



CITY OF MIAMI SPRINGS, FLORIDA

CITY CLERK'S SUMMARY OF COUNCIL ACTIONS

Regular Meeting of Monday, August 22, 2011 - 7:00 p.m. – Council Chambers

AGENDA

ITEM #

SUBJECT

ACTION TAKEN

- | | | |
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| 1. | Call to Order/Roll Call | All present. The meeting was called to order at 7:17 p.m. |
| 2. | Invocation | Offered by Councilwoman Ator. |
| | Salute to the Flag | The audience participated. |
| 3. | Awards & Presentations | |
| 3A) | Presentation by School Board
Member Renier Díaz de la Portilla | Viviana Jordan of 1450 N. E. 2 nd Avenue was present on behalf of District 5 School Board Member Renier Diaz de la Portilla. She reported that Board member Diaz de la Portilla visited several schools during the first day of school, including the new Academy for International Education Charter School.

Ms. Jordan gave an update on a number of School District plans and anyone who would like more information should call 305.995.2328 or e-mail her at viviana_jordan@dadeschools.net .

Ms. Jordan congratulated the elementary and middle schools on their 2010-2011 A and B grades. |

- 3A) Presentation by School (Continued) Ms. Jordan noted that the School Board approved a millage rate decrease for the upcoming fiscal year.
- Ms. Jordan encouraged everyone to visit www.news.dadeschools.net/toolkit1112.html for all information on back to school and different programs that support students' needs, as well as for important dates and school policies.
- 3B) Proclamation – Constitution Week Mayor Garcia proclaimed September 17 through September 23, 2011 as “Constitution Week” marking the two hundred twenty-fourth anniversary of the drafting of the Constitution of the United States.
- Councilwoman Ator accepted the proclamation on behalf of the John McDonald Chapter of the Daughters of the American Revolution.
- 3C) Proclamation – Alzheimer’s Assoc. 2011 Miami-Dade Walk Mayor Garcia read a proclamation recognizing Saturday, October 29, 2011 as “Alzheimer’s Association 2011 Miami-Dade Walk to End Alzheimer’s Day”.
- Mr. Bill Sussman, Board member of the Alzheimer’s Association of South Florida and Chair of the 2011 Walk to end Alzheimer’s spoke about the seriousness of the disease explaining that Congress passed the National Alzheimer’s Project Act to support funding for Alzheimer’s. He explained that The City Challenge is a 3.2 mile walk that will be held on Saturday, October 29th in Coral Gables with the opening ceremony at 8:15 a.m., followed by the walk at 9:00 a.m. There is no cost to participate, although donations will be accepted.

3D) Proclamation – Pastor Albert R. Schmidt Day

Mayor Garcia announced that he will be presenting a proclamation on Sunday, August 28th in honor of “Pastor Albert R. Schmidt Day”.

3E) Presentation from the Chamber of Commerce

Chamber of Commerce President Francisco Arguelles stated that the Chamber has thirty members and they are excited about the upcoming year. He introduced Treasurer Ed Perez and Secretary Nancy Voye.

Mr. Arguelles reviewed last year’s accomplishments and plans for the upcoming year. He explained that the Chamber would like to explore a joint project with the Greater Miami Convention and Visitors Bureau and the Greater Miami Hotel Association in order to attract the overflow from the beach area to the Miami Springs hotels. Another project that is planned is called “Just Around the Corner” in which Miami Springs High school students would film videos to highlight local businesses each month.

Mr. Arguelles said that the Chamber is planning a marketing campaign of local restaurants and businesses, ribbon cutting ceremonies, the Hometown Holiday Shopping Week from November 28th to December 3rd, “Month of Love” to promote local establishments for wedding receptions and monthly networking events to increase awareness of the City and surrounding areas. In addition, the Chamber is proposing to sponsor the Miami Springs Farmers’ Market each Saturday from Nov 5th through December 10th.

3E) Presentation from the Chamber of Commerce (Cont.)

Chamber of Commerce Treasurer Ed Perez presented information and a budget for the Farmers' Market and requested City support and involvement for the event that will give exposure to the businesses and provide enjoyment for the residents. The total cost is \$21,650.00 or \$3,600 per event.

