



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, March 26, 2012, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:02 p.m.

The following were present:

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

Also Present:

- City Manager Ronald K. Gorland
- Asst. City Mgr./Finance Director William Alonso
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- City Clerk Magali Valls

2. Invocation: Vice Mayor Espino offered the invocation.

Salute to the Flag: Students from All Angels' Academy led the audience in the pledge of allegiance to the flag.

Mayor Garcia presented baseball caps to the students who participated. He asked Ms. Alexander to explain the trip that some of the students went on recently.

Ms. Alexander stated that some students went on a three-state, three-city, and nine-day adventure to Boston, New York and to Washington, D.C.

Mayor Garcia stated that Ms. Alexander planned the trip with some help from the school and she is responsible for the fundraising to take the kids on what some would say is a vacation, but it is really a learning experience.

3. Awards & Presentations:

3A) Pioneer Resident Award – Sandra Dahlmann

Mayor Garcia presented the Pioneer Resident Award to Sandra Dahlmann in recognition of her many valuable contributions to the community and for having the vision to recognize the beauty and potential of the City of Miami Springs.

Ms. Dahlmann stated that she had lived in the City since 1945, and would not live anywhere else. She was a past President and has been a member of the Miami Springs Historical Society for many years and her husband Tom Snook is the current President. She recognized the presence of Mary Ann Goodlett-Taylor, the curator of the Museum, and Jo Ellen Morgan Phillips, President of Curtiss Mansion, Inc.

Ms. Dahlmann announced that the Curtiss Mansion would be opening on Sunday, April 1st and she invited everyone to attend from 1:00 to 5:00 p.m.

Mayor Garcia commented that the Pioneer Resident Award is very precious to him because many folks have lived in the City for many years that he is honored and blessed to know. He thanked Ms. Dahlmann for being a Pioneer Resident.

3B) Presentation by Leadership Miami Regarding a Community-Wide Effort for Veterans Link-Up

Ben Wilson and René Acosta, members of the Leadership Miami Program with the Miami Chamber of Commerce presented an overview of the program that exposes members to all areas of Miami and teaches how the County and cities work together.

Mr. Wilson explained that as part of the program, they are required to conduct a volunteer project to benefit different charities and they selected a project called "Veteran Link-Up" that is a local charity that provides numerous services to veterans. There are many veterans who currently live here and more that will be coming soon.

Mr. Wilson reviewed the different services that the charity has to offer to veterans through a video and PowerPoint presentation. He said that out of the millions of veterans in the United States, Florida ranks second in the nation in the number of veterans per capita, third in the nation for the number of female veterans and second in the nation with the highest number of homeless veterans. He noted that there are many military installations throughout the State of Florida.

Mr. Wilson explained that there are 1.6MM armed forces members that have served in Iraq and Afghanistan who will be coming home and they will have to re-adjust to civilian lifestyle, including the securing of jobs and continuing to be fathers and mothers, which is not an easy adjustment for many. Mental health is the second largest illness of the 870,000 people returning and 40% have sought treatment for some type of depression, while 60% have received minimal care or no care at all.

Mr. Acosta stated that Veterans Link-Up is a 501-C-3 corporation that was established in 2009, and currently serves veterans primarily in the Miami-Dade County community. The main reason for making the public service announcement at various municipal meetings is because they want to spread the word about the organization through City websites and different media outlets. The mission of the organization is to build a partnership of military and civilian service providers in southeast Florida by providing comprehensive services. The organization works as a referral network program, offering innovative programs, direct services, communication and awareness training.

Mr. Acosta introduced Sabrina Figuerora from the Veterans Link-up program.

Mr. Wilson announced that a Veterans Picnic would be held at Tropical Park on Sunday, April 1st from 1:00 to 4:00 p.m. with food and events.

Vice Mayor Espino thanked the volunteers for their presentation and advised them that the recording of the meeting would be on the City website and on cable Channel 77.

Councilman Lob suggested that there could be a link to the City's website to help spread the word.

Mr. Wilson explained that the presentation is on the laptop computer and it could be placed on the City's website.

Councilman Best mentioned that he is a veteran and he is thankful for the efforts of Veteran Link-Up.

4. Open Forum:

Advertisements

Former Councilwoman Helen Gannon of 219 Miami Springs Avenue distributed ads that were published for St. Patrick's Day.

Former City Manager

Ms. Gannon said that she misses former City Manager James R. Borgmann.

Elevator Mirror

Ms. Gannon commented that the mirror was not replaced in the City Hall elevator and she hopes that it can be fixed.

Debra Ferrero

Ms. Gannon introduced her daughter Debra Ferrero who is 53 years old and she became a registered voter when she was 33 years old, with the assistance of City Clerk Magali Valls.

