



**CITY OF MIAMI SPRINGS, FLORIDA**

**Mayor Xavier M. Garcia**

**Vice Mayor Jennifer Ator  
Councilwoman Grace Bain**

**Councilman Bob Best  
Councilman George V. Lob**

**Decorum:** “Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium”.

**AGENDA**

**REGULAR MEETING**

**Monday, November 19, 2012 – 7:00 p.m.  
Council Chambers – City Hall  
201 Westward Drive – Miami Springs**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Councilman Best  
  
**Salute to the Flag:** Students from Blessed Trinity Catholic School will lead the audience in the Pledge of Allegiance and Salute to the Flag
- 3. Awards & Presentations:**
  - A) Paperless Agenda i-Pad Instructions by I. T. Director Jorge Fonseca
  - B) Presentation by John Foy from USGA on Golf Conditions
  - C) Proclamation – National American Indian Heritage Month
- 4. Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins

**5. Approval of Council Minutes:**

- A) 10-22-2012 – Regular Meeting

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

- A) 10-15-2012 – Revitalization and Redevelopment Ad-Hoc Committee – Minutes
- B) 10-16-2012 – Education Advisory Board – Minutes
- C) 10-18-2012 – Historic Preservation Board – Minutes
- D) 10-22-2012 – Board of Appeals – Minutes
- E) 10-23-2012 – Ecology Board – Minutes
- F) 11-06-2012 – Code Enforcement Board – Cancellation Notice
- G) 11-07-2012 – Architectural Review Board – Cancellation Notice
- H) 11-08-2012 – Board of Parks and Parkways – Minutes
- I) 11-15-2012 – Historic Preservation Board – Cancellation Notice
- J) 11-22-2012 – Code Review Board – Cancellation Notice
- K) 11-05-2012 – Zoning and Planning Board – Cancellation Notice
- L) 11-13-2012 – Recreation Commission – Minutes
- M) 09-19-2012 – General Employees Retirement System – Minutes
- N) 09-19-2012 – Police and Firefighters Retirement System – Minutes
- O) 11-14-2012 – Golf and Country Club Advisory Board – Cancellation Notice
- P) 11-05-2012 – Board of Adjustment – Approval of Actions Taken at their Meeting of November 5, 2012, Subject to the 10-day Appeal Period

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**Board of Appeals – Case # 07-V-12  
Roy Sandri – 290 Hunting Lodge Drive  
Zoning: R-1A  
Lot Size: 75 ft. x 300 ft.**

Applicant is requesting a variance from Code Section 150-034 (A) to permit air conditioning compressors in a side yard.

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**7. Public Hearings:**

- A) Second Reading – Ordinance No. 1040-2012 – An Ordinance of the City Council of the City of Miami Springs, Florida Updating the Five-Year Schedule of Capital Improvements of the City’s Comprehensive Plan as Mandated by Florida Statutes Sections 163.3177 (3) (b); Providing a Conflicts Clause and Severability Clause; Providing an Effective Date (First Reading: 10-22-2012 – Advertised: 11-01-2012)

**8. Consent Agenda:**

- A) Approval of the City Attorney's Invoice for October 2012 in the Amount of \$12,825.00
- B) Recommendation that Council Approve Change Orders No. 4 & 5 to Carivon Construction Co., in the Amount of \$75,507.05, for the Work Described in List Attached for Completion of the Curtiss Mansion Project, Pursuant to Section 31.11 (F) (11) (c) of the City Code
- C) Recommendation that Council Approve an Expenditure to Dell Marketing, L.P., Utilizing Florida State Contract # 250-000-09-1, in the Amount of \$6,433.56, for a File (LAN) Server to Accommodate Required Upgrades of the Police Computer Network, Pursuant to Section 31.11 (E) (5) of the City Code
- D) Recommendation that Council Approve a Bid to Maroone Dodge of Pembroke Pines, Utilizing Florida Sheriffs Association Bid Award Announcement # 12-20-0905, in the Amount of \$71,205.00, for Three (3) Dodge Chargers Patrol Vehicles, Pursuant to Section 31.11 (E) (5) of the City Code
- E) Recommendation that Council Approve a Bid to Peterson's Harley-Davidson of Miami, L.L.C. Utilizing Miami-Dade County Contract # 5206-5/14-4, in the Amount of \$22,186.34, for Two (2) 2013 Harley-Davidson Road King Motorcycles, Pursuant to Section 31.11 (E) (5) of the City Code
- F) Recommendation that Council Approve a Change Order of \$1,325.00 to Metro Express for Additional Paving of the Area Around Bentley and Ludlam Drives, Pursuant to Section 31.11 (F) (11) (b) of the City Code
- G) Request that Council Approve an Expenditure in an Amount not to Exceed \$12,000.00 to Gabriel Roeder Smith and Company, Actuaries (GRS), for Police Pension Plan Alternatives, as a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code

**9. Old Business:**

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

**10. New Business:**

- A) Consideration of Request for Funding Movie Nights from All Angels Academy
- B) Request from Lino Ferrer Productions to Serve Alcohol in the Sosa Theater on Sunday, November 18, 2012 from 7:30 to 10:30 p.m.
- C) Resolution No. 2012-3566 – A Resolution of the City Council of the City of Miami Springs, Authorizing and Approving The Submittal of an Application for a 2012 Transportation Enhancement Program (“TEP”) Grant Administered by the State of Florida Department of Transportation; Authorizing Execution of the Required Grant Application Documentation by the Proper Officers and Officials of the City; Effective Date
- D) First Reading – Ordinance No. 1042-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-034, Installation of Central Air Conditioning and Heating Units, Pool Pumps and Equipment, and Sprinkler Pumps and Equipment; By Providing an Additional Site Location for the Placement of Such Equipment on Newly Constructed Properties and Clarifying That All Approved Locations Are Not to Be Within Required Setback Areas; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date
- E) First Reading - Ordinance No. 1043-2012- An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-010, Roof Materials, Requirements, and Re-roofs; By Deleting All References to the Two Year Sunset Provision Thereby Including Asphalt Shingles as an Approved Roofing Material for the City; Striking Subsection (H) of the Ordinance as Being Inappropriate and Outdated; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing An Effective Date
- F) First Reading – Ordinance No. 1044-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-002, Definitions; by Clarifying and Updating the Definitions of Rear Yard [Subsection (C) (79)], and Side Yard [Subsection (C) (80)]; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date
- G) First Reading – Ordinance No. 1045-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-164, Northwest 36<sup>th</sup> Street; By Removing Any and All References to the Required Participation of the City Architectural Review Board in the Design Review Process Mandated by the Ordinance; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date

**10. New Business: (Continued)**

- H) First Reading – Ordinance No. 1046-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 32-20, Establishment and Membership; by Revising the Membership of the City’s Memorial Committee to Meet Current Participation Availability; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date
- I) Recommendation from the Board of Parks and Parkways for the Yard of the Month for December and January
- J) Code of Ethics and Citizens Bill of Rights

**11. Other Business:**

- A) FY 2011-2012 Fourth Quarter Budget Status Report (Unaudited)
- B) Update to Proposed Fund Balance Designations
- C) Consideration of Cancelling the Second December Meeting

**12. Reports & Recommendations:**

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

**13. Adjourn**

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

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, October 22, 2012, at 7:00 p.m.

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

The meeting was called to order at 7:05 p.m.

The following were present:

- Mayor Xavier M. Garcia
- Vice Mayor Jennifer Ator
- Councilwoman Grace Bain
- Councilman Bob Best
- Councilman George 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
- Planning and Zoning Director James H. Holland
- Golf and Recreation Director Omar L. Luna
- Building & Code Compliance Director H. "Tex" Ziadie
- City Clerk Magalí Valls
- Deputy City Clerk Suzanne S. Hitaffer

### **2. Invocation:** Vice Mayor Ator offered the invocation.

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

The audience participated.

Mayor Garcia presented baseball caps to the students who participated.

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Mayor Garcia announced that moments ago he was notified that the daughter of School Board Member Susie Castillo had passed away, even though there were hopes that she would pull through. He urged everyone to keep the Castillo family in their prayers and asked for a moment of silent meditation.

The Mayor reported that Marco Barrios who was also in the vehicle is in stable condition at Ryder Trauma Center and the Police Officer who was in the other vehicle is also recuperating.

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**3. Awards & Presentations:** (Agenda Item 3B considered before 3A)

**3A) Presentation of the Yard of the Month Award for November 2012 to Vicente and Susanne Beltran of 974 Meadowlark Avenue**

Mayor Garcia presented the Yard of the Month Award for November 2012 to Vicente and Susanne Beltran of 974 Meadowlark Avenue. He thanked Mr. Beltran for maintaining his beautiful home.

**3B) Certificates of Appreciation for Youth Sports Organizations**

Mayor Garcia asked the children and coaches who were present from the youth sports organizations to please come forward for a brief presentation. He recognized the 2<sup>nd</sup> place softball team champions and members of the Little League, Optimist Football and Miami Springs/Virginia Gardens Soccer.

Mayor Garcia explained that the City organizes the youth basketball program, but when it comes to the other sports they are all run by volunteers, which he would like everyone to be aware of. The City supports and invests in the youth sports programs and he presented a ceremonial check in the amount of \$140,000.

The Mayor said that the youth organizations are important and that is why Council allocates funds in the budget to support them. He thanked the coaches for their volunteer services and he announced that everyone would be presented with Certificates of Appreciation.

Mayor Garcia commented that everyone has fun attending the games and this shows Council that the money that is invested in the youth is very important and hopefully more can be invested in the future.

**4. Open Forum:**



## **Springview Halloween Event**

On behalf of the Springview Elementary 5<sup>th</sup> grade class of 2013, parents and teachers, Maylin Scavuzzo of 871 Lake Drive and Yina Pomefz of 252 Linwood Drive invited the Mayor and Council and the community to join them on Thursday, October 25<sup>th</sup> from 6-8:00 p.m. for a Haunted House family event at the school located at 1122 Bluebird Avenue. Entrance to the Haunted House and Monster Mash dance is \$8.00 for older students with unlimited times and entrance to the Spooky Story Time and Crafts and Monster Mash dance is \$5.00 for the younger students with unlimited times. Pizza, goodies and drinks will be sold at the dance and all proceeds will go toward reducing the cost of the end of year Orlando trip and the award ceremony certificates and trophies for the 5<sup>th</sup> grade class.

Ms. Pomefz read the invitation in Spanish since Springview is a bi-lingual school.

## **All Angels Movie Night**

Mother Susan Keedy of 1200 Heron Avenue said that it might be the wrong time to address Council, but she just found out that Council will not hold the first meeting in November. She informed Council about the school's plans for Movie Night that will begin in November on the third Friday of the month and will continue through March for five months.

Mother Keedy explained that two free movies on the Circle are shown on Friday nights, with the first movie being specifically for children and the second movie is family appropriate. There has been a great turnout for the event in the past and they would like the City of Miami Springs to participate again this year by paying for the Police coverage for the event.

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

### **5A) 10-08-2012 – Regular Meeting**

Minutes of the October 8, 2012 Regular Meeting were approved as written.

**Councilman Best moved the item. Councilwoman Bain seconded the motion which was carried 4-0 on roll call vote (Councilman Lob abstained since he was absent at that meeting).**

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

**6A) 10-08-2012 – Board of Appeals – Minutes**

Minutes of the October 8, 2012 Board of Appeals meeting were received for information without comment.

**6B) 10-09-2012 – Recreation Commission – Cancellation Notice**

Cancellation Notice of the October 9, 2012 Recreation Commission meeting was received for information without comment.

**6C) 10-10-2012 – Golf and Country Club Advisory Board – Minutes**

Minutes of the October 10, 2012 Golf and Country Club Advisory Board meeting were received for information without comment.

**6D) 10-25-2012 – Code Review Board – Cancellation Notice**

Cancellation Notice of the October 25, 2012 Code Review Board meeting was received for information without comment.

**7. Public Hearings:**

**7A) First Reading – Ordinance No. 1040-2012 – An Ordinance of the City Council of the City of Miami Springs, Florida Updating the Five-Year Schedule of Capital Improvements of the City’s Comprehensive Plan as Mandated by Florida Statutes Sections 163.3177 (3) (b); Providing a Conflicts Clause and Severability Clause; Providing an Effective Date**

City Attorney Seiden stated that regarding Agenda Items 7A and 7B, the City Council has to first sit as the Local Planning Agency (LPA) to hear the recommendations of the Planning Consultant in regard to the various changes.

City Attorney Seiden advised Council that they may discuss the documentation that is attached to 7A and 7B as the exhibits and after discussion the City Council will reconstitute itself and conduct public hearings for both ordinances.

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Mayor Garcia adjourned the City Council meeting and called the meeting of the Local

Planning Agency to order at 7:26 p.m.

Planning Consultant Jim La Rue stated that the first item listed as 7A is for the updating of the Five-year Schedule of Capital Improvements. The new legislation allows this to be done by ordinance instead of a Comprehensive Plan amendment. He has made sure that the Capital Improvement Five-year Program in the Comprehensive Plan is being changed and switched to match what Council did in this year's budget.

Mr. LaRue explained that the amendment will cover the mandatory requirements for the capital improvements or level of service requirements for recreation, drainage improvements and various projects related to the Comprehensive Plan itself. The Police cars are not part of the Plan criteria; this is something that will be placed in the Plan but does not need to be a Comprehensive Plan amendment.

Mr. LaRue clarified that the Five-year Schedule of Capital Improvements is consistent with the Comprehensive Plan; it will be a replacement and it reflects what Council adopted in the budget, unless there are any questions.

Vice Mayor Ator referred to the original Exhibit "A" that was crossed out and the new Exhibit "A". She asked why it does not include the things that Council planned for 2012-2013 even if they have changed in the Five-year Improvement Plan.

Mr. LaRue responded that at this point Council is adopting the 2013 Fiscal Year and that is why it is an update; it will be a replacement for the time that the projects are put into the Plan and the projects will either be finished or reflected in the future years.

Vice Mayor Ator commented that some projects for 2012-2013 will be done this year, while others were pushed forward to the next year. Since she only received the attachments today, she did not have time to compare the projects that have commenced versus those that were pushed forward.

Mr. LaRue said that there would be a second reading of the ordinance and it could be amended to reflect the current year by adding another column, which is done in many Comprehensive Plans.

Vice Mayor Ator agreed with Mr. LaRue's suggestion to add information reflecting the current year.

Mr. LaRue stated that he would like Council to confirm that the Five-year Capital Improvement Plan is consistent with the Comprehensive Plan and the change would be the addition of the 2012-2013 current projects.

