,087	88,825	41,638	27.3%	171.6%
<b>TRANSFERS FROM GENERAL FUND</b>	<b>(190,596)</b>	<b>(127,000)</b>	<b>(437,148)</b>	<b>50.08%</b>	<b>-56.40%</b>
<b>TRANSFERS TO GENERAL FUND</b>	<b>-</b>	<b>19,222</b>	<b>-</b>	<b>-100.00%</b>	<b>0.00%</b>
MACHINERY & EQUIPMENT-MAINTENANCE	86,833	90,249	124,892	-3.8%	-30.5%
PROCEEDS FROM DEBT -MAINTENANCE	(86,833)	(91,069)	(274,892)	-4.7%	-68.4%
MACHINERY & EQUIPMENT	-	1,510	3,996	-100.0%	-100.0%
IMPROVEMENT O/T BUILDINGS	1,995	12,046	130,134	-83.4%	-98.5%
IMPROVEMENT O/T BUILDINGS - MAINTENANCE	-	15,097	156,091	-100.0%	-100.0%
<b>TOTAL OTHER COSTS ASSOCIATED WITH- OPERATIONS OF THE PRO-SHOP</b>	<b>(75,514)</b>	<b>8,880</b>	<b>(255,289)</b>	<b>-950.4%</b>	<b>-70.4%</b>
<b>NET PROFIT (LOSS)</b>	<b>\$ 48,435</b>	<b>\$ 53,805</b>	<b>\$ 19,254</b>	<b>-10.0%</b>	<b>151.6%</b>

**CITY OF MIAMI SPRINGS, FLORIDA  
GOLF COURSE  
ACTUAL VS ACTUAL- MAINTENANCE EXPENSES  
FOR THE FISCAL YEARS ENDING:**

<b>MAINTENANCE</b>	<b>9/30/2008</b>	<b>9/30/007</b>	<b>9/30/2006</b>	<b>% Change 2008 vs.</b>	
				<b>2007</b>	<b>2006</b>
<b>PERSONAL SERVICES</b>					
REGULAR SALARIES	\$ 200,040	\$ 343,263	\$ 342,182	-41.7%	-41.5%
PART TIME SALARIES	1,718	-	-	-	-
OVERTIME	5,685	-	-	-	-
SEASONAL & OTHER	800	-	-	-	-
PAYROLL TAXES	15,643	25,925	28,018	-39.7%	-44.2%
PENSION	11,328	16,553	7,315	-31.6%	54.9%
MEDICAL INSURANCE	25,300	36,614	26,000	-30.9%	-2.7%
UNEMPLOYMENT COMPENSATION	1,343	2,108	4,028	-36.3%	-66.7%
WORKER'S COMPENSATION	1,320	2,799	22,135	-52.8%	-94.0%
<b>TOTAL PERSONAL SERVICES</b>	<b>263,177</b>	<b>427,262</b>	<b>429,678</b>	<b>-38.4%</b>	<b>-38.8%</b>
<b>OPERATING EXPENSES</b>					
PROFESSIONAL SERVICES	1,800	3,000	-	-40.0%	-
CONTRACTUAL SERVICES	258,110	26,983	22,054	856.6%	1070.4%
REPAIRS AND MAINTENANCE	46,043	39,797	32,351	15.7%	42.3%
UTILITY SERVICES-ELECTRICITY	39,915	45,081	-	-11.5%	-
UTILITY SERVICES-WATER	2,812	9,724	-	-71.1%	-
OPERATING SUPPLIES	166,333	155,085	188,457	7.3%	-11.7%
FUEL, OILS, LUBRICANTS	47,077	28,938	29,870	62.7%	57.6%
TOOLS	811	2,336	-	-65.3%	-
LIABILITY INSURANCE	13,320	8,970	-	48.5%	-
TELECOMMUNICATIONS	720	559	380	28.7%	89.4%
DUES AND SUBSCRIPTIONS	630	1,250	85	-49.6%	641.2%
EDUCATION AND TRAINING	160	-	-	-	-
UNIFORMS	1,465	1,282	11,243	14.3%	-87.0%
RENTALS AND LEASES	7,322	6,436	2,013	13.8%	263.8%
<b>TOTAL OPERATING EXPENSES :</b>	<b>586,518</b>	<b>329,441</b>	<b>286,453</b>	<b>78.0%</b>	<b>104.8%</b>
<b>IMPROVEMENT O/T BUILDINGS</b>	<b>-</b>	<b>15,097</b>	<b>156,091</b>	<b>-100.0%</b>	<b>-100.0%</b>
<b>MACHINERY AND EQUIPMENT</b>	<b>86,833</b>	<b>90,249</b>	<b>124,892</b>	<b>-3.8%</b>	<b>-30.5%</b>
<b>TOTAL CAPITAL OUTLAY :</b>	<b>86,833</b>	<b>105,346</b>	<b>280,983</b>	<b>-</b>	<b>-</b>
<b>PRINCIPAL PAYMENTS</b>	<b>102,642</b>	<b>76,881</b>	<b>40,020</b>	<b>33.5%</b>	<b>156.5%</b>
<b>INTEREST</b>	<b>10,445</b>	<b>11,944</b>	<b>1,618</b>	<b>-12.6%</b>	<b>545.5%</b>
<b>TRANSFERS TO GENERAL FUND</b>	<b>-</b>	<b>19,222</b>	<b>-</b>	<b>-100.0%</b>	<b>0.0%</b>
<b>TOTAL DEBT SERVICE</b>	<b>113,087</b>	<b>108,047</b>	<b>41,638</b>	<b>4.7%</b>	<b>171.6%</b>
<b>TOTAL MAINTENANCE</b>	<b>\$ 1,049,614</b>	<b>\$ 970,096</b>	<b>\$ 1,038,752</b>	<b>8.2%</b>	<b>1.0%</b>