Woody's Tavern

Ms. Gannon spoke about the Woody's Tavern article in the River Cities Gazette for a 16-hour block party for St. Patrick's Day. She said that Woody's Tavern is a bar in a residential section of the City and it has recently changed. She displayed photographs of the establishment and explained that a school is one-half block away and now Woody's has a liquor license. She noted that the bar is also close to an apartment house and the bands played until 3:00 a.m. on St. Patrick's Day, disturbing the neighbors who could not sleep. She alleged that emergency access was blocked to the residential homes during the event. She asked if the noise ordinance had changed.

Mayor Garcia referred Ms. Gannon to the City Manager who would respond to her questions.

Ms. Gannon expressed her concern about declining property values due to nuisances in residential neighborhoods. She added that the City has many restaurants and it is not fair to bring in food trucks and people should rent the Circle for special events.

Curtiss Mansion

Ms. Gannon distributed historical information regarding Glenn Curtiss and the Curtiss Mansion, in light of the grand opening event on Sunday, April 1st.

Loeb & Son Foundation

Grace Loeb of 250 East 2nd Avenue, Hialeah, thanked the Mayor and Council for the opportunity to speak to them about her son who has a very unique syndrome. She explained that she created the Loeb & Son Foundation for the purpose of fighting rare diseases that affect 30MM Americans. She asked everyone to unite and become involved since it cannot be done alone and awareness is the biggest issue. She urged the City to bring awareness to the entire State of Florida and the world in order to fight rare diseases.

Ms. Loeb discussed future community impact events and celebrations.

Woody's Tavern

Carl Malek of 333 Corydon Drive, Apartment 5, mentioned that he is an employee at Woody's and the St. Patrick's Day music shut down at approximately 12:30 a.m.; it did not last until 3:00 a.m.

Springs River Festival

Carl Malek stated that he is planning a street clean-up at 9:00 a.m. on Saturday, April 7th before the Springs River Festival.

5. Approval of Council Minutes:

5A) 03-12-2012 – Regular Meeting

Minutes of the March 12, 2012 Regular Meeting were approved as amended.

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

6. Reports from Boards & Commissions:

6A) 03-08-2012 – Board of Parks and Parkways – Minutes

Minutes of the March 8, 2012 Board of Parks and Parkways meeting were received for information.

City Attorney Seiden requested, and received permission, to write an explanatory memorandum to the Board of Parks and Parkways in regard to issues raised in their discussions that he feels should be addressed.

6B) 03-15-2012 – Historic Preservation Board – Minutes

Minutes of the March 15, 2012 Historic Preservation Board meeting were received for information without comment.

6C) 03-22-2012 – Code Review Board – Cancellation Notice

Cancellation Notice of the March 22, 2012 Code Review Board meeting was received for information without comment.

7. **Public Hearings:**

None.

8. **Consent Agenda:**

None.

9. **Old Business:**

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

Councilman Best (Group I) **re-appointed** Charles Hill to the Historic Preservation Board for a full 3-year term ending on February 28, 2015.

Councilman Lob (Group III) **re-appointed** Michael Windrem to the Historic Preservation Board for a full 3-year term ending on February 28, 2015.

Councilwoman Ator (Group IV) **appointed** Rosie Buckner to the Disability Advisory Board for a term ending on December 31, 2013.

(Agenda Item 10H was considered before 9B)

9B) Presentation from Bill Busutil for Adoption of the Strategic Plan

Bill Busutil explained that he would discuss what the City should do to make the Strategic Plan work as a blueprint going forward. Through a PowerPoint Presentation he explained how the plan was developed and said that there were several community forums for business owners and residents and a special forum for seniors. There were several work sessions with staff both in framing the way the strategic plan was going to move forward and eventually framing the content of the plan itself.

Mr. Busutil commented that the Draft Strategic Plan was placed on the City's website and there were not many responses and they were generally supportive. He said that one of the elements in the plan is a set of core values which represent what the City stands for. He suggested that it may be useful in the near future to consider having a workshop with Council and Staff to articulate a mutual understanding of what the core values really mean.

Mr. Busutil stated that the City has different areas in the strategic plan where there are objectives and key performance indicators. Some of those objectives would be useful to develop detailed business plans to support some of the objectives. He suggested that Council should consider establishing a baseline data for selected objectives.

Mr. Busutil said that it would be important for Staff and Council to identify the high priority strategies that the City wants to move forward with and to launch them right away. He noted that developing a progress reporting schedule from staff would be beneficial. He would like Council to consider linking strategic personnel performance evaluations.

Mr. Busutil said that he is excited for the City and it is very important that the City succeeds.

Mayor Garcia commented that the Strategic Plan was wonderful and thanked him.

Vice Mayor Espino moved to approve the Strategic Plan as presented and to give the City Administration authority to begin the work on the implementation steps that were provided in the general parameters provided in the guidelines. Councilman Best seconded the motion.

Vice Mayor Espino thanked Mr. Busutil. He said that the City is laying down a serious foundation for continuity on some of the larger issues that are going on in Miami Springs, including recreational needs, as well making sure that there is an ongoing movement on economic development in a number of areas.