City Attorney Seiden clarified that the motion by the Local Planning Agency in regard to Item 7A and the attached Exhibit "A" is that it is consistent with the City's Comprehensive Minutes – City Council Regular Meeting

Plan, based upon the representations of the Planning Consultant. By second reading of the subsequent ordinance that Council will consider, the document will be amended so that the 2012-2013 expenditures will be listed on the new Exhibit.

**Councilman Lob moved the item, as amended. Vice Mayor Ator seconded the motion, which carried 5-0 on roll call vote.**

City Attorney Seiden advised Council that they would continue discussing 7B as the Local Planning Agency.

Planning Consultant Jim LaRue stated that this item amends the Comprehensive Plan based on updated data analysis and Council's work on the three redevelopment districts. This ordinance is related to the Airport Golf District and Policy 1.118 in the Comprehensive Plan that breaks down the three separate redevelopment areas. In most redevelopment districts that involve commercial or mixed-use there is a floor area ratio (FAR) and in two of the districts there is a floating ratio from 1.0 to 3.0 FAR. In this particular district, there was language allowing a 1.0 FAR by right and the State interpreted 1.0 to be the limit, which is not the intention. This is one small change that allows the flexibility that is needed for the redevelopment district that is consistent with the other districts.

City Attorney Seiden read the language deleting the 1.0 FAR by right and adding the new language to utilize a floating FAR of between 1.0 and 3.0. The determination of the approved and authorized FAR for any proposed project shall remain with the City Council and shall be directly dependent upon the meeting of certain criteria and incentive provisions to be set forth in the district boundary regulations approved and established for this district. He said that this is consistent with the language in the N. W. 36<sup>th</sup> Street District and the Abraham District.

Planning Consultant LaRue reiterated that it was best to keep the language consistent and all three redevelopment districts will have the same provision.

City Attorney Seiden stated that if there were no further questions that Council should entertain a motion by the Local Planning Agency that they have made a determination that the proposed amendments contained in Exhibit "A" to item 7B are consistent with the Comprehensive Plan based on the representations of the Planner.

**Councilman Lob stated "so moved". Vice Mayor Ator seconded the motion, which carried unanimously on roll call vote.**

Mayor Garcia adjourned the Local Planning Agency meeting and reconvened the Council meeting at 7:34 p.m.

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City Attorney Jan K. Seiden read the ordinance listed as Agenda Item 7A by title. He

explained that this is a public hearing.

Mayor Garcia opened the public hearing to those persons wishing to speak.

Nery Owens of 332 Payne Drive stated that her comments would reference Item 7A regarding the Five-year Capital Improvement Plan. She noted that there is specific detail regarding recreation and she did not see any references to the Westward bike path, the Curtiss Mansion or the improvement of Downtown parking. She said that these are issues that the City has been struggling with and there should be more depth in these areas.

There were no additional speakers, and the public hearing was closed.

City Attorney Seiden said that Council could adopt the ordinance on first reading, followed by a second reading.

**Vice Mayor Ator moved to adopt the ordinance as amended. Councilwoman Bain seconded the motion.**

Councilman Lob agreed with the points made by Ms. Owens and said that he would like to include her suggestions, especially since the City Council had been talking about saving funds for improvements to buildings.

City Attorney Seiden said that the items are related to funding and since he had not participated in the budget process, he assumed that the items would have needed to be discussed by Council during the budget process.

Assistant City Manager/Finance Director William Alonso stated that the Five-year Capital Plan was approved as part of the budget process and any new items can be included as an amendment to the capital expenditures or included in next year's budget.

Vice Mayor Ator commented that there is an agenda item related to the bike path.

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

City Attorney Seiden explained that the two ordinances will be treated differently. The ordinance under Agenda Item 7A that was passed on first reading will have a second reading at the next Council meeting, but the ordinance listed as Agenda Item 7B must be reviewed by the State for their comments before the second reading.

**7B) First Reading – Ordinance No. 1041-2012 – An Ordinance of the City Council of the City of Miami Springs, Florida Amending the City Comprehensive Plan Based on**

**Updated Data and Analysis; Amending the Text of the Future Land Use Element of the 1998 Comprehensive Plan as Amended; Revising and Updating the Existing Goals, Objectives, and Policies in Accordance with the Mandates Set Forth in Chapter 163 Florida Statutes; Authorizing Transmittal of These Amendments to the South Florida Regional Planning Council, State Land Planning Agency, and Other Applicable Agencies for Review and Comment as Required by Florida Statutes; Providing a Conflicts Clause and Severability Clause, and providing an Effective Date**

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

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

**Councilman Lob moved to approve Ordinance No. 1041-2012 on first reading. Councilman Best seconded the motion which was carried 5-0 on roll call vote.**

Council sat as the Board of Appeals at 7:42 p.m.

The Mayor reconvened the City Council meeting at 7:53 p.m.

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

**8A) Approval of Budget Transfers Within Departments Per City Charter Section 9.04 (1)**

City Manager Gorland read the title of the award and there was no discussion regarding this item.

**Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

**8B) Recommendation to Upgrade the Police LAN Server Operating System, the Police CAD Computer (computer aided dispatch) and firewall, as follows:**

**8B i. Recommendation that Council Approve an Expenditure to CDW-G Computer Centers, Inc., Utilizing GSA Schedule Contract # GS-35F-0195J, in the Amount of \$1,403.65 for Microsoft Windows Server Software, and \$1,617.44 for Microsoft Sequel Server Software, Pursuant to Section 31.11 (E) (5) of the City Code.**

City Manager Ronald K. Gorland read the title of the award.

There was no discussion regarding this item.

**Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

**8B ii. Recommendation that Council Approve an Expenditure to Dell Marketing, L.P., Utilizing Florida Contract # 250-WSCA-10ACS; B27160, in the Amount of \$1,723.76, for Dell SonicWall Hardware (Firewall) and Licensing Software, Pursuant to Section 31.11 (E) (5) of the City Code.**

City Manager Ronald K. Gorland read the title of the award.

There was no discussion regarding this item.

**Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

**8B iii. Recommendation that Council Approve an Expenditure of \$600.00 to USA Software, Inc., for USA Software-v7 Upgrade, and an Expenditure of \$300.00 for Three Years of Annual Maintenance, as a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code.**

City Manager Ronald K. Gorland read the title of the award.

There was no discussion regarding this item.

**Vice Mayor Ator moved the consent agenda. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

## **9. Old Business:**

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

Vice Mayor Ator (Group IV) **appointed** Kim Werner to the Education Advisory Board for an unexpired term ending on May 31, 2013.

Vice Mayor Ator expressed her desire to appoint Arturo Rabade to the Golf and Country Club Advisory Board. She stated that there is a conflict because of the fact that he is already on another board, but she is going to speak with Mr. Rabade to see if he would be willing to serve.

### **9B) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2014 as Required by Section 35.56 (A) (2) of the City**

## **Code (Gene Duffy's seat)**

Vice Mayor Ator commented that she submitted Rob Gordon's name for the appointment and she is aware that Thomas Cannon's name was also submitted by another Council member.

Mayor Garcia clarified that the three candidates are Rob Gordon, Thomas Cannon and Jim Caudle.

City Attorney Seiden stated that since there was no documentation provided for each candidate whoever nominated the candidate should give a brief description of their expertise for the record.

City Clerk Magalí Valls said that Mr. Cannon's resume was attached to the previous packet and Mr. Gordon's resume was distributed and posted on the City website as part of the agenda item.

Councilman Best explained that Jim Caudle came to him expressing an interest in the seat and he was a former City Council member for Miami Springs. He has worked in Public Services, Golf Courses and Parks and Recreation and has a fairly good understanding of how government works. Mr. Caudle has lived in Miami Springs for over sixty years and knows many people in the community and takes an active interest in the community in terms of talking to residents and keeping up with the issues. He believes that Mr. Caudle is a good candidate for this position.

City Attorney Seiden asked if Mr. Caudle has any background in finance because this position requires a certain amount of knowledge with financing and Councilman Best replied that the extent of Mr. Caudle's financial background would be relative to his time working in Golf Courses and Parks and Recreation.

Vice Mayor Ator reiterated that she nominated Rob Gordon who went to Dartmouth University and received his Masters in Business Administration (MBA) at the University of Virginia. He was the Chairman of The Education Advisory Board but had to resign from the board for personal reasons. Because the Police and Firefighter's Retirement System board meets in the mornings he would be able to attend the meetings.

Vice Mayor Ator commented that Mr. Gordon's background is in financial planning. She has come to know Mr. Gordon very well over the years and said that he is extremely qualified and did a great job on the Education Advisory Board. She feels that Mr. Gordon would be an outstanding addition to the Retirement System Board of Trustees because their primary job is to pick the money manager for the pension funds. Mr. Gordon indicated that if he were chosen for the position, his firm would not be able to bid on any work but that he would be okay with that.

Vice Mayor Ator mentioned that Jennifer Glazer Moon's name was unfortunately withdrawn because the County did not want her to serve.



Councilwoman Bain said that she nominated Thomas Cannon because he is retired and expressed his interest in the position. He has been a resident of Miami Springs for approximately 20 years. He worked with the Miami-Dade Police Force for approximately 27 years and retired as Assistant Chief of Police. His education background is from Barry University, Louisiana State University, Senior Management Institute for Police and Harvard University.

Councilwoman Bain stated that Mr. Cannon has extensive training and has been a member of the Police Benevolent Association (PBA), International Association of Chiefs of Police, and Miami-Dade County Association of Chiefs of Police. He has been awarded the Silver Star and has experience with pension since he has a pension.

Councilwoman Bain explained that Mr. Cannon said that he would be willing to do whatever was asked of him and she feels that he would be great for the position.

Vice Mayor Ator explained that even though Mr. Caudle and Mr. Cannon are excellent choices, her concern with both of the candidates is that they do not have the necessary financial background.

Councilwoman Bain commented that Mr. Cannon does have experience. In her notes it states that he was certified in financial planning, investments and was a retirement plans specialist.

Councilman Best stated that when candidates are appointed to advisory boards they are not always qualified, but interesting thought processes come out of appointing those candidates and they show great interest in being a part of that board. He noted that Mr. Caudle is also retired and would therefore have plenty of time for this board.

Councilman Lob said that with all due respect to Jim Caudle, he believes that someone with a financial background should be appointed. He knows Mr. Cannon personally and is certain that he has financial experience. He appreciated Mr. Caudle for showing an interest in the seat.

Councilman Best stated that the members that are currently on the board do not have the financial experience.

Councilman Lob explained that the fact that there is currently no experience on the board is more of a reason why someone with financial background should be appointed.

City Manager Ronald K. Gorland said that this position has a great deal of impact on the investment returns of the retirement funds. Some of the problems that the City is having are

because investment returns have not been that good. That is not to say that members have to be financial planners, although Gene Duffy is a financial planner and certified trustee as well. He feels that it is important at this point to appoint someone who has a strong financial background and someone who is willing to make changes.

To answer Mayor Garcia's question, Chief of Police Baan said that Gene Duffy is a certified financial planner and he is also a certified public pension trustee. He agrees that someone with financial background should be appointed because it is important to have someone who understands numbers, pensions, annuities and investments.

To answer Councilman Best's question, Chief Baan explained that the board has an investment manager, a "financial watch dog" and an actuary accountant. He is in the process of interviewing investment managers to try and improve the return on the plan.

**Vice Mayor Ator moved to appoint Rob Gordon. Councilman Lob seconded the motion.**

Councilman Lob reiterated that having someone who has the financial background is very important because there are people whose futures and funds are at stake.

Mayor Garcia said that he knows two of the candidates personally. He mentioned that in reviewing the paperwork, former Councilman Caudle was the only Councilmember that attended the pension board meetings that occurred during the day. The City would be lucky to have any of the three candidates serving on the board. He knows that all three candidates would be willing to serve on other boards if the opportunity arose in the future.

**The motion was carried 3-2 with Councilman Best and Councilwoman Bain casting the dissenting votes.**

**9C) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2014 as Required by Section 35.56 (A) (2) of the City Code (Pete Baan's seat)**

**Councilwoman Bain moved to re-appoint Pete Baan. Vice Mayor Ator seconded the motion which was unanimously carried on roll call vote.**

**9D) Recommendation to Permanently Allow Asphalt Shingle Roofs in Miami**

## **Springs**

City Attorney Seiden said that there are basically three choices; to extend the sunset period that is currently in the ordinance for a further period, make the ordinance provision permanent and eliminate the sunset provision entirely or allow it to sunset in which case the shingle provision will be removed from the code.

**Councilwoman Bain moved to allow shingle roofs on a permanent basis. Councilman Lob seconded the motion.**

Vice Mayor Ator suggested that the City should continue with the sunset provision and she still supports that suggestion. The last time that Council spoke on this issue, it was based on a lot of information from the Building Official. She is concerned because the Building Official has not been present to voice his opinion and she feels that permanently allowing shingle roofs is a bad idea.

Councilwoman Bain does not feel that it is a bad idea because it is very important to give the residents a choice. Since everyone cannot financially afford to have tile roofs she believes that it would be unfair not to give the residents a choice.

Councilman Lob agreed with Councilwoman Bain. He added that when Council first looked at this item two years ago, he asked several roofing companies for their opinion on shingle roofs and at that time they said that they were just as good as tile roofs if installed correctly and some of them have the same or longer guarantee. He asked why the City would put an extra burden on the residents if the Florida Building Code allows for shingle roofs.

Councilman Best commented that two years ago, Council was able to move forward on a 3-2 vote, recognizing Vice Mayor Ator's introduction of the sunset provision for two years. In lieu of Councilman Lob's absence at the last meeting, Council decided to table this item so that he could be a part of the discussion. He was prepared to vote for the sunset provision at the last meeting and at the present time he is prepared to support the recommendation of Building and Code Director Ziadie.

To answer Vice Mayor Ator's question, Mr. Ziadie said that the code does not differentiate which shingles are permitted or not, but there are many shingles that are available now that were not available five years ago. The dimensional shingles are meant to be virtually equivalent to the tiles.

Mr. Ziadie clarified that in the late 70's and 80's, he did research to find out how the shingle roofs were allowed in Miami Springs and he found that a previous Building Official took it upon him or herself to allow it. Shingles have never been formally allowed by the City in the code other than for the two-year sunset period.

Mayor Garcia stated that he recalls this item coming before Council. The more information someone has on an issue the better informed they are. A big test for him was the sunset

provision and the number of shingle roofs that were installed, which was not many. When shingle roofs were permitted the majority of home owners were still installing tile roofs. He is also in favor of giving the choice to the residents.