CITY OF MIAMI SPRINGS, FLORIDA  
 GOLF COURSE  
 ACTUAL VS ACTUAL- ADMINISTRATION EXPENSES  
 FOR THE FISCAL YEARS ENDING:

<u>ADMINISTRATION</u>	<u>9/30/2008</u>	<u>9/30/2007</u>	<u>9/30/2006</u>	% Change 2008 vs.	
				<u>2007</u>	<u>2006</u>
<b>OPERATING EXPENSES</b>					
REGULAR SALARIES	-	-	-	-	-
PROFESSIONAL SERVICES - LEGAL	545	2,046	9,205	-73.4%	-94.1%
CONTRACTUAL SERVICES	405	251	3,489	61.4%	-88.4%
WORKERS COMPENSATION	-	696	-	-100.0%	-
UTILITY SERVICES-ELECTRICITY	11,859	17,523	23,765	-32.3%	-50.1%
UTILITY SERVICES-WATER	-	-	6,107	-	-
RENTALS AND LEASES	-	-	2,574	-	-
REPAIRS AND MAINTENANCE	2,674	6,547	6,437	-59.2%	-58.5%
OPERATING SUPPLIES	-	890	587	-100.0%	-100.0%
OFFICE SUPPLIES	-	-	-	-	-
TELEPHONE	185	-	-	-	-
RISK MANAGEMENT	32,412	40,463	13,698	-19.9%	136.6%
LICENSES AND FEES	356	424	237	-16.2%	50.0%
IMPROVEMENTS O/T BUILDINGS	1,995	12,046	-	-83.4%	-
<b>TOTAL OPERATING EXPENSES :</b>	<u>50,430</u>	<u>80,886</u>	<u>66,099</u>	<u>-37.7%</u>	<u>-23.7%</u>
<b>TOTAL ADMINISTRATION</b>	<u>\$ 50,430</u>	<u>\$ 80,886</u>	<u>\$ 66,099</u>	<u>-37.7%</u>	<u>-23.7%</u>