Councilwoman Ator stated that she is also pleased with the results, but she noticed some spelling errors and would like to make sure that the document is proof read so that all the grammar is correct before it is submitted to the public.

Councilman Best thanked Mr. Busutil for his time and dedication on this project. He also noted the grammatical errors and hopes that they are corrected.

Vice Mayor Espino clarified for Councilwoman Ator that the recreation plan is an example with some general guidance using the various bullet points with regards to the implementation. The Recreation Master Plan has not been brought up for conversation and that is part of the process going forward.

Councilman Lob thanked Mr. Busutil and stated that it was an important step to begin the strategic planning process and he would like to continue it.

Mayor Garcia recognized Vice Mayor Espino and Councilman Lob for their time and effort to host workshops and seminars a couple of years ago to get the public involved.

The motion was carried unanimously on roll call vote.

Agenda Item 9c discussed after Agenda Item 10F.

9C) Education Advisory Board Recommendation Regarding Letters to Students Recognizing Exemplary Citizenship (Tabled: 3-12-2012)

City Manager Ronald K. Gorland read the memorandum from Mayor Garcia to the Education Advisory Board members dated March 20, 2012, in regard to letters to students recognizing exemplary citizenship. Since the recognition would be for good deeds and nice gestures towards others that students may have done, the Mayor suggested that the school submit the names of the students to the Education Advisory Board while they present the school reports during the monthly meetings. This way Council will learn about the student and he would issue a special certificate award or proclamation that he feels is appropriate.

Mayor Garcia advised Council that the Board approved his recommendation and it is a good idea to recognize the kids for good citizenship.

10. New Business:

Agenda Item 10A discussed after Agenda Item 10E.

10A) Recommendation to Have Disaster Operations & Training Update the City's Disaster Management Plan for the Upcoming 2012 Hurricane Season at a Cost Not to Exceed \$7,162.50

City Manager Ronald K. Gorland read the memorandum recommending that Council approve an expenditure of \$7,162.50 to Disaster Operations and Training (DO&T) for the update of the City's Disaster Operations Plan for the upcoming 2012 hurricane season.

City Manager Gorland stated that DO&T was contracted a few years ago to provide a variety of professional services associated with disaster management, debris monitoring, debris recovery and similar services. They will assist the City with the cleanup, as well as the communications with FEMA in order to get the City's reimbursements paid on a timely basis. The last update of the plan was performed in FY 2010, and another update is required at this time since the City has acquired new property, including the Curtiss Mansion and other facility improvements and equipment.

City Manager Gorland recommended approval of the plan update in the amount of \$7,162.50, with funding to be derived from the available fund balance, as it is not a budgeted expense.

Councilman Best commented that several years ago, Council and the City Administration were required to take several FEMA disaster courses as a result of Hurricanes Katrina and Wilma. He asked what had changed since that time.

Gabrielle Benigni, President, Disaster Operations & Training, Inc., responded that Councilman Best was referring to the Incident Command Structure (ICS) NIMS classes. She explained that the difference is that FEMA has guidelines for reimbursement of certain categories and then they track recovery. The guidelines for reimbursement are so stringent on the documentation that exists on all assets, including buildings and equipment, parks and recreation, streets, roads and bridges that when a disaster occurs the City Staff is inundated handling the disaster and the documentation needs to be there on pre-disaster status and condition of the financial assets of the City. The debris removal is separate, ongoing and they all tie together.

Ms. Benigni further explained the process after a disaster that it is critical to the City receiving a federal declaration for reimbursement from FEMA. She added that the Debris Management Plan is a requirement of FEMA guidelines and debris removal contractors and debris monitoring contractors must be in place before a disaster.

Councilman Best felt that in the time of a disaster, all the contracts and plans will exist, the same as they existed during Hurricanes Wilma, Katrina and Andrew. He added that the City performed well in how they responded to those emergencies, in addition to the reimbursements that were requested from FEMA. He questions why the City needs to spend \$7,000 for something that might already be in place.

Ms. Benigni explained that there are two items that total \$7,000; one is the Debris Management Plan update and the second is the Assets and Resources Infrastructure update. The Debris Management Plan update is a requirement, since the City contracted with a new debris removal contractor and a debris management training session must be held prior to the hurricane season. Even though the City performed very well back in 2004 and 2005, there were some problems and that is why she was hired as a consultant to assist in some of the legal issues with the performance of the debris removal contractor.

Ms. Benigni stated that during the meeting with the contractor they discussed the mobilization of the emergency road clearing and the available equipment. She explained that there must be coordination of the efforts because the City receives 100% reimbursement for the first 72-hours after the storm passes for the use of City equipment and crews. The Chief of Police must also coordinate traffic control with the debris removal efforts and this must be in place in the debris plan, including a contract with the off-duty officers. She emphasized that updating the Disaster Operations Plan could save hundreds of thousands of dollars.