Mayor Garcia explained that since this was only a presentation, discussion of the Farmers' Market would have to be scheduled as an agenda item.

4. Open Forum:

Miami Springs Optimist Club

Mayor Garcia stated that it is a tough time for finances and the non-profit organizations are having difficult times as well, but the Optimist Club never says "no" to anyone. He explained that they have an annual fishing tournament that is very successful and they sell raffle tickets for all non-profit organizations as a vehicle to raise funds.

Optimist Club member Bill Tallman stated that organizations that are committed can raise money through the raffle program and this year the organization assisted in raising more than \$6,000, including \$3,570.00 to Faith's Place. Robert Vico from the Optimist Club presented a check to Rebeca Perez and Mike Gavila for Faith's Place Outreach for Autism.

Curtiss Mansion, Inc. (CMI)

CMI President Jo Ellen Morgan Phillips of 372 De Leon Drive read a letter into the record advising Council that the CMI Board had met and decided not to pursue the historic tax credit agreement in order to be able to open the Curtiss Mansion as planned in October. She assured Council that they will actively continue their fund raising efforts to secure the funds needed to finalize parking, lighting and landscaping in order to obtain a Certificate of Occupancy.

- 4) Curtiss Mansion, Inc. (Continued) Former Mayor Richard Wheeler commented that there is a tremendous challenge for CMI to raise the funds and urged everyone to work together.
5. **Approval of Council Minutes** *(Simultaneously approved)*
- 5A) 08-08-2011 Regular Meeting Minutes of the August 8, 2011 Regular Meeting were **approved as written.**
Motion: Councilman Lob
Second: Councilman Espino
Vote: 5-0
- 5B) 08-15-2011 Workshop Meeting Minutes of the August 15, 2011 Workshop Meeting were **approved as written.**
Motion: Councilman Lob
Second: Councilman Espino
Vote: 5-0
6. **Reports from Boards & Commissions**
- 6A) Golf and Country Club Advisory Board Minutes of the August 10, 2011 Golf and Country Club Advisory Board meeting were received for information without comment.
- 6B) Board of Parks and Parkways Cancellation Notice of the August 11, 2011 Board of Parks and Parkways meeting was received for information without comment.
- 6C) Board of Adjustment Cancellation Notice of the September 5, 2011 Board of Adjustment meeting was received for information without comment.
- 6D) Zoning and Planning Board Cancellation Notice of the September 5, 2011 Zoning and Planning Board meeting was received for information without comment.
- 6E) Golf and Country Club Advisory Board Cancellation Notice of the September 14, 2011 Golf and Country Club Advisory Board meeting was received for information without comment.

7. **Public Hearings:**

7A) Second Reading:
Ordinance No. 1023-2011

On second reading, Council **adopted** an ordinance amending Code of Ordinance §31-11, Purchasing, Procurement and Sale Procedures; by adding thereto a provision to permit City “Piggybacking” purchasing from private sector cooperative purchasing and not-for profit companies.

Motion: Councilwoman Ator

Second: Vice Mayor Best

Vote: 5-0

7B) Second Reading:
Ordinance No. 1024-2011

On second reading, Council **adopted** an ordinance repealing Chapter 33, Conflict of Interest; Code of Ethics; Lobbying of the Code of Ordinances of the City of Miami Springs, containing Code Sections 33-01 through 33-20; enacting new Chapter 33, Conflict of Interest and Code of Ethics; enacting Code of Ordinance Section 33-01, adoption of conflict of interest and code of ethics ordinance of Miami-Dade County.

Motion: Councilman Lob

Second: Councilwoman Ator

Vote: 5-0

7C) Second Reading:
Ordinance No. 1025-2011

On second reading, Council **adopted** an ordinance repealing Code of Ordinance Section 150-005, Alcoholic Beverages; by repealing the current ordinance provisions and enacting new Code of Ordinance Section 150-005, authorization for endorsement of applications for State of Florida alcoholic beverage licenses.