# CITY OF MIAMI SPRINGS, FLORIDA

## STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES GOLF COURSE FISCAL YEAR ENDED SEPTEMBER 30, 2008

	<u>Golf Course</u>
Revenues:	
Charges for services	1,370,285
Total revenues	<u>1,370,285</u>
Expenditures:	
Current:	
Recreation and social services	1,445,800
Debt service:	
Principal retirement	102,642
Interest and fiscal charges	10,445
Capital outlay:	
Recreation and social services	<u>88,828</u>
Total expenditures	<u>1,647,714</u>
Excess(deficiency) of revenues over expenditures before other financing (uses) sources	<u>(277,429)</u>
Other financing (uses) sources:	
Proceeds from debt	86,833
Transfers in	190,596
Transfers out	<u>-</u>
Total other financing sources (uses)	<u>277,429</u>
Net change in fund balances	<u>\$ -</u>
Fund balances - beginning	(15,035)
Fund balances - ending	<u>\$ (15,035)</u>

CITY OF MIAMI SPRINGS, FLORIDA  
 GOLF & COUNTRY CLUB  
 ACTUAL VERSUS BUDGET  
 FOR THE FISCAL YEAR ENDING 9/30/2008

	YTD <u>Actual</u>	YTD <u>Budget</u>	Variance Positive (Negative)	Variance Budget %
TOTAL PRO-SHOP- REVENUES	1,370,285	1,491,653	(121,368)	-8.1%
TOTAL OPERATING EXPENDITURES	1,397,365	1,356,158	(41,207)	-3.0%
OPERATING PROFIT (LOSS) BEFORE CAPITAL EXPENDITURES AND DEBT SERVICE PAYMENTS	(27,079)	135,495	(162,574)	-120.0%
<b><u>CAPITAL EXPENDITURES AND DEBT SERVICE PAYMENTS:</u></b>				
DEBT SERVICE PAYMENT-MAINTENANCE	113,087	133,432	20,345	15.2%
MACHINERY & EQUIPMENT - MAINTENANCE	86,833	-	(86,833)	0.0%
PROCEEDS FROM DEBT -MAINTENANCE	(86,833)	-	86,833	
TRANSFERS TO (FROM) GENERAL FUND	(190,596)	(80,168)	110,428	
IMPROVEMENTS O/T BUILDINGS - MAINTENANCE	-	17,786	17,786	100.0%
TOTAL CAPITAL EXPENDITURES AND DEBT SERVICE PAYMENTS	(77,509)	71,050	148,559	209.1%
OPERATING PROFIT (LOSS) BEFORE NON-OPERATING COSTS	50,430	64,445	(14,015)	-21.7%
<b><u>NON-OPERATING COSTS:</u></b>				
CITY ADMINISTRATIVE EXPENSES	50,430	53,076	2,646	5.0%
TOTAL OTHER NON-OPERATING COSTS	50,430	53,076	2,646	5.0%
OPERATING PROFIT (LOSS)	\$ (0)	\$ 11,369	\$ (11,369)	-100.0%