Mayor Garcia asked City Attorney Seiden if there is something that Council could do to allow the type of roof to be the residents' choice and to provide an incentive if they chose to install a barrel tile roof.

City Attorney Seiden replied that the issue is that the installation of a tile roof is more of a process from a Building Department standpoint. If the City is going to give someone an incentive, the only way it could be done is to charge the homeowner less for the permitting fee or something of that nature.

City Attorney Seiden added that giving an incentive would be inappropriate because the actual job of installing a tile roof is far more intensive and justifies the permit fee more than it does for a shingle roof. It would be costing the City theoretically more time and effort.

Mayor Garcia would like City Attorney Seiden to think of ideas similar to the one he proposed to discuss at a future meeting.

City Attorney Seiden commented that the City has been very adamant about upholding the standard for tile roofs. He has witnessed a few cases over the years where residents who were elderly and did not have the funds to install a tile roof were turned down from installing shingle roofs.

Mayor Garcia knows of a person who has been patching their roof for fifteen years because they did not have the funds for a tile roof and because shingle roofs were not permitted. He feels that people who cannot afford a tile roof will definitely take advantage of the shingle roof option if it were available.

**The motion carried 4-1 on roll call vote with Vice Mayor Ator casting the dissenting vote.**

**9E) Recommendation to Remove Code Section 150.010 (H) of the City Code – (Gravel roof coverings shall be required for all roofs with a slope of ½ to 2 and ½ to 12) Addendum to Roof Memo of September 26, 2012**

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

*“In conversations with the Roofing Plans Examiner and Building Inspector, he mentioned that section 150-010 (H) of the current code is out of date and should be removed from the*

Code for the following reasons:

- *The pitch specifications are incorrect.*
- *With a pitch of 2" per foot or greater, tile or shingle roofs would be allowed.*
- *Requiring gravel roofs is not in the best interest of the City.*
- *Many new types of flat or low slope roof coverings are not available on the market and approved by the Building Code, such as:*
  - \*Built Up Roofing Systems*
  - \*Granulated Cap sheets*
  - \*Granulated Modified*
  - \*Fiberglass*
  - \*Thermoplastic Polyolefin*
- *A number of these new types of roof coating are superior to gravel roofs. Most of them already have or require a white coating as a final step in installation.*

*Based on the above, it is the recommendation of the Building and Code Compliance Department that this section of the Code, 150-010 (H), be stricken from the Code of Ordinances."*

City Attorney Seiden explained that the only reason that this section was put back in the code a few years ago was because there was a glitch in the process which allowed people to black top their roof and it looked terrible.

**Councilman Lob moved to remove section 150-010 (H) of the code. Councilman Best seconded the motion which was unanimously carried on roll call vote.**

#### **9F) Consideration of Amending Code Section 150.034 Regarding the Location for the Installation of Central Air Conditioners and Heating Units, Pool Pumps and Equipment, and Sprinkler Pumps Equipment**

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

*"Four variance requests to permit mechanical equipment in side yards have been considered by the Board of Adjustment in the last three months. Of these, one variance was granted (after the fact) and the others were not approved. One case was successfully appealed by the Board of Appeals, and two additional appeals are pending.*

*The City Clerk has provided minutes of previous requests and the minutes of the Code Review Board meeting of March 23, 2006, when this issue was discussed and a Code Amendment was recommended."*

Vice Mayor Ator commented that the case from the Code Review Board in 2006 was actually for an emergency generator.

City Attorney Seiden advised Council not to bring up the subject of generators because they are dealt with by the Florida Building Code. The City was prohibited from preempting the field in regards to the generators.

City Attorney Seiden clarified that the code was put into a format that explains clearly what is supposed to be done and what applies in which case. The only cogent argument that he heard was from Board of Adjustment member Ernie Aloma stating that the newer models of air conditioning units do not make as much noise.

City Attorney Seiden explained the conversation he had with an architect at the previous Board of Adjustment meeting. The simplest reason to keep the code as it is now is that most homes in Miami Springs provide an ample amount of space to place mechanical equipment in the rear yard. If homes are newly built, there is no reason why equipment cannot be placed in the proper location such as pool equipment being next to the pool. To some extent, the design professionals are creating these problems.

City Attorney Seiden stated that there are exceptions if the equipment is already installed in the side yard and it is being replaced. The only issues that have arisen are from new construction homes because the architects have not been following the code. He suggested having a bold lettered memo on the desk of the Building Department that can be given to every architect or engineer advising them of the provisions of Section 150-034.

Mayor Garcia asked Council to consider the situation in which a person building a new home decides to make the side yard setback even larger by making their home smaller or creating an indentation and blocking it off which would be farther away from the required side yard setback.

Councilman Best commented that a strong argument for not having equipment in the rear yard would be because people like patios in their backyard. In a lot of cases neighbors will have equipment on the same sides of their home to counteract the noise. The decibel levels of newer units are considerably lower. He feels that the code should be left as is and to let the Board of Adjustment continue to do their job and if a case needs to come before Council then so be it.

Mayor Garcia drew an example on the display board for the Council members to understand his earlier statement. He would like for residents to have the choice to place their equipment in the rear yard or on the outside of the required side yard setback.

City Attorney Seiden does not believe that anyone is going to build their home to be narrower so that they are able to place equipment in a side yard. They may decide to design an indentation but it would take away from their square footage. Most people want to maximize the use of their property and that is when it becomes an issue.

Mayor Garcia said that an indentation has already been designed for one of the homes and the homeowner is requesting relief from Council.

City Attorney Seiden commented that the homeowner who made the indentations in his new construction lives on Hunting Lodge Drive where space is not an issue. Issues will arise on homes other than ones on Hunting Lodge Drive, Deer Run and other large lots.

Planning and Zoning Director Holland stated that there was simple language that came out of the Code Review Board's meeting of April 23, 2006 and the term "minimum side setback" was used which meant that basically no portion of any central air conditioning or heating unit or electric generator shall be located in any minimum side yard setback which is another way of stating what Mayor Garcia suggested.

Mayor Garcia explained that the equipment should not be placed within the minimum required side yard setback. He would like to give residents options such as having proper screening or placing the equipment in the side yard or the rear yard.

Mr. Holland said that adding the term "minimum setback area" would suffice. There is a conflict in the code that was apparent with the case that Council heard tonight in that regulatory measures should not be included in the definition section which is the case for yards.

Mr. Holland noted that Section 150.002 (C) (79) includes language stating that no portion of any central air conditioning unit or heating unit shall be located in any minimum rear yard setback area. He sees no reason to prohibit the equipment in a minimum rear yard and it would eliminate the conflict.

Mayor Garcia commented that a new home would have new equipment that is quieter and even if the unit were to break and is noisy, it would be replaced.

Vice Mayor Ator said that there had been discussion on the air conditioning units, but Council had not addressed the pool or sprinkler pump issue since they are also noisy. She does not understand why someone designing a new house cannot read and follow the Code, especially an architect.

Mayor Garcia agreed that an architect should know their job, but that is not related to the cases that have been presented. He said that this discussion is about changing the Code and allowing the opportunity to place the equipment in the side yard, but not within the required minimum side yard setback.

Vice Mayor Ator expressed her concern about changing the Code every few years because that makes it difficult for people to understand what the Code actually states. Part of the problem is that the Planner is approving plans and he should know what the Code says.

Councilman Lob said that the Florida Building Code changes and is updated all the time and everyone dealing with construction must review it. He commented that this Council

could amend the Code and the next Council might overturn their decisions; the Code will change over time based on the current situation. He said that air conditioners are much quieter today than they were five or even ten years ago.

Councilman Lob added that he does not have an issue with amending the Code provision and allowing a choice. He noticed that most houses in the City do not have the equipment in the back yard, which has never bothered him. He asked what new communities are requiring and whether or not they are allowing equipment in the side yard.

City Attorney Seiden stated that research five years ago showed there was a trend for placement of the equipment in the rear yard for new construction.

Vice Mayor Ator said that there had been a lot of discussion and it sounds like there is support for amending the Code. She would suggest asking the City Attorney to draft language and when he brings it back Council can discuss it at that time.

City Attorney Seiden suggested that Council could throw out the provision allowing the equipment to be placed in the side or rear yard as long as it is not within the setback area, or keep the provision as it is and include within it an additional provision that allows for the equipment to be in the side yard of new construction as long as it is inside a “niche” area.

**The City Attorney will draft an ordinance for Council’s consideration at the next meeting that allows equipment inside of a “niche” area that is outside of the setback area.**

**9G) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$3,000.00 to Southeast Design for Changes to the Design Plans for the Westward Drive Median Bikepath/Walkway, Pursuant to Section 31.11 (E) (6) (g) of the City Code**

City Manager Ronald K. Gorland read the title of the recommendation and the memo from Assistant City Manager/Finance Director William Alonso.

The City Manager explained that on April 23<sup>rd</sup>, Council approved an expenditure to Southeast Design for architectural and design services for the Westward Drive Median Project. The plans were completed about three weeks ago and submitted to the Citizen’s Independent Transportation Trust (CITT). The Public Works Director was notified by CITT that the project did not meet their requirements since the majority of the blocks involved had sidewalks with access to the bus benches located in the areas.

The City was advised that there might be an MPO Transportation Enhancement RFP available that would, if awarded, cover the entire project, including landscape modifications,



lighting and signage. This proposal must be submitted by November 30<sup>th</sup>, with significant detail, cross section drawings, timelines, engineering and electrical plans, etc.

City Manager Gorland explained that because the funding is federal-through state funding, the path will need to be widened one-foot to meet the FDOT and AASHTO recommendations of ten feet for as much of its length as possible. Architect Perez-Vichot has indicated that this is possible, and that the electrical drawings had been partially completed. MPO funding is on a five-year timeline, which means that, if awarded, the funding will be available at some point during the next five years.

Historically, “shovel ready” projects receive priority in the dispersal of funds. Additionally, there is no required City match and up to 15 points are awarded if there is substantial local commitment. This may take the form of fees paid for plans, the Public Works Director’s hourly cost for supervision and the removal/mitigation for trees and other plantings, and any other Public Works involvement as well as actual dollars.

The funding for the expenditure would have to come from the designated fund balance because the project does not meet CITT requirements. The total cost is \$3,000.00. He asked Grant Writer Carol Foster what the likelihood of this project would be and she replied that it was 30-50% likely. He advised Council that by spending the \$3,000 there is no guarantees or even a high likelihood that at some point in the future that the City would be considered.

Mayor Garcia asked what entity the grant is with and City Manager Gorland replied that the grant is with the Metropolitan Planning Organization (MPO).

City Attorney Seiden explained that even if the City was awarded the grant, the City may not receive the actual funds for five years.

City Manager Gorland stated that if the City wanted to take advantage of the grant the \$3,000 would need to be spent to alter the plans.

Councilman Lob said that during the budget process he made a statement that he would vote no for anything that was being funded out of the designated fund balance and with that being said, a lot of funding has already been spent on this project. He said that the City cannot use CITT funding for this project and he would hate to see the funds that have already been spent go to waste.

Councilman Lob commented that if there is a chance that funding can be obtained from another source then he believes that the City should be ready. He is a big proponent for having “shovel ready” projects and he feels that it would be a waste of the funds that have already been spent if the project was not finished.

Councilman Best agreed with Councilman Lob. The \$3,000 would be very well spent in terms of moving forward and potentially getting a 50% chance of the project occurring.

Vice Mayor Ator asked Mr. Alonso where the funds would come from in the designated fund balance and Mr. Alonso replied that there are still funds in the Downtown Revitalization balance.

**Councilman Best moved to invest \$3,000.00 out of the designated fund balance for the positioning of the paperwork and drawings necessary to move on the to MPO Transportation Enhancement RFP. Councilman Lob seconded the motion which was carried 3-2 with Vice Mayor Ator and Councilwoman Bain casting the dissenting votes.**

## **10. New Business:**

### **10A) Consideration of Providing Prepaid Return Envelopes for Absentee Ballots for Municipal Elections**

City Manager Ronald K. Gorland read the memo from City Clerk Magalí Valls as follows:

*“On September 21, 2012, I sent you information regarding the actions the Miami-Dade County Commissioners had taken by passing a resolution to provide pre-paid return envelopes for absentee ballots in all countywide elections.*

*The Miami-Dade County Supervisor of Elections has notified municipalities that cities/towns/villages that have elections that do not coincide with the County’s, have a choice of using pre-paid return envelopes or using regular envelopes where they would be required to put postage for mailing absentee ballots.*

*I have contacted the Elections Department and they have provided me with an estimate of \$700.00 as the additional cost for Business Reply Mail, based on 100% return of the 1,095 absentee ballot requests on file.*

*It is my recommendation that Council approve this additional expense.”*

City Manager Gorland explained that \$700 is the maximum price that it would cost and that it would probably cost approximately \$500.

Vice Mayor Ator explained that she has experience with Business Reply Mail. She spoke with City Manager Gorland regarding permitting and asked if the City was going to be placed under the Supervisor of Elections number and he replied that he believes the City will be placed under the Supervisor of Elections number. She stated that the City only pays for the absentee ballots that are returned.

Vice Mayor Ator commented that she asked City Manager Gorland where the funding would come from and he advised her that it would probably have to come from the Council budget. She supports the minimal expense of providing Business Reply Mail envelopes for

the election.

Councilman Lob feels that this has direct impact to the citizens and he is in favor of it.

**Vice Mayor Ator moved the item as recommended by the City Clerk. Councilwoman Bain seconded the motion, which was unanimously carried on roll call vote.**

**10B) Consideration of Amending Code of Ordinances Article IV – Memorial Committee – Section 32.20 – Establishment and Membership**

City Attorney Jan K. Seiden stated that at Council's direction, the Administration tried to notify the Memorial Committee to meet in order to discuss a citizen's request for street naming of her deceased son. Section A of the Ordinance provides that one member of the Committee shall be the President of the Miami Springs Ministers' Council and the City Clerk found out that there is no longer such an organization.

City Attorney Seiden explained that Council could eliminate that particular position on the Board and have a four-member board or substitute another member. He suggested acquiring the names of the various religious institutions of the City and the seat could be assigned on a rotating basis from year to year.

City Attorney Seiden said that the City Clerk could call each religious institution and ask whether or not they would like to participate in the process and if so, their name would be put on the list.

Mother Keedy from All Angels Episcopal Church said that it could be difficult because many churches meet with other churches in the community and a number do not speak English.

To answer the Mayor's question, the City Clerk explained that Pastor Van Lahmeyer from the Presbyterian Church previously participated on the Committee, and although he was not really the President of the Minister's Association, he was functioning as such.