Motion: Vice Mayor Best

Second: Councilman Espino

Vote: 5-0

- 8. Consent Agenda: (approved with one motion)**
- 8A) Aetna Group Medical Insurance for Employees and Dependents
 Council **waived** the competitive bid process and **approved** an expenditure of \$1,168,000.00 to Aetna, for group medical coverage for employees and their dependents, pursuant to Section 31.11 (E) (6) (g) of the City Code and pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period.
Motion: Councilwoman Ator
Second: Councilman Lob
Vote: 5-0
- 8B) Racquetball Courts Roof Repairs: Unlimited Roofing Services, Inc.
 Council **approved** an expenditure to Unlimited Roofing Services, Inc., the lowest responsible proposer, in an amount not to exceed \$6,450.00, for repairs of the roof at the racquetball courts, pursuant to Section 31.11 (C) (2) of the City Code.
Motion: Councilwoman Ator
Second: Councilman Lob
Vote: 5-0
- 8C) Structural and Civil Engineering Plan Reviews: Lonsdale Associates
 Council **waived** the competitive bid process and **approved** an expenditure not to exceed \$2,400.00, on an "as needed" basis, to Lonsdale Associates, for the annual costs of conducting structural and civil engineering plan reviews, pursuant to Section 31.11 (E) (6) (g) of the City Code.
Motion: Councilwoman Ator
Second: Councilman Lob
Vote: 5-0
- 9. Old Business:**
- 9A) Advisory Board Appointments None

- 9B) Presentation by Bill Busutil:
Strategic Planning
- Bill Busutil gave a Power Point presentation regarding strategic planning and Council **directed** the Administration to obtain quotes to find a facilitator to move ahead.

Agenda Item 9F discussed at this time.

- 9C) Amendments to Code §102-01 –
Re-Occupancy Certification
- Council discussed proposed amendments to Code Section 102-01 and **directed** the City Attorney to draft the proposed language.
- 9D) Red-Light Camera System
- Council **waived** the competitive bid process, **awarded** a contract to American Traffic Solutions (ATS) for installation of red-light cameras in the City of Miami Springs, pursuant to Section 31.11 (E) (6) (g) of the City Code, and **authorized** the Administration to execute the contract with American Traffic Solutions.
Motion: Vice Mayor Best
Second: Councilwoman Ator
Vote: 5-0

Agenda Item 10C discussed at this time.

- 9E) Resolution No. 2011-3520:
CDBG Grant – FY201202014
- Motion to **deny** a resolution authorizing the proper officers and officials of the City to execute an Urban Qualification Cooperation Agreement for the Miami-Dade County Community Development Block Grant and Home Investment Partnerships Program Funds for Fiscal Years 2012, 2013 and 2014, between the City of Miami Springs and Miami-Dade County, which provides conditions and covenants for the participation of the City in the Community Development Block Grant, Home Investment Partnerships and Emergency Shelter Grant Programs which are administered by the Department of Housing and Urban Development (HUD) and Miami-Dade County; Authorizing Participation in the Grant Programs.

- 9E) Resolution No. 2011-3520: (Cont.) **Motion:** Councilman Espino
Second: Councilwoman Ator
Vice Mayor Best: “no”
Councilman Espino: “aye”
Councilman Lob: “aye”
Councilwoman Ator: “aye”
Mayor Garcia: “aye”
Vote: 4-1
- 9F) Recommendations from the Revitalization and Redevelopment Ad-Hoc Committee
Revitalization and Redevelopment Ad-Hoc Committee Member Joe Valencia and Architectural Review Board Member Juan Calvo **discussed** the Board’s recommendations for university students to take on a design project to test the Code for N. W. 36th Street. Mr. Calvo will contact the Dean at the University of Miami to formalize a proposal and come back with a response. Mr. Valencia will contact Miami-Dade College to see if they are interested in designing a building within a property and provide documentation on the concept of an architectural design competition.

Agenda Item 9D discussed at this time.

- 9G) Update -- 85th Birthday Party Council **received** an update regarding the activities to celebrate the City’s 85th birthday.

10. New Business:

- 10A) Recommendation from the Golf and Country Club Advisory Board Council **requested** additional information on the cost associated with free weekday memberships for residents, how much revenue is currently generated for weekday play, and how many current members are residents. The City Manager offered to present a cost analysis for the next budget workshop meeting.