**CITY OF MIAMI SPRINGS, FLORIDA  
ACTUAL VS BUDGET-PRO SHOP OPERATIONS  
FOR THE FISCAL YEAR ENDING 9/30/2008**

	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>Variance Positive (Negative)</u>	<u>Variance Budget %</u>
<b>REVENUES</b>				
GREEN FEES	\$ 974,251	\$ 1,033,268	\$ (59,017)	-5.7%
MEMBERSHIPS	117,305	125,435	(8,130)	-6.5%
CART REVENUES	93,121	108,652	(15,531)	-14.3%
RANGE FEES	112,824	131,004	(18,180)	-13.9%
GOLF - OTHER REVENUES	11,009	11,701	(692)	-5.9%
MERCHANDISE SALES	61,775	81,593	(19,818)	-24.3%
<b>TOTAL PRO SHOP REVENUES</b>	<u>1,370,285</u>	<u>1,491,653</u>	<u>(121,368)</u>	<u>-8.1%</u>
<b>PERSONNEL EXPENSES</b>				
REGULAR SALARIES	134,475	117,088	(17,387)	-14.8%
PART TIME SALARIES	121,644	113,550	(8,094)	7.1%
OVERTIME	657	-	(657)	0.0%
SEASONAL & OTHER	557	2,400	1,843	-76.8%
FICA TAXES	19,734	18,135	(1,599)	8.8%
PENSION	7,619	6,861	(758)	11.1%
MEDICAL INSURANCE	9,669	8,800	(869)	9.9%
WORKER'S COMPENSATION	878	1,525	647	-42.4%
MANAGEMENT FEE	-	-	-	-
UNEMPLOYMENT COMPENSATION	-	-	-	-
<b>TOTAL PERSONNEL SERVICES</b>	<u>295,232</u>	<u>268,359</u>	<u>(26,873)</u>	<u>10.0%</u>
<b>OPERATING EXPENSES</b>				
CONTRACTUAL & PROFESSIONAL SERVICES	7,564	6,525	(1,039)	15.9%
RENTALS AND LEASES	57,618	61,832	4,214	-6.8%
REPAIRS AND MAINTENANCE	3,395	4,470	1,075	-24.1%
PRINTING AND BINDING	3,297	4,513	1,216	-26.9%
PROMOTIONS & ADVERTISING	28,016	31,347	3,331	-10.6%
OTHER CHARGES - BANK & CREDIT CARD CHARGES	36,680	25,878	(10,802)	41.7%
OPERATING SUPPLIES	5,282	9,263	3,981	-43.0%
UTILITY SERVICES-ELECTRICITY	30,088	19,700	(10,388)	52.7%
UTILITY SERVICES-WATER	948	1,230	282	-22.9%
LIABILITY INSURANCE	14,508	14,510	2	0.0%
TELECOMMUNICATIONS	8,287	12,934	4,647	-35.9%
MERCHANDISE	40,163	53,630	13,467	-25.1%
DRIVING RANGE	13,807	14,606	799	-5.5%
OFFICE SUPPLIES	1,440	3,236	1,796	-55.5%
DUES AND MEMBERSHIPS	1,344	1,425	81	-5.7%
ADMINISTRATIVE EXPENSES (SHARED @ 50%)	-	-	-	-
<b>MAINTENANCE (Department Total)</b>	<u>849,695</u>	<u>822,700</u>	<u>(26,995)</u>	<u>3.3%</u>
<b>TOTAL OPERATING EXPENDITURES</b>	<u>1,102,132</u>	<u>1,087,799</u>	<u>(14,333)</u>	<u>1.3%</u>
<b>TOTAL PRO SHOP OPERATION EXPENDITURES</b>	<u>1,397,365</u>	<u>1,356,158</u>	<u>(41,207)</u>	<u>3.0%</u>
<b>OPERATING PROFIT (LOSS) BEFORE OTHER COSTS</b>	<u>(27,079)</u>	<u>135,495</u>	<u>(162,574)</u>	<u>-120.0%</u>
<b>OTHER COSTS ASSOCIATED WITH OPERATIONS OF THE PRO-SHOP</b>				
DEBT SERVICE PAYMENT-MAINTENANCE	113,087	133,432	20,345	-15.2%
PROCEEDS FROM DEBT -MAINTENANCE	(86,833)	-	86,833	-
TRANSFERS TO (FROM) GENERAL FUND	(190,596)	(80,168)	110,428	-
MACHINERY & EQUIPMENT-MAINTENANCE	86,833	-	(86,833)	-
IMPROVEMENT O/T BUILDINGS-MAINTENANCE	-	17,786	17,786	-100.0%
<b>TOTAL OTHER COSTS ASSOCIATED WITH- OPERATIONS OF THE PRO-SHOP</b>	<u>(77,509)</u>	<u>71,050</u>	<u>148,559</u>	<u>-209.1%</u>
<b>NET PROFIT (LOSS)</b>	<u>\$ 50,430</u>	<u>\$ 64,445</u>	<u>\$ (14,015)</u>	<u>-21.7%</u>

