



## *City of Miami Springs, Florida*

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

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

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

The following were present:

- Mayor Xavier M. Garcia
- Vice Mayor Dan Espino
- Councilwoman Jennifer Ator (arrived at 7:31 p.m.)
- Councilman Bob Best
- Councilman George V. Lob

Also Present:

- City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Finance Director William Alonso
- Golf Director Michael W. Aldridge
- Golf Superintendent Sandy Pell
- Recreation Director Omar L. Luna
- Public Works Director Robert Williams
- Public Works Administrative Assistant Aly Paz
- Building & Zoning Office Supervisor Harold "Tex" Ziadie
- Deputy City Clerk Suzanne Hitaffer

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

##### **Funding Request**

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

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

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

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

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

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

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

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

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

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

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

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

### **Alcoholic Beverage Request**

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

\*Councilwoman Ator arrived at this time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. **Public Hearings:** None.

8. **Consent Agenda:** None.

9. **Old Business:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Councilman Lob asked if barbeques were considered for the pavilions.

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

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

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

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

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

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

Councilwoman Ator clarified that Mr. Luna is using funds from the Public Works budget and Councilwoman Ator was concerned about spending the City tree budget for trees for the Recreation Department and she wanted to make sure the amount was limited to \$2,600.00.

City Manager Gorland agreed that they are not asking for additional funds.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City Attorney Seiden read the title of the resolution.

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



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

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

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

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

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

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

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

Finance Director Alonso confirmed that Councilwoman Ator was correct.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **10. New Business:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City Attorney Seiden read Amendment No. 3:

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

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

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

City Attorney Seiden read Amendment No. 4:

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Examples of canopies were presented as attachments to the memorandum.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**11. Other Business:**

None.

**12. Reports & Recommendations:**

**12A) City Attorney**

None.

## **12B) City Manager**

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

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

### **Little League Parade**

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

### **Archery Tournament**

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

### **Art Exhibit**

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

### **Wine and Cheese**

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

### **Scholarship Luncheon**

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

## **12C) City Council**

### **Movie Night**

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

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

### **Condolences**

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

### **Congratulations**

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

### **Charter School Walk**

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

### **State of the County**

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

### **Relay for Life**

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

### **Walk for Autism**

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

### **School Board Announcement**

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



### **Farmers' Market**

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

### **Presentations**

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

### **Black History Month**

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

### **Little League**

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

### **Marlins Fun Fest**

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

### **Charter School**

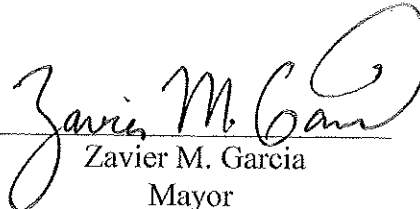
Mayor Garcia said that he attended the Charter School to speak with the 2<sup>nd</sup> and 3<sup>rd</sup> grade students. He is advocating for civics involvement at the schools.

### **Condolences**

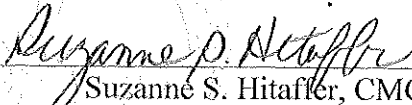
Mayor Garcia said his prayers go out to all of the families in Miami Springs that have had a loss in their families.

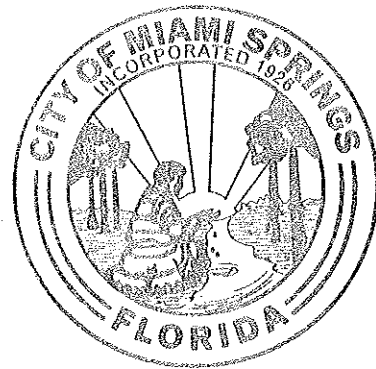
**13. Adjourn.**

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

  
Zavier M. Garcia  
Mayor

**ATTEST:**

  
Suzanne S. Hitaffer, CMC  
Deputy City Clerk



Approved as amended during meeting of: 3-12-2012.  
Page 11, 4<sup>th</sup> paragraph  
Page 32, 5<sup>th</sup> paragraph

Transcription assistance provided by Elora R. Sakal.

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