Mayor Garcia suggested asking the major churches in the City if they want to participate on a rotating basis.

City Attorney Seiden stated that he would draft an amendment to the Code once it is determined who is willing to participate.

Vice Mayor Ator pointed out that just like the minister that left the Presbyterian Church, other churches relocate their clergy members from time to time the same as the Methodist church does. She would suggest that the Code be amended to state a representative of the church and not a specific person and the City Attorney agreed.

The City Attorney will amend the ordinance and bring it back to Council for consideration.

**10C) Resolution No. 2012-3565 – A Resolution of the City Council of the City of Miami Springs Providing for the Fifth Amendment to the FY2011-2012 General Fund and Special Revenue and Capital Projects Fund Budgets; by Increasing General Fund Revenues from Undesignated Reserves to Cover Authorized and Approved General Fund Expenditures; By Increasing the Capital Projects Fund of the Special Revenue and Capital Projects Budget to Account for Curtiss Mansion Related Project Costs and Expenses; Providing Intent; Specifying Compliance with Accepted Budgetary Processes and Procedures; Effective Date**

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

Attorney Seiden stated that there is an exhibit that explains what in fact was done.

**Vice Mayor Ator moved to adopt the resolution. Councilman Best seconded the motion which was carried unanimously on roll call vote.**

**10D) Recommendation that Council Award City RFP # 09-11/12 to A-1 Property Services Group, the Lowest Responsible Proposer, in the Amount of \$60,120.00, for the Miami Springs Country Club Roof Repairs, Pursuant to Section 31.11 (E) (2) of the City Code**

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

*“On August 28, 2012, the City advertised the Request for Proposal # 09-11/12 for Miami Springs Country Club Roof repairs of which 17 vendors were notified of the opportunity to bid. On August 30, 2012, contractors were required to attend a Mandatory Pre-Bid conference and only 7 were in attendance. On October 4, 2012, the City received 4 proposals and only three vendors were considered responsive.*

*A committee comprised of Public Works Director Nash and Professional Services Supervisor Tammy Romero met and evaluated the proposals received. After careful review, the committee is making a recommendation for A-1 Property Services, Group as the lowest responsible proposer. The total cost is \$60,120.00 and funding would come from the designated fund balance.”*

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

## **11. Other Business:**

None.

## **12. Reports & Recommendations:**

### **12A) City Attorney**

None.

### **12B) City Manager**

#### **Calendar of Events**

City Manager Gorland reported that there are many events and activities that he would like everyone to be aware of and they are listed on the City's website.

#### **Hurricane Season**

City Manager Gorland reminded everyone that it is still hurricane season and that Hurricane Wilma came at this time of the year in 2005. There is at least one named storm and a tropical depression. He urged the public to stay in touch.

#### **November Meeting**

City Manager Gorland announced that Council would only meet once in November on Monday the 19<sup>th</sup>.

#### **Halloween Festival**

City Manager Gorland reported that the Parks and Recreation Department is inviting local residents to the City's 7<sup>th</sup> annual Halloween Festival celebration being held at the Miami Springs Community Center on Saturday, October 27<sup>th</sup> at 6:00 p.m., with a costume contest in the gymnasium, followed by a "ghoulish" egg hunt. I. D. bracelets will be required and are currently on sale for Miami Springs and Virginia Gardens residents, based upon proof of residency. Non-residents can purchase I. D. bracelets for \$10.00 beginning on October 24<sup>th</sup>.

#### **Veterans Day Ceremony**

City Manager Gorland announced that a Veterans Day ceremony will take place at the Curtiss Parkway War Memorial on Monday, November 12<sup>th</sup> at 10:00 a.m.

## **Soccer Fundraiser**

City Manager Gorland reported that the Miami Springs/Virginia Gardens Soccer Club would hold a fundraising dinner on Saturday, November 17<sup>th</sup> at Woody's West End.

## **5K Turkey Trot**

City Manager Gorland reminded everyone that the 3<sup>rd</sup> Annual 5K Turkey Trot would be held at 7:00 a.m. on Saturday, November 17<sup>th</sup>, with registration from 6:00-6:45 a.m. at the Miami Springs Community Center on race day.

## **12C) City Council**

### **Farmers Market**

Councilwoman Bain complimented the All Angels Farmers Market that always has something new and it is pleasant and well run.

### **Junior Orange Bowl Event**

Councilwoman Bain reported that four girls participated in a Jr. Orange Bowl event at the Community Center and they will all advance to the second round in the competition. She complimented Programs Supervisor Patricia Bradley and the Recreation Staff for a wonderful event.

### **Halloween Safety**

Councilwoman Bain would like everyone to be safe when "Trick or Treating" and to attend the Halloween Festival at the Community Center.

### **Curtiss Mansion Event**

Vice Mayor Ator received notice that the Curtiss Mansion event was cancelled and she later was informed that it is still taking place for a limited amount of days. She is sure that it will be a very good event.

### **Veterans Memorial**

Vice Mayor Ator mentioned that her husband Bill Tallman is very distressed about the Veterans Memorial and since Veterans Day is coming up it is a good time to address the

problem. There is a typographical error on the memorial and not all veterans who were killed or served in the line of duty are listed on the memorial. She suggested that the Memorial Committee could address the issue. The City Manager agreed there is an error in the marble on the monument.

### **Halloween Safety**

Vice Mayor Ator urged everyone to have a very safe Halloween and to arrive back home before it gets too dark.

### **Pelican Playhouse**

Councilman Best announced that the Pelican Playhouse would hold “The Trials of Robin Hood” the first two weeks in November on Thursday and Friday nights at 7:30 p.m. and at 2:00 p.m. on Sunday. He said that the production is coming together well with the participation of 35 actors.

### **Halloween Safety**

Councilman Best reiterated Vice Mayor Ator’s comment urging everyone to have a safe Halloween since there will be many kids on the streets on Wednesday afternoon and evening.

### **Halloween Safety**

Councilman Lob urged everyone to have a safe and “Spooktacular” Halloween.

### **Curtiss Mansion**

Mayor Garcia announced that Miami-Dade County recognized the recipients of the 2<sup>nd</sup> Annual Historic Preservation awards and the Curtiss Mansion received the Outstanding Restoration Award for a Public Facility. The City Managers’ luncheon was recently held at the beautiful facility and a few already contacted the Mansion about holding events there.

### **City Manager**

Mayor Garcia spoke with a few of the City Managers at the Curtiss Mansion luncheon who were candidates for the City Manager’s position in Miami Springs and he made it clear that

City Manager Gorland is doing a wonderful job.

### **Castillo Family**

Mayor Garcia extended his thoughts and prayers to the Castillo family and he asked everyone to do the same for everyone that was injured in that accident.

### **Halloween Safety**

Mayor Garcia urged everyone to have a safe Halloween and to express their love to their loved ones every day.

### **Thank You**

Councilman Best thanked All Angels Mother Keedy for staying for the entire meeting. He is impressed that someone of her prominence in the community is interested in seeing how the City Council works for 2-1/2 to 3 hours.

### **All Angels Church**

Mayor Garcia said that he spends a lot of time at All Angels Episcopal Church visiting friends and he stopped by there today while jogging.

### **Farmers Market**

Mayor Garcia thanked Mother Keedy for hosting the Farmers Market and complimented Sara Vargas for doing a wonderful job.

## **13. Adjourn.**

There being no further business to be discussed the meeting was adjourned at 9:37 p.m.



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Zavier M. Garcia  
Mayor

**ATTEST:**

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Magalí Valls, CMC  
City Clerk

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

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

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



DRAFT

## **REVITALIZATION AND REDEVELOPMENT AD- HOC COMMITTEE**

The meeting of the Miami Springs Revitalization and Redevelopment Ad-Hoc Committee was held on Monday, October 15, 2012 in the Council Chambers at City Hall.

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

The meeting was called to order at 7:06 p.m.

Present were: Chairman Laz Martinez  
Arturo Rabade  
Juan Saborido  
Fernando Suco

Also Present: City Planner Jim H. Holland  
Board Secretary Elora R. Sakal

### **3. Approval of Minutes: May 21, 2012**

Board member Saborido moved to **approve the minutes as written**. Board member Suco seconded the motion, which carried 4-0 on voice vote.

### **4. New Business:**

#### **a) Appointment of Vice Chair**

Chairman Martinez asked for nominations for the Vice Chair position.

**Board member Saborido suggested appointing Board member Rabade. Board member Suco seconded the motion which was carried unanimously on voice vote.**

**b) Update from Planning and Zoning Director on Revitalization Efforts on 36<sup>th</sup> Street, Abraham Tract, Golf District, the Pilot House, Shoney's, etc.**

Chairman Martinez commented that he saw no reason to meet until Council completed the budget. He asked Planning and Zoning Director Holland to update the board members on the agenda item.

Mr. Holland said that a lot is currently going on with the Abraham Tract. The Council passed the zoning regulations for that district on second reading on August 22, 2012. He and the City Attorney felt that there was some urgency in moving forward with that district rather than waiting on the City's former consultants. The Hyatt hotel will definitely be on the Abraham Tract and there is another hotel that will possibly be on the Abraham Tract.

Mr. Holland stated that the Hyatt hotel will be on the old Shoney's Tract and it will have 130 rooms and will be six stories. He expects the plans to be formally submitted within the next few weeks. He has been working with the brokers Marcus and Millichap for approximately six months on the Bennigan's Tract. There have been three offers on the Bennigan's Tract from groups called The Prime Group, Southern Flower Hospitality and Avista.

Mr. Holland explained that the N.W. 36<sup>th</sup> Street District was passed on May 14, 2012. The Pilot House is no longer going to be renovated because a deal could not be made on the buyout of the lease.

Chairman Martinez said that he could see why that would happen and felt that it did not make sense for someone to invest time and money on a property where the lease can be terminated.

Mr. Holland commented that the price of the property has been lowered to \$5.5MM from its original \$8.5MM.

To answer Board member Saborido's question, Mr. Holland explained that one of the provisions of the lease was that if a hotel developer was interested in the property, then the property owner would basically buyout the lease.

Mr. Holland commented that there may be another 2.5 acres coming on the market which is the Biscay Holdings.

Discussion ensued regarding the vacancy and property information for the Biscay Holdings building.

Mr. Holland explained that he went through an exercise projecting how much tax revenue can be generated from some of these hotels once they are developed.

Board member Saborido asked if the hotels are beholden to any of the design issues that the board has been discussing and Mr. Holland replied that there are no architectural guidelines for the Abraham Tract.

Mr. Holland stated that he and City Attorney Seiden wrote the usage code and took some of the aspects from the N.W. 36<sup>th</sup> Street District and saved them. The bonus program for the Floor Area Ratio (FAR) is identical to the 36<sup>th</sup> Street ordinance. There is a .01 FAR for each hotel room and that calculates to be an increase in the density of the FAR of 1.0 per 100 rooms. There are no density requirements and it is design driven as far as the number of rooms that a hotel can have.

To answer Chairman Martinez's question, Mr. Holland replied that the adult hotel issue has not been solved. He is currently working with an expert in first amendment law to prepare the regulations and then review them with City Attorney Seiden and Council.

Board member Saborido asked if Mr. Holland is referring to Calvin, Giordano when he previously stated "former consultants" and Mr. Holland replied in agreement. Mr. Holland said that the contract has been effectively terminated.

To answer Board member Saborido's question, Mr. Holland stated that Calvin Giordano's services cost the City approximately \$125,000. In his opinion, Calvin Giordano left the City with a dysfunctional zoning district for 36<sup>th</sup> Street. It has been worked on but still needs additional work.

Discussion ensued regarding some structural work that is going to be done with Burger King, Pollo Tropical and other restaurants on 36<sup>th</sup> Street.

Mr. Holland explained that Calvin Giordano was supposed to give the City something on the Airport Golf District and the City had no work product on that district. He is presently going through a Comprehensive Plan amendment and it will be considered on first reading at the City Council meeting on October 22, 2012.

Mr. Holland said that the next step for the Golf District is to develop some kind of a comprehensive plan to look at the ownerships of the properties and redesign something and write the zoning regulations around the plan.

Mr. Holland stated that nothing is really happening in the Downtown area other than with the color palette. City Hall is currently being painted consistent with the color palette. He attended the Florida American Planning Association Conference in Naples and noted that Miami Springs is the only City without a Community Redevelopment Agency (CRA). He noted that he is going to look into a means of marketing called Business Improvement District (BID) that it is not a taxing agency and is by assessment.

Chairman Martinez commented that his only concern with a BID is that if property owners are currently not willing to spend the money on their own then how successful is the City going to be trying to assess them to participate. He has heard that an annexation may be coming back to the forefront. It would be another way that funds could be raised for revitalization.

To answer Chairman Martinez' question regarding information on the annexation issue on the County, Mr. Holland said that there was a presentation by the lobbyist at the last Council meeting and it specifically addressed annexation in that their role at this point is keeping the group of four cities together.

Discussion ensued regarding the annexation issue.

Board member Saborido asked what parcels there are other than the Florida East Coast (FEC) Tract and Mr. Holland responded that he is not certain but believes that it would go up to the Palmetto.

Board member Saborido asked how the City has claim to those parcels and Vice Chair Rabade replied that it is unincorporated.

Mr. Holland explained that the City was sued because they did not accept billboards. It was a "friendly lawsuit" because the complaint had a settlement agreement attached to it. The people who filed the lawsuit were in the interest of electronic billboards on the Palmetto and that was the settlement agreement. It was extracted from their assistance in annexation.

Board member Suco commented that there are no gas lines on Deer Run or in many other parts of Miami Springs. It is very costly to bring gas into a business district. Woody's West End Tavern has a moratorium on its property until 2014 because the pump stations are not done. The federal government put a moratorium in effect for Miami-Dade Water and Sewer.

Board member Suco said that there are things that can be done in the City without having to discuss annexation.

Chairman Martinez stated that these things are occurring due to external forces. Activity has not come up because of anything that the City has done but more so economic forces that are making some of these areas interesting and viable enough to where developers are coming in. The fact that the City may not have funding at this point should not stop the board from planning.

Chairman Martinez noted that nothing was really done with the strategic plan. One item that is in the plan that at one point was going to be discussed with the board was the Economic Development Plan. Board member Suco had given a plan to him that was done for the City from Florida International University (FIU).

Chairman Martinez said that the board has not received any direction from Council as to what to do to move forward. He reiterated that the planning should not stop.

Vice Chair Rabade commented that the issue is not the planning; the issue is the implementing.