CITY OF MIAMI SPRINGS, FLORIDA  
GOLF COURSE  
ACTUAL VS BUDGET- MAINTENANCE EXPENSES  
FOR THE FISCAL YEAR ENDING 9/30/2008

<u>MAINTENANCE</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>Variance Positive (Negative)</u>	<u>Variance Budget %</u>
<b>PERSONAL SERVICES</b>				
REGULAR SALARIES	\$ 200,040	\$ 194,643	\$ (5,397)	-2.8%
PART TIME SALARIES	1,718	-	(1,718)	-
OVERTIME	5,685	3,000	(2,685)	-89.5%
SEASONAL & OTHER	800	-	(800)	-
PAYROLL TAXES	15,643	15,120	(523)	-3.5%
PENSION	11,328	11,211	(117)	-1.0%
MEDICAL INSURANCE	25,300	27,736	2,436	8.8%
UNEMPLOYMENT COMPENSATION	1,343	-	(1,343)	-
WORKER'S COMPENSATION	1,320	1,265	(55)	-4.3%
<b>TOTAL PERSONAL SERVICES</b>	<u>263,177</u>	<u>252,975</u>	<u>(10,202)</u>	<u>-4.0%</u>
<b>OPERATING EXPENSES</b>				
PROFESSIONAL SERVICES	1,800	3,793	1,993	52.5%
CONTRACTUAL SERVICES	258,110	227,230	(30,880)	-13.6%
REPAIRS AND MAINTENANCE	46,043	45,746	(297)	-0.6%
UTILITY SERVICES-ELECTRICITY	39,915	44,616	4,701	10.5%
UTILITY SERVICES-WATER	2,812	10,000	7,188	71.9%
OPERATING SUPPLIES	166,333	161,010	(5,323)	-3.3%
FUEL, OILS, LUBRICANTS	47,077	45,069	(2,008)	-4.5%
TOOLS	811	4,014	3,203	79.8%
LIABILITY INSURANCE	13,320	13,325	5	0.0%
TELECOMMUNICATIONS	720	1,311	591	45.1%
DUES AND SUBSCRIPTIONS	630	1,525	895	58.7%
EDUCATION AND TRAINING	160	1,200	1,040	86.7%
UNIFORMS	1,465	3,268	1,803	55.2%
RENTALS AND LEASES	7,322	7,618	296	3.9%
<b>TOTAL OPERATING EXPENSES :</b>	<u>586,518</u>	<u>569,725</u>	<u>(16,793)</u>	<u>-2.9%</u>
IMPROVEMENT O/T BUILDINGS	-	17,786	17,786	100.0%
MACHINERY AND EQUIPMENT	86,833	-	(86,833)	-
<b>TOTAL CAPITAL OUTLAY :</b>	<u>86,833</u>	<u>17,786</u>	<u>(69,047)</u>	<u>-388.2%</u>
PRINCIPAL PAYMENTS	102,642	119,265	16,623	13.9%
INTEREST	10,445	14,167	3,722	26.3%
TRANSFERS TO GENERAL FUND	-	-	-	-
<b>TOTAL DEBT SERVICE</b>	<u>113,087</u>	<u>133,432</u>	<u>20,345</u>	<u>15.2%</u>
<b>TOTAL MAINTENANCE</b>	<u>\$ 1,049,614</u>	<u>\$ 973,918</u>	<u>\$ (75,696)</u>	<u>-7.8%</u>

CITY OF MIAMI SPRINGS, FLORIDA  
 GOLF COURSE  
 ACTUAL VS BUDGET- ADMINISTRATION EXPENSES  
 FOR THE FISCAL YEAR ENDING 9/30/2008