Ms. Benigni added that FEMA requires road maintenance records to be in place and on hand for damage assessments in order to approve reimbursements. The rules have changed since 2005, and the Debris Management Plan is more critical to FEMA, especially at the EOC level.

To address Councilman Best's concern, Ms. Benigni said that post-disaster damage assessments must be coordinated and communicated to the EOC properly. The debris estimates are very critical and if the debris is not fully estimated the City could miss a federal declaration on Category A and not be paid for it. It is also critical to mobilize the proper equipment and the number of crews. The road clearing priority maps also must be updated and approved by the Chief of Police.

Councilman Best asked what is being done in addition to what the City already has in place.

Ms. Benigni replied that the Debris Management Plan is a requirement of FEMA; the plan ties in the policies, procedures and operations for the monitoring contractors to gather the information from the City, verify all the force labor and force equipment being used, including the Police Department. They also verify the daily emergency road clearing tasks by the contractors, including a monitor for every emergency road clearing crew and verification of the daily load tickets.

The debris storage reduction site has changed and should be updated in the plan as well, according to Ms. Benigni. If the Golf Course is used they must look at the permitting guidelines and the condition of the Golf Course before the disaster. They also handle the close out procedures for the debris removal and the contractor training.

City Attorney Jan K. Seiden stated that there was a significant problem in the past with FEMA that was related to failure to report properly. FEMA actually denied City claims totaling hundreds of thousands of dollars and one of the reasons is because there were no standards in place at the time in regard to the reconciliation of weights as opposed to truckloads of debris. There were three potential lawsuits and two were avoided through settlements. The City was saved from having to spend monies from its own pocket because FEMA denied the claims due to the inaccuracies of the weight.

Councilman Lob asked if spending \$7,000 could potentially save \$100,000 in case of a storm.

City Attorney Seiden explained that the disaster operation business is very specialized and Council must consider that the City spent a significant amount of money to prepare the disaster manuals. He asked to consider why Council would not want to approve a small amount of money to maintain and update the manuals. In addition, FEMA requires certain certifications when disasters happen, which does not leave much to be discussed.

Ms. Benigni stated that the City paid her very well for her consulting services to go back and review records and if the City had paid \$7,000 they would have avoided paying her \$30,000.

Vice Mayor Espino commented that if this plan had been in place years ago the City would have received FEMA monies a lot sooner.

City Attorney Seiden added that the litigation ended well, but there were preparations for the litigation in case it had moved forward and that is why the consultant was hired. He agreed with Vice Mayor Espino that if all the procedures had been in place at that time, FEMA would have paid the City for everything without any dispute about the amount of debris.

Mayor Garcia asked how frequently it is recommended to update the Disaster Operations Plan or if it is only required when changes are made.

Ms. Benigni responded that the update is required every couple of years; the City just went through a change in the Administration and the contractors changed for the debris removal. She explained that the plan should be sufficient until future changes are made.

Mayor Garcia said that during the budget process, the Administration should keep in mind that it costs approximately \$7,000 for an update, when needed. He reiterated that the update is important and it should be planned as part of the budget process, because right now the funds are not in the budget.

Mayor Garcia asked if the City does not meet the requirements in the next two months if they would stand to lose funding in case of a hurricane.

Ms. Benigni stated that it is not the requirements as much as it is having the procedures in place and the City Department Staff and contractors involved hold a meeting and agree on what will take place when a disaster happens. She can work with the City on the Debris Management Plan update, wait for the asset and resources and if a storm is coming they will take photographs, which could be a reimbursable item under Category B.

Mayor Garcia asked how long it would take to prepare the update if Council gives their approval.

Ms. Benigni responded that the update would take several weeks and it would involve several meetings with the original planner, obtaining maps and working with the Chief of Police. After the updates are complete, she will establish a meeting with the contractors to go over the Debris Management Plan rules and responsibilities.

Mayor Garcia asked if the City's existing plan could be implemented if a storm was coming anytime after today and September 30th.

Ms. Benigni responded that the existing plan could not be implemented. She is the monitoring contractor and she would update the plan as soon as a hurricane is hitting because she knows that FEMA will immediately ask for it and it must include the correct data or there will be a problem. The plan sets the guidelines for the training session with all parties involved.

Mayor Garcia explained that his concern was addressed because the recommendation is to update the plan now and not to wait until the budget process.

City Manager Gorland stated that the right way to proceed is to update the plan now, even though there might not be a hurricane.

Councilman Lob asked the Administration to make a note to set aside funding during the budget process each year so that the funds are available when the need comes up again.

City Manager Gorland pointed out that there is \$500,000 available in the Hurricane contingency fund.

Councilwoman Ator moved the item. Vice Mayor Espino seconded the motion which was carried 4-1 on roll call vote with Councilman Best casting the dissenting vote.

City Attorney Seiden added that when the Request for Proposals for debris removal was considered it involved five or six companies, and there are three companies under contract. He said that the contracts may extend beyond this year, with options for renewal.