10B) First Reading:
Ordinance No. 1026-2011

On first reading, Council **approved** an ordinance amending Code of Ordinance Section 150-092, Nonconforming Uses, by adding thereto a provision to exempt existing single family residential homesite properties from variance requirements created by a long-standing nonconformity of the width, depth or total area of the homesite Property.

Motion: Vice Mayor Best

Second: Councilman Espino

Vote: 5-0

10C) Phone System – Voice Over
Internet Protocol (VoIP)

Council **approved** an expenditure to ITC Group, the lowest responsible bidder, in the amount of \$24,313.00, for the Voice Over Internet Protocol (VoIP) Phone System, pursuant to Section 31.11 (C) (2) of the City Code.

Motion: Councilman Lob

Second: Councilman Espino

Vote: 5-0

Motion to **approve** using the Law Enforcement Trust Fund (L.E.T.F.) account in the amount of \$9,384.82.

Motion: Vice Mayor Best

Second: Councilman Lob

Vote: 5-0

10D) Comprehensive Planning
Services: La Rue Planning

Council **approved** an amended contract, in the amount of \$15,000.00 for comprehensive planning services with LaRue Planning and Management Services to assist the City in initiating the plan amendment phase under the new State expedited review process.

Motion: Councilman Espino

Second: Councilwoman Ator

Vote: 5-0

11. Other Business:

11A) Follow-up to Budget Workshop Council **received** additional information regarding their questions from the budget workshop of August 15, 2011.

Agenda Item 9C discussed at this time

Motion to **extend** the meeting for 5 minutes.
Motion: Councilman Lob
Second: Councilman Espino
Vice Mayor Best: "aye"
Councilman Espino: "aye"
Councilman Lob: "aye"
Councilwoman Ator: "no"
Mayor Garcia: "aye"
Voice Vote: 4-1

12. Reports & Recommendations:

12A) City Attorney

Curtiss Mansion

City Attorney Seiden referred to CMI's recommendation to stop the process to obtain tax credit funds for the Curtiss Mansion and asked for direction from Council as to whether he should contact Mr. Chaves to notify him of the latest developments. He suggested scheduling this matter as an agenda item. He would not call Mr. Chaves.

City Manager Borgmann suggested calling Mr. Chaves to tell him not to do anything more until he hears from the City Attorney after the next meeting.

Councilwoman Ator said that she spoke with Ms. Morgan Phillips and that she contacted Mr. Chaves to ask what is going on. The response was that they are proceeding forward with the intent that the City will retain control, but there was no explanation as to how it would work.

12A) Curtiss Mansion (Continued)

Councilman Espino stated that based on CMI's recommendation, Council must choose whether or not to agree with them. He questioned whether or not a decision could be made now because the item was not on the agenda. He asked if Council could give consensus.

City Attorney Seiden agreed with Councilman Espino that he would like consensus and it should also be an agenda item. It would be unfair to not let them know because they are soliciting opinions from their own tax counsel and probably incurring costs. They should be put on notice that it is likely that the process will not be followed through.

To be scheduled as an agenda item for the next meeting.

12B) City Manager

Back-to-School

City Manager Borgmann reminded everyone that school is back in session and to drive safely.

Don Bower

City Manager Borgmann announced the untimely passing of Don Bower, who he has known since he was fifteen years old. He extended his condolences to the family.

Hurricane Irene

City Manager Borgmann reported that Hurricane Irene is strengthening. Residents should keep informed and have a 3-day personal plan in effect because no governmental agency can respond within the first 72 hours. If the storm turns west there will be an issue by Thursday. He urged everyone to take the necessary precautions.

12C) City Council

Don Bower

Councilwoman Ator announced that Don Bower's funeral will be held at 10:00 a.m. on Wednesday, August 24th at All Angels Church.

Back-to-School Event

Councilman Espino extended congratulations to the Optimist Club and to J. R.'s Gourmet Burgers for a great back-to-school event. He wished everyone good luck in the new school year.

85th Birthday Celebration

Mayor Garcia reminded everyone to get ready for the 85th Birthday Celebration this weekend on Saturday, August 27th and to invite people outside of the City to join in this wonderful event.

13. Adjourn

Meeting adjourned at 11:04 p.m.