<u>ADMINISTRATION</u>	YTD <u>ACTUAL</u>	YTD <u>BUDGET</u>	Variance Positive <u>(Negative)</u>	Variance Budget <u>%</u>
<b>OPERATING EXPENSES</b>				
REGULAR SALARIES	-	-	-	-
PROFESSIONAL SERVICES - LEGAL	545	2,500	1,956	-78.2%
CONTRACTUAL SERVICES	405	-	(405)	-
WORKERS COMPENSATION	-	-	-	-
UTILITY SERVICES-ELECTRICITY	11,859	8,400	(3,459)	41.2%
UTILITY SERVICES-WATER	-	-	-	-
RENTALS AND LEASES	-	-	-	-
LIABILITY INSURANCE	-	-	-	-
REPAIRS AND MAINTENANCE	2,674	6,000	3,326	-55.4%
OPERATING SUPPLIES	-	462	462	-
OFFICE SUPPLIES	-	-	-	-
TELEPHONE	185	-	(185)	-
RISK MANAGEMENT	32,412	32,414	2	0.0%
LICENSES AND FEES	356	-	(356)	0.0%
IMPROVEMENTS O/T BUILDINGS	1,995	3,300	1,305	-39.5%
<b>TOTAL OPERATING EXPENSES :</b>	<u>50,430</u>	<u>53,076</u>	<u>2,646</u>	<u>-5.0%</u>
<b>TOTAL ADMINISTRATION</b>	<u>\$ 50,430</u>	<u>\$ 53,076</u>	<u>\$ 2,646</u>	<u>-5.0%</u>

CHART E

MIAMI SPRINGS GOLF & COUNTRY CLUB  
ANALYSIS OF ROUNDS PLAYED  
FOR THE PERIODS ENDING:  
ROUNDS PLAYED

GREEN & CART FEES

TYPE
RACK RATES

Weekend Non-Resident  
Weekday Non-Resident  
Weekend/Holiday Resident  
Weekday Resident  
**TOTALS FOR TOP RACK RATES**

SEASONAL(A); DISCOUNT(B);  
PROMOTIONAL RATES(C)

resident Weekend > 11:00 (B)  
Non resident Weekend > 11:00 (B)  
Twi-Light-Weekday  
Twi-Light-Weekend  
Tee Time USA  
Shootout (C)  
Seniors Weekday  
Group Rate Weekday (B)  
Group Rate Weekend (B)  
Doral Academy  
Prime Timers (C)  
Teacher, Police, Fire  
Men's Golf Assoc.(A)  
Womens's Golf Assoc.(A)  
Junior  
Junior with Parent  
All Angels  
Golf Pass Weekend (C)  
PGA Golf Pass Weekday (C)  
PGA Member  
Can-Am Golf (B)  
Weekend Tournament  
Tax Exempt Tournament  
Other Cart  
Replay 18 Holes  
Replay 9 Holes

**TOTALS FOR OTHER DISCOUNTED  
RACK RATES**

**TOTALS FOR ALL RACK RATES**

**Membership Activity:**

Member 18 Hole cart  
9-Hole Member Cart Rate  
Trail Fee  
Membership pro rated income  
Member walk