City Attorney Seiden explained that the second and third companies under contract would be called in only if the first company could not perform or they needed assistance in performing. The first company is primary and the second company's contract states that they acknowledge that they have no contractual relationship with the City unless called upon, based upon additional services needed. The third contract has the same type of provision that is based upon the first two companies not being able to provide the service.

Mayor Garcia asked the Administration to let Council know the length of the contracts.

Agenda Item 10B discussed after Agenda Item 9C.

10B) First Reading – Ordinance No. 1033-2012 – An Ordinance of The City Council of The City Of Miami Springs Amending Code of Ordinance Section 150-025, Awnings and Canopies in All Zoning Districts, To Provide Clarifying Language to Better Differentiate and Describe Portable and Permanent Self-Supporting and Free-Standing Canopies; Establishing Rules and Regulations for the Location, Placement, and Installation of Self-Supporting and Free-Standing Canopies on Properties In the Single-Family Residential Zoning Districts of the City; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that he and Building and Zoning Office Director Ziadie held a discussion about the Code and there is a copy of his e-mail in the back-up documentation. The Director had suggested a change to the provision in Section (N) (2) (c) that deals with temporary or self-supporting and free standing canopies that do not require permanent anchoring to the ground or an approved cement slab, and shall be capable of being completely disassembled and stored within a period of three hours. In addition, such canopies shall not require permitting prior to placement and no canopies shall be permitted to be located in the front yard area.

City Attorney Seiden added language that such canopies may not be placed or located within the required side or rear yard setback areas of any single residential property. While this is appropriate for permanent structures, Director Ziadie suggested a provision stating that such canopies may not be placed except within 5-feet of any property line, either rear or side. Mr. Ziadie said that using the term "required side and rear setback" would effectively outlaw approximately half or more of the existing canopies, most of which are in the 25-foot required setback or the 10% side yard setback.

Vice Mayor Espino agreed with the proposed changes outlined by the City Attorney.

City Attorney Seiden commented that this would avoid having to legislate against people and having them remove the canopies and the suggested wording would deal with the issue in a less aggressive manner that is more appropriate, especially in a portable situation.

Mayor Garcia stated that he likes the Building and Zoning Office Director's recommendation.

City Attorney Seiden added that the proposed language would cut down the need for enforcement, because the original language that he proposed would have made all those canopies within the side-yard setback in violation. He has no objection in light of the canopies being portable, self-supporting and they can be taken down before a storm.

Councilman Lob moved to approve Ordinance 1033-2012, as amended, on first reading. Councilman Best seconded the motion which was carried 5-0 on roll call vote.

10C) Resolution No. 2012-3539 – A Resolution of the City Council of the City of Miami Springs Calling for the Holding of a Special Election for the City on Tuesday, August 14, 2012; Delineating the City Charter Questions for the Election Ballot; Providing Authorizations and Directions to the City Clerk; Effective Date

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

Attorney Seiden called attention to Section 3 with the two proposed ballot questions that were previously approved and by submitting the resolution to Miami-Dade County Elections Department now the questions can be placed on the ballot for the County Primary Election on August 14, 2012.

In regard to Vice Mayor Espino's seat and the potential of another election, City Attorney Seiden explained that the Miami-Dade County Elections Department would prefer a separate resolution that can be resolved at a later date.

City Attorney Seiden noted that he made the change suggested by Councilwoman Ator in both sections, which was adding "April" 2013.

Councilwoman Ator stated that she had spoken to the City Manager about the importance of having the ballot question for Council Group II and the Charter Amendment questions on the same ballot for the August Special Election in order to avoid having to pay for two separate elections. She asked the City Attorney if he believed that based on the timing for Vice Mayor Espino's resignation from his seat and the requirements of the Charter if all issues could be addressed in August.

City Attorney Seiden responded that he had preliminary conversations with the Vice Mayor who assured him that he will be making his decision in ample time for the City to have everything on the same ballot for the August Primary election.

Councilwoman Ator moved to adopt Resolution 2012-3539. Vice Mayor Espino seconded the motion which was carried 5-0 on roll call vote.

10D) Resolution No. 2012-3540 – A Resolution of the City Council of the City of Miami Springs Providing for the Third Amendment to FY 2011-2012 Budget; by Authorizing Certain Interfund Departmental Transfers and Appropriating Undesignated Reserves into General Fund Revenues to Cover Authorized and Approved General Fund Expenditures; Providing Intent; Specifying Compliance with Budgetary Processes and Procedures; Effective Date

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

Attorney Seiden referred to Whereas Clauses No. 2 and 3 that justify the funding and the legend on Exhibit "A".

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

Agenda Item 10E discussed after Agenda Item 9B.