Chairman Martinez stated that he would like to see an agreed upon feasible financial plan. He would like to come up with signage and lighting, find an affordable price and then find out what is needed to get started and what funds will be needed or available.

Discussion ensued regarding the issue that the City has with planning.

Chairman Martinez noted that the new lighting that was installed on Royal Poinciana is not consistent with the other lighting that is on the opposite side of that street.

Board member Suco mentioned that the new lighting was a grant.

Vice Chair Rabade asked Mr. Holland how the City of Doral went about changing their signage in such a timely matter and where the funding came from and Mr. Holland replied that the City had to enter into a joint participation agreement with the County. Because of the lack of funding it has not been pursued. There has been discussion with CITT regarding the possible use of CITT funds.

Vice Chair Rabade suggested identifying all of the “low lying fruits” to come up with a list and start with something to make some kind of changes that are visual in order to move forward.

Chairman Martinez said that signage and lighting are the “low lying fruits” that he would like to start with.

Vice Chair Rabade wanted to know what would need to be done to get a plan together to address the lighting and to try and change the lighting to more of a pedestrian type of lighting.

To answer Vice Chair Rabade’s question, Mr. Holland stated that the current lamp posts can be reused.

Board member Saborido commented that there is some kind of disconnect between this board, the Administration and Council.

Vice Chair Rabade suggested coming up with a proposal to present to Council regarding the lighting.

Discussion ensued regarding whether to start from the “front part of the elephant” or the “back part of the elephant”.

Chairman Martinez stated that a board that he was previously a part of cleaned the sidewalks and put up banners. It was inexpensive but made the City look better.

Board member Saborido asked if the \$97,000 that was proposed by Calvin Giordano was based solely on what they told the City it was going to cost and if the City explored prices on their own and Mr. Holland replied that the City did explore prices on their own.

Mr. Holland suggested looking into a standard fiber glass pole and putting lanterns on them and lowering them to a pedestrian scale. Street lighting special taxing districts are permitted in the County but require 100% affirmative votes from property owners.

Chairman Martinez said that if in the end it turns out that the best way to move forward is with the special taxing district then that would be fine, but he would rather come up with a plan of moving forward in small parts at a time that would be more affordable.

Discussion ensued regarding the fact that there are people who are willing to purchase and sell and it is a matter of getting the City to develop so it can receive tax funds. The City needs to expand and advertise properties to create revenue for the City and get the interest of investors.

Board member Saborido asked if the City has any relationship with the Beacon Council and Board member Suco replied that the City does have a relationship with the Beacon Council but they would be of no assistance in this situation.

Discussion ensued regarding when the Beacon Council would be able and willing to assist the City.

Board member Saborido stated that the City does not have someone who would develop or market the City and that is an issue.

Chairman Martinez asked what a developer or a marketer would do for the City and Board member Suco said that if more hotels were constructed along 36<sup>th</sup> Street then it would bring in more people to market the Downtown area and create revenue for the City.

Discussion ensued regarding what needs to be done to generate more activity in the Downtown area.

Mr. Holland explained that he is in the infancy of preparing an economic marketing program that would be done in-house.

Board member Suco said that he knows that a lot of people are interested in looking for property in the Miami area.

Board member Saborido stated that the City Planner can continue preparing an economic marketing program while the board can propose a small project to Council so that things can begin to move forward.

Chairman Martinez commented that when Calvin Giordano was working with the City, he suggested having a developer's conference to market the available sites in Miami Springs. He believes that the board should work on a small project such as lighting.

Mr. Holland suggested involving the Architectural Review Board.

Chairman Martinez said that there needs to be a structured process when working with the Architectural Review Board such as presenting a layout of options so that progress can be made.

Board member Saborido asked if there are funds in the budget for revitalization and Mr. Holland responded that he cannot answer that question at the moment. The City is required by law to update the capital improvements program on an annual basis and it is a process that is currently being done.

To answer Board member Saborido's question, Board member Suco said that when the County voted for the half penny tax for transit, it was stated that every City was going to get an annual percentage kickback depending on the size of the city. The City of Miami Springs receives approximately \$70,000 a year from the transit funds.

Mr. Holland commented that he rode the shuttle bus route with former City Manager Borgmann to take notes and see how many people use it. There was a handful of elderly people but it is mostly used by students.

Board member Suco asked if the board can meet more than once a month so that progress can be made and a grant can possibly be put in for this year's budget in Tallahassee.

Mr. Holland said that the City is having an issue with the County and the Community Development Block Grant (CDBG) which is currently being pursued. The City Council chose to opt out of participation and the County is still indicating that the City is still participating which makes the City ineligible to receive certain state funds.

Discussion ensued regarding who would be able to look for sample lighting to present to Council.

Board member Rabade asked if Mr. Holland can find out how much the lights on Hook Square cost and Mr. Holland replied in agreement.

To answer Board member Saborido's question, Chairman Martinez commented that the City Council's role would be to approve and allocate the funding to install the lights in a section of Miami Springs.



Mr. Holland asked who installed the lighting on Hook Square and Board member Suco replied that he believes the State installed the lighting.

Chairman Martinez would like Mr. Holland to have a list of pricing ideas for lighting similar to the ones on Hook Square for the next meeting.

Chairman Martinez said that the board members should individually speak to the Council member who appointed them regarding this matter.

Mr. Holland would like to discuss ideas on marketing at the next meeting.

Discussion ensued regarding a bike path down Westward Drive.

Board member Suco suggested that the sample lighting should be tested in the Downtown area and Westward Drive.

Mr. Holland suggested contacting Florida Power and Light (FP&L) to see what programs they have.

**5. Old Business: None.**

**6. Adjourn**

The meeting was duly adjourned at 8:55 p.m.

\_\_\_\_\_  
Elora R. Sakal  
Board Secretary

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

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**DRAFT**

**CITY OF MIAMI SPRINGS, FLORIDA**

The **Miami Springs Education Advisory Board** met at 6:30 p.m., on Tuesday, October 16, 2012 in the City Hall Council Chambers.

The meeting was called to order at 6:34 p.m.

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

The following were present:           Chair Dr. John Salomon  
  Vice Chair Dr. Mara Zapata  
  Michael G. Hunter

Absent:                                       Golnaz Sami

Also Present:                               Deputy City Clerk Suzanne Hitaffer

**2) Approval of Minutes: September 18, 2012 Regular Meeting**

Minutes of the September 18, 2012 meeting were approved as written.

**Board member Hunter moved to approve the minutes and Vice Chair Zapata seconded the motion, which carried unanimously on voice vote.**

**3) Individual School Reports:**

AIE Charter School Principal Vera Hirsh reported that the school has more than 300 students this year in grades K-7 and 75% are from the Miami Springs and East Hialeah area. The school will expand to 8<sup>th</sup> grade next year. Students are preparing for computer based testing and are participating in United Way fundraising activities.

Ms. Hirsh informed the Board that the school received a State Charter School Grant; the award letter was received last week, and funds will be used to purchase interactive boards for all teachers, two computer labs and state of the art technology for the classrooms.

Ms. Hirsh announced upcoming school events, including the Book Fair on November 13-16, and the dedication of the AIE Charter School Glenn Curtiss Campus on November 21<sup>st</sup>. She hosted a roundtable at the Association for Latino Administrators and Superintendents and spoke about the benefits of utilizing the Rosetta Stone program for learning Spanish and English as a second language.

Ms. Hirsh reported that upcoming student activities include a Mock Election Day on November 5<sup>th</sup>. She added that applications are being accepted for the next school year with a lottery drawing.

Miami Springs Senior High School Principal Anna Rodríguez reported on the United Way campaign, scholarship awards and homecoming activities. The school band placed fourth in a competition last weekend and received superiors in visual arts and the Color Guard.

Ms. Rodríguez said that more than 400 students were tested for the FCAT retakes and approximately 60 kids attended Saturday tutoring. College Night was held on October 9<sup>th</sup> with about 75 parents who received college information.

Ms. Rodríguez informed the Board that she met with the President of the Wolfson Campus and they are looking forward to expanding dual enrollment, especially with the Cambridge and ITEC programs. Students will have a myriad of opportunities during the day and after school.

Vice Chair Zapata asked if a presentation from the Miami-Dade Honors College was made at the College Night event.

Ms. Rodríguez explained that a presentation was not made from the Honors College; it was only a College Night for the parents to receive information and the colleges will come back in two weeks to make their presentations.

Vice Chair Zapata explained that the Honors College is a great opportunity that some students are not aware of and she has already asked the College to make a presentation at Miami Springs Senior High School.

Ms. Rodríguez agreed that the Honors College is another area she would like to explore and she is hoping that students can participate in these classes through dual enrollment.

Miami Springs Middle School Principal Javier Pérez reported that the magnet program participated in the Family and Career Expo at Miami-Dade North with a booth to showcase the magnet program. He said that the PTSA fund raising efforts are outstanding and they were able to purchase the patio cover that will be installed within the next three weeks.

Mr. Pérez announced that the ELL tutoring program is being held before and after school on Monday through Thursday and regular students will begin on November 1<sup>st</sup>. Funding was secured for ten promethean boards that are expected to be installed within the next month. He also reported on the fall sports activities and programs.

To answer Vice Chair Zapata's question, Mr. Pérez explained that the school teachers conduct the ELL tutoring through a grant from Title II and Title III. The school lost funding from the Easter Seal Program and they are using Title I monies.

Chair Salomon asked how Principal Pérez is dealing with the school capacity since he mentioned at the last meeting that it was at 115% capacity.

Mr. Pérez responded that the capacity is a little lower because some of the portable areas are being utilized.

Board member Hunter mentioned that there are various types of smart board devices and he asked if there is a preferred single board that is used for training the teachers.

Mr. Pérez commented that he has used all three types of boards and the mimeos are the best priced, but they are difficult to secure. Promethean is putting together a package for the schools for a good price that includes installation. He said that if teachers learn how to use one device they will be able to use the others; training is also provided for the teachers.

Board member Hunter suggested that schools might be interested in the mimeo tablet that can be secured in a desk drawer and it requires nothing more than an overhead projector and a white board.

Mother Susan Keedy from All Angels Academy reported that the school is hosting home games for volleyball and cross country meets. The school will host National History Day and there is a great deal of interest from public and private schools this year. Events include a Book Fair in November, student interdisciplinary projects, the PTO Open House and pot luck supper, overnight lock-in for the Middle School and the "Spooktacular".

Mother Keedy announced that the student government campaign and election was held; there are three new mimeos for the classrooms; there is a new math curriculum and students are using Singapore Math in light of the new standards.

Miami Springs Elementary School Principal Sally Hutchings reported that the students' Artwork for Nature as Designer was accepted to be displayed at Pinecrest Gardens. ELL tutoring will begin November 5<sup>th</sup> and will target the lowest 25% of students in grades 3-5. Classes are celebrating Hispanic Heritage Month by focusing on different Hispanic cultures. The Parent Program had a mobile station that was sponsored by a visual funded program and fifteen students will receive free eyeglasses. McDonald's sponsored a fund raising parent night. Enrollment is at 551 students and the school is at 90% capacity.

Ms. Hutchings continued to report on field trips, including trips to the Biscayne Nature Center, the Cleveland Orchestra, and the Pumpkin Patch. Other events include a film presentation of "Surviving the Everglades", "Say No to Drugs", and the Halloween parade. The PTA has completed the catalog sale and will continue to collect box tops and Campbell labels; they will also host the Halloween Trick or Treat dance.

Ms. Hutchings announced that class size is in compliance with the exception of 13 periods. Dade Partners include Papa Johns, Chuck E. Cheese, Milam's Market, and McDonalds.

Springview Elementary School Assistant Principal Irene Gómez-Lugo reported on the ELL Program and ELL tutoring, the United Way campaign, Hispanic Heritage Month activities, the PTA Book Fair, and the vision and hearing screening. Field trips and presentations include "Walk Odyssey", a Humane Society presentation on service dogs, and trips to the Pumpkin Patch, Pinecrest Gardens and Miami-Dade Community College Nature Center. Everyone is invited to the haunted house on October 25<sup>th</sup> at 5:30 p.m.

Ms. Gómez-Lugo stated that the school is considering the purchase of a web-based accelerated reading (AR) program and they are hoping to collect donations.

To answer Chair Salomon's question, Ms. Gómez-Lugo stated that books and tests will be available on-line; the testing will take place at the school. Parents will have access to the books at home, but not the test questions.

Region Director Richard Vidal announced that a Town Hall meeting will be held on Thursday, November 1<sup>st</sup> at 7:00 p.m. for the Miami Springs/Doral feeder pattern at Doral Ronald Reagan Senior High School.

#### **4) PTA/PTSA Reports**

PTA activities were discussed under the School Reports.

## **5) Education Advisory Board Goals**

Chair Salomon explained that at the last meeting the Board had requested information about the strengths and deficiencies of every school. The Board members did not receive this information, which is needed in order to move forward with the goals and to know which specific areas to target.

In regard to the education compact, Chair Salomon suggested that the Board could help push forward dual enrollment, as mentioned by Principal Rodríguez. He would also like to discuss the feeder pattern and the transition from the elementary schools to the Middle School.

Chair Salomon mentioned that the compact is dated May 17, 2008 when Rudolph Crew was the Superintendent of Schools and it obviously needs updating. He asked the other Board members for their comments.

Board member Hunter said that he would like to receive the information that is gathered from the schools and put that in perspective with the compact to see if there are items from the four-year old compact that could be brought up to date.

Chair Salomon commented that the Board members should review the compact to see what is working. He noted that the compact states that the City is home to five district facilities, including George T. Baker Aviation School. He clarified that George T. Baker is not part of the feeder pattern, but learned that they are sponsored by the Miami International Airport (MIA). He would love to see MIA partner with the Miami Springs' schools, which is something the Board could work toward.

Chair Salomon added that the compact mentions that Westland Hialeah Senior High School serves the City's youth even though it is not within the City limits. He asked if this information was still accurate.

Principal Rodríguez clarified that none of the students that live in Miami Springs attend Westland Hialeah Senior High.

Chair Salomon asked if the other Board members wanted to address any items in the compact and Board member Hunter suggested waiting until the next meeting after receiving the compact matrix and the information that was requested from the school Principals.

Vice Chair Zapata also agreed to wait until the next meeting.

Chair Salomon advised the Principals that the Board would like data from their schools in order to create goals in conjunction with the compact.

**6) Youth Advisory Council Update**

This item was tabled since Board member Sami was not present.

**7) Other**

**8) Adjourn**

There was no further business to discuss and the meeting adjourned at 7:03 p.m.