**TOTALS FOR ALL MEMBER ROUNDS**

**TOTALS FOR ALL PAID ROUNDS THRU 9/30/2008**

Employee Rounds  
Comp rounds

	9/30/2008					9/30/2007		
	Number	%	Revenues	%	Avg Per Round	Number	Revenues	Avg Per Round
Weekend Non-Resident	2,562	6.3%	129,596	10.8%		3,348	165,785	
Weekday Non-Resident	2,989	7.3%	114,145	9.5%		3,523	126,733	
Weekend/Holiday Resident	1,144	2.8%	49,657	4.1%		587	26,678	
Weekday Resident	443	1.1%	15,062	1.3%		759	23,180	
<b>TOTALS FOR TOP RACK RATES</b>	<b>7,138</b>	<b>17.5%</b>	<b>\$ 308,460</b>	<b>25.6%</b>	<b>\$ 43.21</b>	<b>8,217</b>	<b>\$ 342,376</b>	<b>\$ 41.67</b>
resident Weekend > 11:00 (B)	1,518	3.7%	53,695	4.5%		1,241	41,456	
Non resident Weekend > 11:00 (B)	1,096	2.7%	43,910	3.6%		1,111	42,595	
Twi-Light-Weekday	6,068	14.8%	177,534	14.7%		10,619	285,782	
Twi-Light-Weekend	4,543	11.1%	144,164	12.0%		1,494	43,301	
Tee Time USA	10	0.0%	413	0.0%		26	778	
Shootout (C)	1,038	2.5%	26,350	2.2%		1,521	35,017	
Seniors Weekday	2,325	5.7%	54,405	4.5%		-	-	
Group Rate Weekday (B)	-	0.0%	-	0.0%		54	1,901	
Group Rate Weekend (B)	1,270	3.1%	57,307	4.8%		1,281	54,107	
Doral Academy	-	0.0%	-	0.0%		19	143	
Prime Timers (C)	406	1.0%	8,332	0.7%		324	6,793	
Teacher, Police, Fire	1,354	3.3%	36,409	3.0%		812	18,446	
Men's Golf Assoc.(A)	242	0.6%	10,828	0.9%		385	14,812	
Womens's Golf Assoc.(A)	104	0.3%	2,688	0.2%		98	2,266	
Junior	127	0.3%	949	0.1%		232	1,735	
Junior with Parent	145	0.4%	2,608	0.2%		278	5,001	
All Angels	-	0.0%	-	0.0%		-	-	
Golf Pass Weekend (C)	-	0.0%	-	0.0%		-	-	
PGA Golf Pass Weekday (C)	49	0.1%	1,413	0.1%		233	7,345	
PGA Member	194	0.5%	3,490	0.3%		268	486	
Can-Am Golf (B)	392	1.0%	13,326	1.1%		621	19,518	
Weekend Tournament	-	0.0%	-	0.0%		64	1,920	
Tax Exempt Tournament	1,633	4.0%	48,754	4.0%		1,222	37,394	
Other Cart	124	0.3%	2,231	0.2%		177	3,184	
Replay 18 Holes	10	0.0%	180	0.0%		4	72	
Replay 9 Holes	9	0.0%	107	0.0%		10	119	
<b>TOTALS FOR OTHER DISCOUNTED RACK RATES</b>	<b>22,657</b>	<b>55.4%</b>	<b>\$ 689,093</b>	<b>57.2%</b>	<b>\$ 30.41</b>	<b>22,094</b>	<b>\$ 624,171</b>	<b>\$ 28.25</b>
<b>TOTALS FOR ALL RACK RATES</b>	<b>29,795</b>	<b>72.9%</b>	<b>\$ 997,553</b>	<b>82.8%</b>	<b>\$ 33.48</b>	<b>30,311</b>	<b>\$ 966,547</b>	<b>\$ 31.89</b>
Member 18 Hole cart	4,758	11.6%	85,596	7.1%		3,738	67,247	
9-Hole Member Cart Rate	417	1.0%	4,971	0.4% **		421	5,018	
Trail Fee	303	0.7%	-	0.0%		330	-	
Membership pro rated income	0	0.0%	117,305	9.7%		0	94,936	
Member walk	5,599	13.7%	-	0.0%		4,709	-	
<b>TOTALS FOR ALL MEMBER ROUNDS</b>	<b>11,077</b>	<b>27.1%</b>	<b>\$ 207,872</b>	<b>17.2%</b>	<b>\$ 18.77</b>	<b>9,198</b>	<b>\$ 167,201</b>	<b>\$ 18.18</b>
<b>TOTALS FOR ALL PAID ROUNDS THRU 9/30/2008</b>	<b>40,872</b>	<b>100.0%</b>	<b>\$ 1,205,425</b>	<b>100.0%</b>	<b>\$ 29.49</b>	<b>39,509</b>	<b>\$ 1,133,748</b>	<b>\$ 28.70</b>
Employee Rounds	588		-			662		
Comp rounds	23		-			62		