10E) Curtiss Mansion (CMI) Soft Opening Event on April 1st – Request for Funding for MSPD and PW Costs and Approval for Partial Deer Run Street Closing

City Manager Ronald K. Gorland read the recommendation memorandum requesting approval of funding from CMI for Miami Springs Police Department costs of \$350.00, Public Works costs of \$300.00 and partial Deer Run street closing.

City Manager Gorland explained that while the event is not being held directly on the Circle, it is anticipated to have both an immediate and long term benefit to the Westward Drive/Circle businesses due to the 2,000 people that the event is expected to draw. Longer term benefits to all commercial areas are also expected as the Curtiss Mansion receives local, state, national and international recognition.

CMI is requesting closure of Deer Run from noon to 6:00 p.m. to all but local traffic in order to facilitate the success of the event, according to Mr. Gorland. They are proposing Curtiss Parkway median parking with shuttle services, as planned. The total funding request of \$650.00 is recommended to come from the Circle events fund which has approximately \$5,000 remaining for this fiscal year.

Councilwoman Ator said that she does not have an issue with the \$650 but she does not think that it should be taken out of the Circle fund because it sets a precedent for other events.

Councilman Best agreed with Councilwoman Ator about the funding because this is an activity outside of what is typically done on the Circle and he believes that the funding should come from elsewhere.

City Manager Ronald K. Gorland commented that he agrees that the event is not going to be on the Circle, however, the vast majority of the parking is going to be on Curtiss Parkway and the people will see the Circle and be exposed to it. The intent is to expose the Circle businesses. He understands that the event is not directly on the Circle and that was the criteria for the fund.

Mayor Garcia noted that if Council does not approve the expense from the Circle fund, the funds will have to come from somewhere else. He prefers to use the Circle funds and in the future maybe there could be a separate budget for events. He noted that the fund still has \$5,000 remaining.

City Manager Gorland agreed with the Mayor that the Administration could create another fund in the future during the budget process.

Vice Mayor Espino commented that there had been discussions and a recommendation to put a process in place to approve funding during particular windows of time. If Council were to start setting conditions now, it would be arbitrary at this point. He feels that the event will have an impact on Downtown and going forward parameters can be set for how the funds are used, or a separate fund could be created.

Councilman Best was satisfied with the City Manager's explanation relative to the creation of a separate fund, but he still feels that the event is not part of the Circle.

Vice Mayor Espino moved to approve the request as recommended. Councilman Lob seconded the motion.

Councilwoman Ator asked Assistant City Manager/Finance Director Alonso if there was \$650 in another account that could be put towards this event.

Mr. Alonso responded that aside from the Circle fund, there are funds in the General Fund balance.

Councilwoman Ator said that when she spoke with the City Manager he explained that he was asking for Council approval since the funds were to be taken from the Circle fund.

City Manager Gorland stated that there are ample funds in the General Fund to cover the \$650.00.

Councilman Best understood that the City Manager was requesting approval to use the Circle funds and obviously \$650.00 would have been within his discretion to approve out of the General Fund.

Councilwoman Ator reiterated that using Circle funds would be setting a precedent and it would open the door to anyone who wants to hold an event for any reason.

Mayor Garcia said that this is the first time the City has had a Circle budget and next year there will be other events that will not affect the Circle and a budget for those events can evolve. He noted that he is okay with special event funds coming from the Circle funds at this point because they will be creating a new budget in a couple of months.

Councilman Lob agreed with Mayor Garcia. He explained that Council was going to create a form so that people could apply for funding on a quarterly basis and it still has not been done. At some point, he would like to look into that idea because it would help to better allocate the funds, and people who are planning events would ask for approval in advance.

City Manager Gorland feels that most of the small funding requests are going to come at the last minute, like the Anchor event because they were not aware of the need for Police on the Circle. The Curtiss Mansion event is similar because CMI has not held an event of this magnitude and they were not aware of how the process works. He suggested continuing to advertise in order to advise people that there is funding available and to request funding ahead of time for annual events.

Vice Mayor Espino agreed that events will always come up at the last minute and part of the process should involve an outreach to all the clubs and organizations to let them know the appropriate time to request funding.

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

Jo Ellen Phillips of 372 De Leon Drive stated that this is not an opening and is a sneak preview of the Curtiss Mansion. She is very pleased to let everyone know what is coming up in the near future. Captain Barrington Irving is setting up for the Science Technology Engineering and Mathematics (STEM) Academy that will take place this summer.

Ms. Phillips said that Captain Irving will also be speaking at the event about his journey for knowledge that he will take next year. It is a four month tour around the world and he will be beaming down from 41,000 feet classroom instructions to classrooms around the world. His primary sponsors include The University of Miami, NASA and National Geographic. She noted that the soft opening will be quite a media event.

Ms. Phillips noted that the event will take place on Sunday, April 1st from 1:00 to 5:00 p.m.

Vice Mayor Espino asked if transportation was handled.

Ms. Phillips thanked Chief of Police Baan and the Police Department and said that they have stepped forward and have done a great job at simplifying the process. She also noted that Public Works has been working amazing shifts to get things done at the Curtiss Mansion and she thanked them for their help.