Respectfully Submitted,

Suzanne Hitaffer  
Clerk of the Board

Approved as written at meeting of:

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

**CITY OF MIAMI SPRINGS, FLORIDA**

The **Miami Springs Historic Preservation Board** met at 7:00 p.m. on Thursday, October 18, 2012 in the City Hall Council Chambers.

The meeting was called to order at 7:09 p.m.

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

The following were present: Vice Chair Sydney Garton  
Yvonne Shonberger  
Michael Windrem

Absent: Chair Mary Ann Goodlett-Taylor  
Charles M. Hill

Also Present: Deputy City Clerk Suzanne S. Hitaffer  
Clerical Assistant Elora R. Sakal

**2. Approval of Minutes: September 20, 2012 Regular Meeting**

Minutes of the September 20, 2012 meeting were approved as written.

**Board member Shonberger moved to approve the minutes and Board member Windrem seconded the motion, which carried 3-0 on voice vote.**

**3. Public Hearing: Resolution No. HP 1-2012 – A Resolution of the City of Miami Springs Historic Preservation Board Accepting and Approving the Designation Report for the H. O. Goodlett House; Designating the Subject Property as a Local Historical Site; Specifying the Authorization and Requirements of Designation; Providing an Effective Date.**

Vice Chair Garton read the resolution by title.



Vice Chair Garton opened the public hearing to anyone wishing to speak. There were no speakers, and the public hearing was closed.

Board member Shonberger asked the Vice Chair to read the “Whereas” clauses into the record and the resolution was read in its entirety (attached for the record).

**Board member Shonberger moved to adopt the resolution to designate the H. O. Goodlett house. Board member Windrem seconded the motion, which carried 3-0 on roll call vote (Board member Hill and Chair Goodlett-Taylor were absent).**

Vice Chair Garton stated that the property owners were not present, but they were sent the information about their right to appeal the decision of the Board.

The Board members received a copy of Code Section 153-45 on the dais outlining the appeals process.

The Clerk of the Board clarified that the appeal must be filed within a certain number of days. The Board’s decision to designate the property is not required to be sent to the City Council unless an appeal is filed.

- 4. **Old Business:** None
- 5. **New Business:** None
- 6. **Reports/Requests:** None
- 7. **Adjourn**

There was no further business to discuss and the meeting adjourned at 7:18 p.m.

Respectfully Submitted,

Suzanne Hitaffer  
Clerk of the Board

Approved as written at meeting of:

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***DRAFT***

**CITY OF MIAMI SPRINGS, FLORIDA**

The Miami Springs **City Council** met in regular session, Monday, October 22, 2012, and during the meeting sat as the **Board of Appeals**. The meetings were held in the Council Chambers at City Hall, beginning at 7:00 p.m. On **ROLL CALL** the following were present:

**1) CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 7:42 p.m.

The following were present:

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

Also Present:

- City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Planning and Zoning Director Holland
- City Clerk Magali Valls
- Deputy City Clerk Suzanne S. Hitaffer

Sitting as the **Board of Appeals**, Council took the following actions:

**2) MINUTES OF REGULAR MEETING:**

Minutes of the October 8, 2012 Board of Appeals meeting were approved as written.

**Councilman Lob made a motion to approve the minutes. Councilwoman Bain seconded the motion, which was carried 5-0 on roll call vote.**

**3) NEW BUSINESS:**

- A) Case # 07-V-12  
Roy Sandri  
290 Hunting Lodge Drive  
Zoning: R-1A  
Lot Size: 75 ft. x 300 ft.**

Applicant is requesting a variance from Code Section 150-034 (A) to permit air conditioning compressors in a side yard.

The applicant was not present.

City Attorney Seiden stated that Council can continue with the next case and if the applicant shows up during the Board of Appeals Meeting or the Council Meeting then the Board of Appeals Meeting can be reconvened.

- B) Case # 08-V-12  
Francisco Bravo  
1161 Ibis Avenue  
Zoning: R-1B  
Lot Size: 9,525 sq. ft.**

Applicant is requesting a variance from Code Section 150-034 (A) to permit air conditioning compressors in a side yard.

City Attorney Jan K. Seiden said that this is a strange situation because the applicant's plans were approved inappropriately when first submitted. It is considered new construction because it is in fact a new addition and it is not being changed within the existing home; it is being added to the property. In speaking with the applicant and as stated in his appeal letter, he would not be unhappy if he were required to place it in the side yard where the existing equipment is.

City Attorney Seiden explained that the objective in any case is to make it as least impactful as possible to neighboring properties. This case is somewhat different from the others because there was an inappropriate approval. There is a letter in support from 1170 Ibis Avenue and the applicant brought in another letter of support from the neighbor that is on the side yard of the non existing equipment.

City Attorney Seiden commented that in his opinion it would be inappropriate for Council to require the applicant to redraw his plans to include the compressors into the addition because plans had already been approved. The side yard that currently has an air conditioning compressor should not have any objection though it would require a variance because it would be inside the side yard setback.

Councilwoman Bain asked which option the applicant would prefer and Mr. Bravo replied that he would prefer the option as shown on the plans.

Councilman Lob said that if it were approved as shown on the plans, there would fortunately be screening to obscure the view of the air conditioner.

**Councilman Lob moved to grant the variance as per the plans. Councilwoman Bain seconded the motion.**

Vice Mayor Ator asked who the architect met with in the Zoning Department back in August of 2011 and Planning and Zoning Director Holland replied that he met with the architect.

Councilman Best asked if there is any existing equipment on the side yards of his neighbors and Mr. Bravo responded that his east side neighbor has a sprinkler pump in their side yard and his west side neighbor has an air conditioner in their side yard.

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

#### **4) OTHER BUSINESS**

City Attorney Seiden commented that Ms. Mercurio is present for variance 07-V-12 and is the west side neighbor to the property. She had an objection and was asked to be present at this meeting to speak. Since the applicant was not present, Council cannot move forward with the case. He apologized for the situation and advised her that she can stay throughout the Council Meeting in case the applicant appears. He said that she will be contacted when the case comes back to the Board of Appeals.

#### **5) ADJOURNMENT**

There was no additional business to be considered by the Council sitting as the Board of Appeals and the meeting was adjourned at 7:53 p.m. to the Council Regular Meeting.

Respectfully submitted,

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Magalí Valls, CMC  
City Clerk

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

Transcribed from tape by Elora R. Sakal.



***DRAFT***

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

The **Ecology Board** met in Regular Session at 7:00 p.m., on Tuesday, October 23, 2012 in the Council Chambers at City Hall.

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

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

The following were present:

Chairman Martin Crossland
Vice Chair Wendy Anderson-Booher
Ann Trina Aguila
Carl Malek

Also present: Board Secretary Elora R. Sakal

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

Minutes of the September 25, 2012 were approved as amended.

**Vice Chair Anderson-Booher moved to approve the minutes. Board member Aguila seconded the motion which was carried unanimously on voice vote.**

### **3) Old Business**

#### **a) Litter Report by Ecology Board Members**

Chairman Crossland stated that the board members received answers to the questions that they had for Public Works Director Nash. The questions and answers were as follows:

- Who owns the parking lot across from Miami Springs Senior High School?  
- Dade County Public Schools owns the parking lot across from Miami Springs Senior High School. The City leases part of the property.

- Who owns the swale around the clay pit? -Miami Dade County Water & Sewer
- Who owns the swale around the schools? - The swale is City Property but is maintained by Miami Springs Senior High

Vice Chair Anderson-Booher noted that the question regarding the swales around the school was not specific to which schools are being discussed. She asked that the question be resubmitted to include Miami Springs Elementary, Springview Elementary, Miami Springs Middle School and the Glenn Curtiss Elementary AIE Charter School.

Board member Aguila explained that she spoke with the Principal at Springview Elementary and she said that the City trims the trees as a favor but that the school is responsible for picking up the trash in the swales.

Board member Aguila would like to know who is responsible for cleaning the parking lot across the street from Miami Springs Senior High School.

Vice Chair Anderson-Booher asked if a question was submitted to find out who owns the swale around the BellSouth building and Board member Aguila replied that at a previous meeting Mr. Nash said that the swale is owned by BellSouth.

Board member Malek commented that swales are owned by the City but are to be maintained by the homeowner or business owner.

Chairman Crossland wanted to know from Mr. Nash if all commercial enterprises and schools legally have to maintain and clean their swales and if Code Enforcement would intervene if there is too much trash on the property.

Board member Aguila would like to know what the regulations are for trash being put in the swale area.

Chairman Crossland said that he saw the new private company on Ludlam Drive trimming trees and picking up all the trash. He would like to know the name of the company and what their responsibilities are in the City.

Vice Chair Anderson-Booher requested that Mr. Nash be present at the next meeting.

#### **4) New Business:**

##### a) Recycling Bins for the Parks

Elizabeth King of 449 Payne Drive asked if there was any way that she could be of assistance to the Ecology Board because she sees things in the City that need attention. She commented that the swales at the tennis courts are not being cleaned and that there is no recycling bin.

Ms. King stated that the Senior Center makes recycled bags and if donations are given for them, they contribute the funds to the Math team at the High School.

Discussion ensued regarding the disposable plates and cups that are used at the Senior Center.

Vice Chair Anderson-Booher asked if the recycling bins are being maintained at the Senior Center and Ms. King replied that she is uncertain.

Board member Aguila suggested moving the recycling bin that is at the library to the tennis court.

Chair Crossland asked Ms. King if she has seen any trash on Prince Field and she responded that she is not on Prince Field when there are activities taking place but she has not seen any trash the next day that would be left behind.

Board member Aguila commented that there are no actual recycling bins next to the trash cans at Prince Field, but there is a recycling bin near the Senior Center.

Chairman Crossland stated that there should be a recycling bin next to each trash can.

Discussion ensued regarding the recycling bin in front of the Cozy Corner.

Board member Malek suggested putting recycling bins in front of convenience stores and asking the store managers if they would be willing to have bins for recycling.

#### b) Recycling at the Community Center

Board member Aguila commented that recycling at the Community Center is still being requested. She wanted to know who was in charge of deciding where each recycling bin should be placed throughout the City.

### 5) Other Business:

Board member Aguila stated that with the Adopt-a-Road Program, there needs to be a program coordinator. She wanted to know if there was funding available for someone from Public Works to be the program coordinator.

Chairman Crossland commented that he has seen a photo in an old Gazette labeled "Program puts Teens to Work" and they cleaned trash on the Ludlam bicycle path and they did not have vests on and were only carrying a large plastic bag.

Board member Aguila said that the program that they previously discussed provides vests, garbage bags and pick up sticks.

To answer Chairman Crossland's question, Board member Aguila explained that if High School students are cleaning trash around the school the parents should be signing some kind of release form in case something happens while they are picking up the trash.

Discussion ensued regarding students receiving community hours through certain sponsors or clubs and school sports and clubs being insured.

Vice Chair Anderson-Booher wondered whether this packet regarding the Adopt-a-Road Program that was provided at the last meeting was for an Interstate or large highway or for a small community street. Since this is a City wide project and not a County wide project, the project could be done on a smaller scale.

To answer Chairman Crossland's question, Board member Aguila said that the next step with the Adopt-a-Road Program would be approval from the City to move forward.

Chairman Crossland asked if any board member had any experience with a program such as the Adopt-a-Road Program and Board member Aguila replied that she has some experience with the Boy Scouts and Girl Scouts when they cleaned Canal Street.

Board member Aguila reiterated that she would like to know if a Public Works employee would be able to be the program coordinator and if they would be partially compensated from a grant.

To answer Board member Aguila's question, Chairman Crossland stated that this Adopt-a-Road Program could replace the C.U.T.E project because they are basically the same.

Board member Aguila asked what the status was on placing advisory board meeting signs throughout Miami Springs and Board Secretary Elora Sakal responded that at the previous meeting she advised the board members that they would probably have to speak with City Manager Gorland regarding that topic.

Chairman Crossland stated that he would contact City Manager Gorland regarding the advisory board signs being posted throughout Miami Springs.

Discussion ensued regarding the Halloween event at the Community Center.

**THIS SPACE IS INTENTIONALLY LEFT BLANK.**



**6) Adjournment**

There was no further business to be discussed and the meeting was adjourned at 7:48 p.m.

Respectfully Submitted,

Elora R. Sakal  
Board Secretary

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

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

\*\*\*\*\*  
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\*\*\*\*\*



**CITY OF MIAMI SPRINGS  
FLORIDA**

**CANCELLATION NOTICE  
CODE ENFORCEMENT BOARD**

The regular meeting of the Code Enforcement Board scheduled for Tuesday, November 6, 2012 has been cancelled in advance due to lack of cases to be heard.

*Tex Ziadie*

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Tex Ziadie  
Director-Building and Code Compliance Department

cc: City Clerk  
City Manager  
Code Enforcement Board Members by E-Mail  
Post



## ***City of Miami Springs, Florida***

### ***Architectural Review Board***

#### **CANCELLATION NOTICE**

The Architectural Review Board meeting of November 7, 2012 has been canceled in advance.

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Elora R. Sakal  
Board Secretary

cc: City Council  
City Manager  
Assistant City Manager/Finance Director  
City Attorney  
City Clerk  
Planning and Zoning Director  
Architectural Review Board Members  
Post



DRAFT

## ***City of Miami Springs, Florida***

The Board of Parks and Parkways held a regular meeting on Thursday, November 8, 2012 at 7:00 p.m. in the City Hall Council Chambers.

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

The meeting was called to order at 7:33 p.m.

The following were present:           Chairman Eric Richey  
  Lynne V. Brooks  
  Tammy K. Johnston

Absent:                                       Vice Chairman Jean Ansbaugh  
  Irene Priess

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

### **2. Approval of Minutes**

Minutes of the September 13, 2012 meeting were approved as written.

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

### **3. Old Business:**

#### **a) Yard of the Month – December Reselection**

Chair Richey said that he also wanted to include the Yard of the Month for the month of January.

**Chair Richey asked for all those in favor of 190 Shadow Way being the December Yard of the Month and by consensus the Board members agreed.**

**Chair Richey asked for all those in favor of 209 Chippewa Street being the January Yard of the Month and by consensus the Board members agreed.**

#### **4. New Business:**

##### **a) Westward Drive Bike Path**

Public Works Director Nash explained that the City is making an attempt to secure a grant for a bike path going down the center of Westward Drive from Flamingo Circle to Hammond Drive. Part of the process is to get approval from the various boards and from the community. This project started at the beginning of last year and the City thought that it would be funded by Citizens Independent Transportation Trust (CITT) funding but they later learned that the tax dollars could not be used for this project. He said that Grant Writer Carol Foster has found another grant to pursue this project.