City Manager Gorland said that the Recreation Department has also been involved through Event Planner Patti Bradley.

Ms. Phillips stated that Patti Bradley has helped a lot with the Curtiss Mansion. She also pointed out that Lily Saborit and Maria Ruiz have also been great in cleaning up some of the details and have had many good ideas. She looks forward to seeing everyone on Sunday.

Agenda Item 10F discussed after Agenda Item 10A.

10F) Approval of License Agreement with Springs on the Green, LLC. – To Utilize a Small Parking Area Owned by the City which Adjoins the Parking Lot of a Property Recently Purchased by Manuel Pérez-Vichot of Springs on the Green at 627 Eldron Drive

City Attorney Jan K. Seiden stated that Council had requested this agreement and since Mr. Pérez-Vichot had some comments he asked that his e-mail correspondence be provided as part of the discussion.

City Attorney Seiden explained that the issues that were raised were in regard to the renewal of the license since property on the Golf Course is restricted by the Charter amendment; the license could not last for more than five years and it cannot be automatically renewed. The license agreement remains at four years, as discussed. He has never allowed Council to have self-perpetuating documentation because it is unfair to future Councils and their ability to govern.

The termination provision was changed from 30-days to 90-days, according to Attorney Seiden. Since Mr. Pérez-Vichot will be investing money in the property, he has no problem with adding another sentence stating that the termination of the license provision would not be effective during the first year or eighteen months.

City Attorney Seiden added that Mr. Pérez-Vichot went through Coastal Insurance and they are providing a B+ carrier instead of an A+ carrier that has been done in other city contracts, and the language will be amended to reflect this on page four of the agreement.

Vice Mayor Espino moved to adopt the License Agreement, as amended, with the change to the insurance provision on page four and the addition of the non-termination provision within the first eighteen months. Councilman Best seconded the motion.

Councilwoman Ator asked for confirmation about the change on page three.

City Attorney Seiden will add the following paragraph: Notwithstanding the foregoing, the terms and conditions of this provision shall not be effective until after the initial eighteen months of this Agreement.

City Attorney Seiden added that he would also make a correction as noted by Nery Owens which is that the City of Miami Springs is a Florida Municipal Corporation.

To answer Councilwoman Ator's question, Mr. Pérez-Vichot clarified that he is satisfied with the agreement and he appreciates the opportunity of working with the City to improve Eldron Drive. He was disappointed in the original terms because he would be making a significant investment and could have had the entire agreement cancelled within 90-days.

Mr. Pérez-Vichot commented that he is excited about the project and was able to secure the building permit within three weeks. The area has significant exposure to residents who use the bike path and visitors to the hotels.

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

Agenda Item 10G after Agenda Item 10D.

10G) Approval of Facility Agreement with Ricardo Rodriguez, d/b/a Miami Dade Aquatic Club, LLC to Utilize the Swimming Pool

City Attorney Jan K. Seiden stated that the title of the item has been changed since Councilwoman Ator called attention to certain conflicts. The real name of the club is the Miami-Dade County Aquatic Club, Inc. and a revised facility agreement was provided for Council's review that includes the changes.

City Attorney Seiden noted that there were also a couple of typographical errors that will be corrected and the agreement is now between the City and the Miami-Dade County Aquatic Club, Inc. He provided a copy of the Florida Department of State, Division of Corporations "Sunbiz" showing the current status of the entity for Council's information.

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

Agenda Item 10H discussed after Agenda Item 9A.

10H) MSSH Anchor Club Requests \$300 from the Circle Fund to pay MSPD Costs While they Host the WWF Earth Hour City Challenge on Saturday Night, March 31st, 8:30 P.M. – 9:30 P.M. at the Circle

Brianna Gagne, Vice President of the Miami Springs Senior High School Anchor Club, introduced club members Rebecca Shultz and Vic Anchipolosky. She explained that Earth Hour is a global effort to raise awareness about protecting the earth from climate changes that began in 2007, and was founded by the World Wildlife Fund. More than 130 countries and 1BB people in over 5,000 cities participate all over the world and have joined the effort.

Ms. Gagne explained that the Anchor Club had distributed signs within the community for the last five years inviting individuals to participate in Earth Hour. This year the event will take place on Saturday, March 31st from 8:30 to 9:30 p.m. and they are asking the City to turn off all non-essential lighting at the Circle and other areas within the City. In addition, they are requesting permission to hold a candlelight celebration on the Circle for one hour.

The Anchor Club is requesting that the City fund the cost of the Police security for the Circle event from the Circle event fund, according to Ms. Gagne. She thanked the City Council and City Manager for their quick response to their request.

Mayor Garcia commented that this is one of those types of events that Council had discussed when they developed the Circle event fund.