To answer Chair Richey's question, Mr. Nash stated that the bike path is going to meander through the center of Westward Drive. A minimum of ten feet is required for this particular grant. There will be some older trees that will be removed and newer trees that will be relocated. Part of the grant will allow funding for the replacement trees and shrubbery. There is going to be a concrete bike path, benches and lighting.

Chair Richey asked how deep the concrete has to be and Mr. Nash replied that he believes that the path is going to be elevated.

Chair Richey commented that his concern is the tree roots that may affect the installation of the bike path.

Mr. Nash explained that he has already advised the grant contractors that the bike path has to stay a minimum of four feet off of all of the existing trees. The contractors will do some root pruning which will sever the existing roots more cleanly and the new growth will redirect.

Discussion ensued regarding the process of root pruning.

To answer Chair Richey's question, Mr. Nash said that the removal of the ficus trees are part of the grant.

Chair Richey stated he would like this item to be on the next agenda for discussion with the two board members who were not present tonight.

Chair Richey feels that the project is substantial and it would be good for the residents of the area. He wants to ensure that the trees will be protected.

Board member Johnston asked if the roots would create an issue with the road if the newer trees are relocated closer to the roads and Mr. Nash responded that there is no guarantee but trees will not be placed within three feet of the road way because it would interfere with traffic.

Board member Johnston asked if the people who will be doing the root pruning will be as knowledgeable as Mr. Nash and his employees and Mr. Nash replied that he does not have that answer at the moment. It would be specified in the contract and there will be project managers that will oversee the jobs. The City will take every precaution to ensure that these concerns are met.

To answer Board member Johnston's question, Mr. Nash responded that the lighting may be similar to the lighting on the Curtiss Parkway bike path.

Board member Brooks said that she agreed with the points made by the board members. She believes that the bike path will add to the beauty and aesthetics of Westward Drive. It will allow residents who live near Westward Drive to utilize the bike path.

Board member Brooks asked if the trees that are being relocated will be under some type of warranty if they were to die and Mr. Nash replied that the City cannot hold a contractor responsible for the relocation of a tree because there is no guarantee. If a tree is lost it would fall back onto the City to replace it.

Chair Richey would like to place this item on the next agenda because he would like for Vice Chair Ansbaugh and Board member Priess to be a part of this discussion.

Mr. Nash said that he will have more information regarding this item by the next meeting.

Given the discussion from the Board members, all were in support of the Westward Drive bike path project.

**THIS SPACE IS INTENTIONALLY LEFT BLANK.**

**5. Adjournment:**

There was no further business to be discussed and the meeting was adjourned at 7:49 p.m.

Respectfully submitted,

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Elora R. Sakal  
Secretary to the Board

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

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\*\*\*\*\*



## ***City of Miami Springs, Florida***

### **CANCELLATION NOTICE**

The Historic Preservation Board Regular Meeting of Thursday, November 15, 2012  
was canceled in advance.

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Suzanne S. Hitaffer  
Secretary to the Board

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





## ***Code Review Board Cancellation Notice***

The Code Review Board meeting of Thursday, November 22, 2012 has been canceled due to the Thanksgiving Holiday.

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Magali Valls, CMC  
City Clerk

cc: Mayor and Council  
City Manager  
Assistant City Manager/Finance Director  
City Attorney  
Planning and Zoning Director  
Building and Code Compliance Director  
Code Review Board Members and Secretary  
Post



## ***Zoning and Planning Board***

### ***Cancellation Notice***

The Zoning and Planning Board meeting of Monday, November 5, 2012 has been canceled in advance.

---

Elora R. Sakal  
Board Secretary

cc: City Council  
City Manager  
Assistant City Manager/Finance Director  
City Attorney  
Planning and Zoning Director  
City Clerk  
Zoning and Planning Board Members  
Post



*DRAFT*

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

The **Recreation Commission** met in Regular Session at 7:00 p.m., on Tuesday, November 13, 2012 in the Council Chambers at City Hall.

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

The meeting was called to order at: 7:05 p.m.

The following were present:

Vice Chair Clark Rinehart  
Dr. Stephanie Kondy  
Jorge Santin  
Beth Tilman

Absent:

Chairman John Shapiro

Also present:

Golf and Recreation Director Luna  
Board Secretary Elora Sakal

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

Minutes of the January 12, 2011 meeting were approved **as written**.

**Board member Santin moved to approve the minutes. Board member Tilman seconded the motion which was carried unanimously on voice vote.**

Minutes of the May 8, 2012 meeting were approved **as written**.

**Board member Kondy moved to approve the minutes. Board member Santin seconded the motion which was carried unanimously on voice vote.**

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

#### **a) Park Space Availability**

Golf and Recreation Director Luna explained that the Recreation budget was discussed during the budget process and due to a tight budget this year he is going to wait and create proposals for the following fiscal year. There are some future plans for field space at Miami Springs Middle School and Peavy Dove Park but these plans require funding and that is the issue.

Mr. Luna commented that he is looking to create some “pocket parks” within the City which would include some picnic tables and possibly a small playground structure.

To answer Board member Kondy’s question, Mr. Luna replied that there is a pocket park space on East Drive and Royal Poinciana Boulevard that has a corner lot.

Mr. Luna stated that the funds that were allocated this year will be going towards a project for the pool that consists of damage repairs and resurfacing the diamond brite of the pool. He cannot go into the details because it is currently in the cone of silence.

To answer Board member Tilman’s question, Mr. Luna said that the bid for the pool project should be closed by December.

Discussion ensued regarding the relocation of the Dog Park to a park space on Royal Poinciana and Albatross to create more playing space at Peavy Dove Park.

Board member Kondy asked if the Board could see what the long term plans were and Mr. Luna replied in agreement.

Board member Santin asked what happened to the funding that was going to be allocated for the skate park and Mr. Luna responded that this question would have to be answered by Assistant City Manager/Finance Director William Alonso.

Board member Santin would like to request that Assistant City Manager/Finance Director Alonso attend the next meeting to answer some funding questions.

#### **b) Update on all City Recreational Programs**

Mr. Luna commented that there are some challenges with baseball being year-round. Scheduling and accommodating all of the sports can be a challenge at times as well.

Mr. Luna explained that the basketball program is doing really well. Registration was filled within a week and was extended to open more age groups. There is a skills camp for the high school students to prepare for tryouts, a lead up camp for the younger age group to prepare for the season and a basketball league. There are two adult leagues which range from 18 to 35 and a 35 and over league.

#### **4) New Business:**

##### **a) Follow Up From Golf and Recreation Director Luna**

Mr. Luna stated that the Community Center started a teen program in which teens clean up areas in the City and volunteer and help the Community Center with events and sports. They are rewarded with pizza, field trips to the Seaquarium, bowling, basketball games, football games and baseball games. He commented that the teens also receive tutoring and homework help at the Community Center with the computers that were donated by the Miami Heat.

To answer Board member Kondy's question, Mr. Luna replied that the age range for the teen program is from 13 to 17 years old.

Mr. Luna said that the Community Center offers a story time on the third Thursday of every month at 11:00 a.m. They have guest readers such as police men, the Mayor and Councilmembers. It is a great program and they usually have a group of six or seven Pre-school kids.

Board member Kondy asked if the Pre-schools bring the kids to story time or if it is the parents who bring them and Mr. Luna replied that the parents bring in the kids. The idea of involving Pre-schools has been discussed. He contacted a Pre-school and they informed him that field trip forms would need to be filled out and transportation would be needed.

Discussion ensued regarding different days and times to have story time.

##### **b) 2012-2013 Budgeted Items for Parks and Recreation**

To answer Board member Santin's question, Mr. Luna said that there are many projects in the budget that he would like to work on such as fixing the water fountains, replacing picnic tables and repair the ball fields. The issue always comes down to funding and what is available in the budget. As long as funding is available to keep the programs running then he is fine with that.

Board member Tilman stated that there are projects that can be done in the City with the community's help that would be at no cost and she asked Mr. Luna to explore those options and see if there is something that the Community can do to help.

Discussion ensued regarding projects throughout the City that can be done through donations and help from the community.

**5) Other Business: None.**

**6) Adjournment**

There was no further business to be discussed and the meeting was adjourned at 7:46 p.m.

Respectfully Submitted,

Elora Sakal  
Board Secretary

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

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**CITY OF MIAMI SPRINGS GENERAL EMPLOYEES'  
RETIREMENT SYSTEM  
MINUTES OF THE MEETING HELD  
SEPTEMBER 19, 2012 – SPECIAL MEETING**

The special meeting of the Board of Trustees of the City of Miami Springs General Employees' Retirement System was called to order at 10:03AM by Tom Cummings in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

**TRUSTEES PRESENT**

Tom Cummings, Chair  
Francisco Arguelles, Trustee  
Robert Whittington, Trustee  
Ronald G. Gorland, Trustee

**OTHERS PRESENT**

Audrey Ross, Pension Resource Centers (PRC)  
John McCann, Thistle Asset Consulting  
Christa Maxwell, Thornburg Investments  
Peter Mitchell, Thornburg Investments  
David Schwarzenberger, WHV Investments  
Patrick Broderick, Harding Loevner  
Moira Ramos, City of Miami Springs-Finance Dept.  
William Alonso, City of Miami Springs-Finance Dir.

**INVESTMENT MANAGER PRESENTATIONS (INTERNATIONL EQUITY)**

• **Thornburg Investment – Presented By: Christa Maxwell & Peter Mitchell**

Ms. Maxwell introduced herself and Mr. Mitchell. She stated that Thornburg was established in 1982 and they currently manage \$78B in assets. Ms. Maxwell explained that Thornburg is a privately held firm located in Santa Fe, New Mexico. There are a total of 66 professionals' team members and all portfolio managers share ownership in the firm.

Mr. Mitchell reviewed the investment process and commented that the Thornburg International fund has outperformed the index by 513 basis points since inception. They use bottom up fundamental research and they only buy promising companies with sound business fundamentals at a discount to their intrinsic value. Mr. Mitchell reviewed the buying process and stated that all companies they buy into must meet all 3 of their criteria's such as, basic value, consistent earners, and emerging franchises. Their portfolio has about a 30% exposure to emerging markets and their turnover rate is about 30% on average as well.

Lastly Ms. Maxwell stated that if they were hired, they would be able to attend the quarterly meetings as needed because Mr. Mitchell is stationed in Jacksonville, Florida. Also their fee is 65 basis points. Ms. Maxwell then opened the floor to any questions from the board members.

• **WHV Investment – Presented By: David Schwarzenberger**

Mr. Schwarzenberger introduced himself and reviewed the firm's background. WHV is wholly owned by Laird Norton Investment Management since 1994. There are 71 employees with an average of 23 years of experience. WHV manages \$13.2B in assets and is continuously growing. Mr. Schwarzenberger reviewed their client listed and noted

that they have several clients located in Florida.

Mr. Schwarzenberger reviewed their investment philosophy and stated that they are grounded in the conviction that superior investment performance depends primarily on investing in the most attractive global economic sectors. Therefore their International portfolio is sector neutral and they also have a top-down investment process. He reviewed the sector weightings and commented that they hold about 30-60 stocks in the portfolio at all times. There is very low turnover in this portfolio, about 10%. Mr. Schwarzenberger explained that this plan would have a separately managed account at the Custodian with an entry of \$1M and the fee is 100 basis points.

- **Harding Loevner – Presented By: Patrick Broderick**

Mr. Broderick stated that Harding Loevner builds portfolios of high-quality, fast-growing companies identified through fundamental research. Loevner was founded in 1989 by 2 investment managers that worked for the Rockefellers and built their business from the ground up. Mr. Broderick commented that they manage \$19.4B in assets and they are a global, long term, disciplined, and transparent firm.

Mr. Broderick reviewed the firm's investment process regarding buying and selling stocks. They start with a universe of 3,500 companies and eventually narrow it down to 50 holdings by going through their investment process. He noted that they have about a 15% exposure to emerging markets and they do buy ADR's. Mr. Broderick reviewed their Florida clients and noted that their fee is 86 basis points.

**Board Discussion:**

The board discussed and reviewed the presentations that they saw today. They also compared each firm's historical returns that were provided by the Plan's Consultant. The board concluded that they were not impressed with WHV's presentation or fees. Also WHV seems to have a totally different investment approach as well as increased risk compared to the other 2 managers. The board discussed the difference between being in a commingled fund versus a separate fund. The Trustees had a lengthy discussion and commented that they were interested in Harding Loevner, but they would like to wait until after the elections to make a decision.

**INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (JOHN MCCANN)**

Mr. McCann passed out an equity manager search that was requested on behalf of the board. He noted that these are large cap managers that would be a compliment to ICC Capital. There are 14 different managers in the search and the Trustees' reviewed their long term performance. Mr. McCann recommended interviewing the top 3 managers within the next couple of weeks just like they did today with the International managers. He reminded the Trustees that they are not looking to completely replace ICC, but rather take 20% from them and investment it with another large cap manager. The Trustees concurred with Mr. McCann and directed him to set up a special meeting to interview the top 3 managers Polen, Sawgrass, and Robeco.

Lastly Mr. McCann briefly reviewed the Real Estate asset class. He explained that Real Estate adds more diversification to the portfolio and they would also be receiving quarterly distributions which generate income for the fund. Also he commented that they would only be allocating about 5-8% of the portfolio to Real Estate. The Trustees stated that they will look more into this after they interview the equity managers.



**OTHER BUSINESS**

Ms. Ross explained that the City is currently in the process of preparing their actuarial valuation report regarding their other post-employment benefits. They City needs the boards permission to use the pension data that was previously provided to GRS for purposes of their valuation. Mr. Ross stated that ultimately all the information that they are requesting is considered public records anyways.

**MOTION:** Mr. Gorland made a motion to allow the City to have access to the pension information that GRS uses in their annual actuarial valuations for purposes of the City's own post-employment benefit actuarial valuation.

**SECOND:** Mr. Whittington seconded the motion.

**CARRIED:** The motion carried 4-0.

**NEXT MEETING DATE**

Thursday November 1, 2012 @ 8:30 AM

**ADJOURN**

There being no further business, a motion was made to adjourn the special meeting at 11:22 AM.