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

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

Calvin Giordano & Associates

City Attorney Seiden reported on the staff meeting with Calvin Giordano. He stated that he will be working on providing certain tweaking and provisions such as administrative variances to opt out of provisions under circumstances that do not call into question the nature and intent of the ordinance.

City Attorney Seiden noted that Airbus has contacted the City to install two simulators in the back of their building. The City has asked Airbus to wait until the ordinance amendment has been done so that the City can provide for a provision that will allow the administration to opt out.

City Attorney Seiden clarified for Councilman Best that they want to install the simulators on the same lot that they are currently on and they want to install it where the parking is.

12B) City Manager

Thank You

City Manager Gorland thanked Public Works for doing such a good job repainting the interior of City Hall.

Earth Hour

City Manager Gorland advised everyone of the Earth Hour event on Saturday, March 31st from 8:30-9:30 p.m. at the Circle.

Curtiss Mansion

City Manager Gorland invited everyone to spend the afternoon at the newly restored Curtiss Mansion on April 1st from 1:00-5:00 p.m.

Art Students

City Manager Gorland reported that on April 2nd Miami Springs Senior High art students will be displaying artwork in the City Hall Lobby and everyone is invited to attend.

Easter Egg Hunt

City Manager Gorland stated that there will be an Easter Egg Hunt on Saturday, April 7th through the Parks and Recreation Department and to contact the Recreation Department for admission.

Tax Preparation Assistance

City Manager Gorland advised everyone that the Senior Center is still offering free tax preparation assistance by AARP.

Springs River Festival

City Manager Gorland reported that the Springs River Festival will be held from Friday, April 13th through Sunday, April 15, 2012.

12C) City Council

Easter Egg Hunt

Councilwoman Ator stated that the admission for the Egg Hunt at the Recreation Center is \$2.00 and All Angels will be having an Easter Egg Hunt for free on Sunday, April 8th.

Spring Break

Councilwoman Ator wished everyone a pleasant Spring Break.

Happy Holidays

Councilman Lob wished everyone a happy holiday season.

Pelican Playhouse – Friends of the Theater

Councilman Best stated that the Pelican Playhouse has a new production called Wizards of Wonderlands and he unfortunately will not be in that production. He invited everyone to attend Friends of the Theatre to watch the production on Thursday, April 19, 2012.

Happy Holidays

Councilman Best wished everyone a Happy Passover and a Happy Easter.

Airport Golf District

Vice Mayor Espino suggested holding a staff meeting with Calvin Giordano regarding the Golf District now that the Strategic Plan has been adopted.

Golf Tournament

Vice Mayor Espino reported that Monsignor Pace High School is having a golf tournament at the Country Club of Miami on Friday, March 30th at 12 noon but that they will bring the tournament to Miami Springs next year.

Curtiss Mansion

Vice Mayor Espino mentioned that the soft opening of the Curtiss Mansion should be great. The project has come a long way and he is looking forward to seeing the final pieces so that it can be called a grand opening.

League of Cities Dinner

Vice Mayor Espino stated that the Miami-Dade County League of Cities monthly board meeting will be held at the Hialeah Race Track on April 5th.

Relay for Life

Vice Mayor Espino reminded everyone that the Relay for Life is scheduled for May 5th.

Happy Holidays

Vice Mayor Espino wished everyone a Happy Easter and a Happy Passover.

Condolences

Mayor Garcia offered, on behalf of the City and his family, condolences to Virginia Gardens Mayor Spencer Deno for the passing of his grandfather Fred Spencer Deno. The City is keeping them and their family in their prayers.

Story Time

Mayor Garcia reported that the Recreation Center had their first Story Time and that it is not only for mothers. They read the story "Ouch". It was a great idea and he encourages the Recreation Center Staff to come up with more great ideas.

Curtiss Mansion

Mayor Garcia encouraged everyone to attend the Curtiss Mansion walk through Soft Opening on Sunday, April 1st.

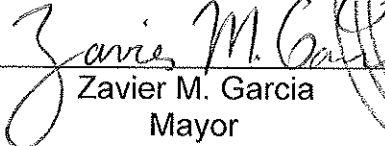
Florida Marlins

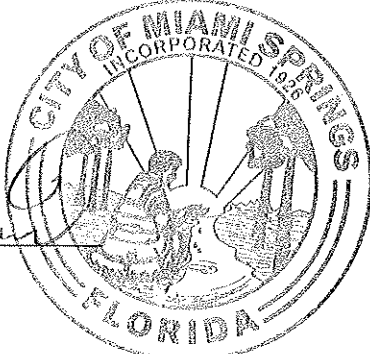
Mayor Garcia advised everyone that Wednesday, April 4th is the opening day for the Florida Marlins.

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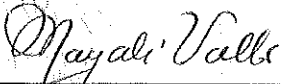
13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:09 p.m.


Zavier M. Garcia
Mayor



ATTEST:


Magali Vallis, CMC
City Clerk

Approved as written during meeting of: 4-9-2012.

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