Respectfully submitted,

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Sherryl B. Bowein, Secretary

**City of Miami Springs Police and Firefighters'  
Retirement System  
Minutes of the Meeting Held  
SEPTEMBER 19, 2012 - SPECIAL MEETING**

The special meeting of the Board of Trustees of the City of Miami Springs Police and Firefighters' Retirement System was called to order at 10:03AM by Chairman Peter Baan in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

**TRUSTEES PRESENT**

Peter Baan, Chair  
Oscar Garcia, Trustee  
Gene Duffy, Trustee  
Jonathan Kahn, Trustee  
Raymond Buckner, Trustee

**OTHERS PRESENT**

Audrey Ross, Pension Resource Centers (PRC)  
John McCann, Thistle Asset Consulting  
Christa Maxwell, Thornburg Investments  
Peter Mitchell, Thornburg Investments  
David Schwarzenberger, WHV Investments  
Patrick Broderick, Harding Loevner  
Moira Ramos, City of Miami Springs-Finance Dept.  
William Alonso, City of Miami Springs - Finance Dir

**INVESTMENT MANAGER PRESENTATIONS (INTERNATIONAL EQUITY)**

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The board discussed and reviewed the presentations that they saw today. They also compared each firm's historical returns that were provided by the Plan's Consultant. The board concluded that they were not impressed with WHV's presentation or fees. Also WHV seems to have a totally different investment approach as well as increased risk compared to the other 2 managers. The board discussed the difference between being in a commingled fund versus a separate fund. The Trustees had a lengthy discussion and commented that they were interested in Harding Loevner, but they would like to wait until after the elections to make a decision.

**INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (JOHN MCCANN)**

Mr. McCann passed out an equity manager search that was requested on behalf of the board. He noted that these are large cap managers that would be a compliment to ICC Capital. There are 14 different managers in the search and the Trustees' reviewed their long term performance. Mr. McCann recommended interviewing the top 3 managers within the next couple of weeks just like they did today with the International managers. He reminded the Trustees that they are not looking to completely replace ICC, but rather take 20% from them and investment it with another large cap manager. The Trustees concurred with Mr. McCann and directed him to set up a special meeting to interview the top 3 managers Polen, Sawgrass, and Robeco.

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**OTHER BUSINESS**

Ms. Ross explained that the City is currently in the process of preparing their actuarial valuation report regarding their other post-employment benefits. They City needs the

boards permission to use the pension data that was previously provided to GRS for purposes of their valuation. Mr. Ross stated that ultimately all the information that they are requesting is considered public records anyways.

**MOTION:** Mr. Buckner made a motion to allow the City to have access to the pension information that GRS uses in their annual actuarial valuations for purposes of the City's own post-employment benefit actuarial valuation.

**SECOND:** Mr. Kahn seconded the motion.

**CARRIED:** The motion carried 5-0.

**NEXT MEETING DATE**

Thursday November 1, 2012 @ 8:30 AM

**ADJOURN**

There being no further business, a motion was made to adjourn the meeting at 11:22 AM.

Respectfully submitted,

---

Oscar Garcia, Secretary



## ***Golf and Country Club Advisory Board***

### ***Cancellation Notice***

The Golf and Country Club Advisory Board meeting scheduled for Wednesday, November 14, 2012 has been canceled in advance.

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Elora R. Sakal  
Secretary to the Board

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



*DRAFT*

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

The **Board of Adjustment** met in Regular Session at 7:00 p.m., on Monday, November 5, 2012 in the Council Chambers at City Hall.

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

The meeting was called to order at 7:10 p.m.

The following were present: Vice Chairman Francisco Fernández\*  
Ernie Aloma  
Kevin Berounsky  
Bill Tallman

\*Arrived at 7:16 p.m.

Absent: Chairman Manuel Pérez-Vichot

Also present: City Attorney Jan K. Seiden  
Planning and Zoning Director Holland  
Board Secretary Elora R. Sakal

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

Minutes of the October 1, 2012 meeting were approved as amended.

**Board member Tallman moved to approve the minutes as amended. Board member Aloma seconded the motion which was carried unanimously on roll call vote.**

### **3) Old Business: None.**

**4) New Business:**

- A) Case # 11-V-12  
Reinaldo Llerena  
1281 Dove Avenue  
Zoning: R-1B  
Lot Size: 90.42 ft. x 127 ft.**

Applicant is requesting a variance from Code Section 150-041 (A)(2) to allow a Chickee hut to remain.

City Attorney Seiden advised the applicants that they have the right to postpone the meeting due to the fact that there are only three board members present. If they choose to proceed, the applicants will need three affirmative votes for the variance to pass.

Planning and Zoning Director Holland explained that the Chickee Hut was built by a Seminole contractor who is exempt from the building code requirements of obtaining a permit. However, they are required to obtain a zoning permit which was done. The recommendation is for approval of the variance.

Vice Chairman Fernández arrived at this time.

Applicant Reinaldo Llerena commented that he ensured that the posts to the hut were installed in the correct place by the contractor. He did not know that an issue would arise.

To answer City Attorney Seiden's question, Mr. Llerena stated that the post needed to be moved because piping to the pool was found.

Mr. Holland confirmed that the pool equipment was on the east side of the home. There were no courtesy notice responses in favor or objecting.

Board member Tallman asked if there was anything else that happened out of order in terms of the construction and Mr. Holland replied that the contractor should have called once the holes were excavated and before the concrete was poured.

City Attorney Seiden explained that it is somewhat of a ground condition situation. If it were something that was material to the distance requirement then it would be a problem, but it is not visible as shown in the pictures.

**Vice Chairman Fernández moved to approve the variance. Board member Tallman seconded the motion which was unanimously carried on voice vote.**

City Attorney Seiden advised the applicants of the ten day appeal period and to keep in contact with Mr. Holland after the City Council Meeting of November 19, 2012.

City Attorney Seiden explained that the reason these types of variances are handled in this matter is so that there is no precedent.

5) **Other Business: None.**

6) **Adjournment**

**There was no further business to be discussed and the meeting was adjourned at 7:22 p.m.**

Respectfully Submitted,

Elora R. Sakal  
Board Secretary

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

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

\*\*\*\*\*

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

\*\*\*\*\*



**ORDINANCE NO. 1040-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CITY'S COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTIONS 163.3177 (3) (b); PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, F.S. §163.3177 (3) (b) requires local governments to annually update its Five-year Schedule of Capital Improvements which is consistent with its Comprehensive Plan and may be accomplished by Ordinance rather than as an amendment to the Local Comprehensive Plan; and,

**WHEREAS**, the City Council, acting as the Local Planning Agency, held its duly advertised public hearing on October 22, 2012, reviewed the proposed Five-year Capital Improvements, and forwarded its recommendation to the City Council; and,

**WHEREAS**, the City Council held its required first public hearing on October 22, 2012, approving revisions to the Five-year scheduled Capital Improvements and will conduct the required second public hearing before adoption; and,

**WHEREAS**, the City Council is desirous of adopting the aforesaid Schedule of Capital Improvements to guide future development of the City and protect the public's health, safety and welfare;

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE  
CITY OF MIAMI SPRINGS, FLORIDA,**

**Section 1:** That the City Council of the City of Miami Springs hereby revises the Capital Improvements Element of its Comprehensive Plan by updating the Five-year Schedule of Capital Improvements (Five-year Capital Improvement Plan) attached hereto as Exhibit "A".

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

**Section 3:** That if any part whatsoever of this Ordinance shall be held invalid by a Court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

**Section 4:** That this Ordinance shall become effective immediately upon its adoption.

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,

Florida this 19<sup>th</sup> day of November, 2012.

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

Vice Mayor Ator	“ _____ ”
Councilman Best	“ _____ ”
Councilwoman Bain	“ _____ ”
Councilman Lob	“ _____ ”
Mayor Garcia	“ _____ ”

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 10-22-2012  
Second reading: 11-19-2012

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

# MIAMI DAILY BUSINESS REVIEW

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

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

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

CITY OF MIAMI SPRINGS - HEARING 11/19/2012  
SECOND READING - ORDINANCE NO. 1040-2012

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

11/01/2012

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

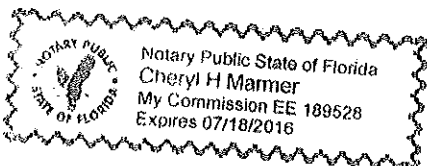
Sworn to and subscribed before me this

01 day of NOVEMBER, A.D. 2012



(SEAL)

MARIA MESA personally known to me



## NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS TO CONSIDER THE RECOMMENDATIONS OF THE CITY LOCAL PLANNING AGENCY RELATIVE TO THE CONSIDERATION OF AMENDMENTS TO THE CITY COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the City Council of the City of Miami Springs will conduct a public hearing on the following ordinance related to the proposed amendment of the City Comprehensive Plan following receiving the recommendations of the City's Local Planning Agency relative to the proposed amendments:

**SECOND READING — ORDINANCE NO. 1040-2012 — AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CITY'S COMPREHENSIVE PLAN, AS MANDATED BY FLORIDA STATUTES SECTIONS 163.3177 (3) (b); PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

*The public hearing will be held on Monday, November 19, 2012 beginning at 7:00 p.m.*

The hearings will be held at the *City of Miami Springs, City Hall, located at 201 Westward Drive, Miami Springs, FL 33166*. All interested parties are encouraged to appear and be heard regarding the proposed Amendments to the Comprehensive Plan and may submit written or oral comments before or at the hearing.

A copy of the proposed Amendments will be available for public inspection at the City Clerk's office between 9:00 a.m. and 4:00 p.m. Monday through Friday, excluding holidays.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment, should contact the City Clerk's office at 305.805.5006, at least 48 hours prior to the meeting.

If any person decides to appeal a decision made in any matter considered at this meeting, such person may need to ensure that a verbatim record of the proceeding is made, to include the testimony and evidence upon which any such appeal is to be based.

Magali Valls, GMC, City Clerk

11/1

12-3-378/1975037M

# 115.56

City Council Meeting of:

11-19-2012The City of Miami Springs  
Summary of Monthly Attorney Invoice  
Orshan, Lithman, Seiden, Ramos, Hatton & Huesmann, LLLP

November 9 for October



<u>General Fund Departments</u>	<u>Cost</u>	<u>Hours</u>
Office of the City Clerk	4,313.25	31.95
Human Resources Department	321.30	2.38
Risk Management	603.45	4.47
Finance Department	706.05	5.23
Building, Zoning & Code Enforcement Department	1,090.80	8.08
Planning	756.00	5.60
Police Department	1,082.70	8.02
Public Works Department	110.70	0.82
Recreation Department	90.45	0.67
IT Department		0.00
Golf	59.40	0.44
Senior	337.50	2.50
General - Administrative Work	3,353.40	24.84
<b>Sub-total - General Fund</b>	<u>\$12,825.00</u>	<u>95.00</u>
 <u>Special Revenue, Trust &amp; Agency Funds</u>		
Golf Course Operations		0.00
L.E.T.F.		0.00
Due from Pension Funds		<u>0.00</u>
<b>Sub-total - Special Funds</b>	\$0.00	0.00
 <b>GRAND TOTAL: ALL FUNDS</b>	 \$12,825.00	 95.00



**CITY OF MIAMI SPRINGS**

Finance Department  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: (305) 805-5000  
Fax: (305) 805-5018

**TO:** Honorable Mayor Garcia and Members of the City Council

**VIA:** Ronald Gorland, City Manager

**FROM:** William Alonso, Assistant City Manager/Finance Director

**DATE:** November 9, 2012

**RECOMMENDATION:**

Recommendation that Council approve Change Orders No 4 & 5 to Carivon Construction Co., in the amount of \$75,507.05, to proceed with the work described in list attached for completion of the Base Bid construction, pursuant to Section §31.11 (F)(11)(c) of the City Code.

**DISCUSSION:** Change Orders No. 4 & 5 were reviewed and negotiated by Carivon, CMI & RJ Heisenbottle Architects. Change Orders 4 & 5 list various items (Attachment "A") required to complete the Base Bid construction work with Carivon Construction.

**COST:** \$ 75,507.05

**FUNDING:** Department/ Description: Building/ Bldg. Improvements  
Account Number: 310-3700-519-62-01

**PROFESSIONAL SERVICES APPROVAL:** \_\_\_\_\_

# Change Order

**PROJECT:**  
Curtiss Mansion Historic Restoration

**CHANGE ORDER NO.** 04

Owner

**TO CONTRACTOR:**  
Carivon Construction Co.  
12171 SW 131st Avenue  
Miami, FL 33186-6453

**DATE:** July 12, 2012

Architect

Contractor

CMI

**PROJECT NO.:** 02-08/09

**CONTRACT DATE:** June 2, 2009

**CONTRACT FOR:**

**Curtiss Mansion Historic Restoration**

Base Bid: Shell & Weather Tight Building Envelope Enc

Alternate #1: All other work and required not listed in Base Bid.

**THE CONTRACT IS CHANGED AS FOLLOWS:**


(Include, where applicable any undisputed amount attributable to previously executed Construction Change Orders.)

<u>CCE#</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
This change order further authorizes Carivon Construction to proceed with the work required and as described in		
CCE No. 45	Stain and Plug Holes at portal	\$ 10,195.65
CCE No. 54	Rip Rap Work	\$ 3,816.23
CCE No. 55	Waste Pipe -- Change from Cast Iron to PVC at vent piping to offer material increase	\$ 0.00
CCE No. 58	Making Door No. 2-07 Fire Rated	\$ 2,617.74
CCE No. 61R2	Zoeller Elevator Pump & Oil Separator	\$ 1,841.17
CCE No. 62R3	Data and Phone Wire Installation	\$ 8,600.00
CCE No. 63R4	CCTV System, Material Only, Cost Split 50/50 + Overhead + Profit + Bond	\$ 2,181.18
CCE No. 64R2	HVAC Ductwork In Room 2-01	\$ 1,926.20
CCE No. 65R1	Cost of Returning Savannah Brick Pavers	\$ 4,659.64
CCE No. 66R1	Various modification including Barington Irving Room	\$ 843.33
CCE No. 68	Credit for Deleted Molding Room 1-19 as per RFI No. 138	(-\$ 1,168.43)
CCE No. 69R1	Light Fixtures B, D and F	\$ 827.90
CCE No. 70R1	Second Floor Fire Stopping as requested by Slip Reed	\$ 1,750.00
CCE No. 71R1	Floor Tile & Waterproofing	\$ 1,124.04
CCE No. 73	Exterior Wall Paint Wash	\$ 2,187.63
CCE No. 74R2	Restroom Interior Wood Paneling and Plaster Finish Credit	(-\$ 2,987.26)
CCE No. 75R2	Hardware Archive Room due to Fire Marshall	\$ 919.25
CCE No. 76R1	Various Electric and Lighting changes per walk-thru 6/16/2011 @ 4 pm	\$ 1,822.96
CCE No. 77	Water tubing for future fans & Projection Screen Electric	\$ 2,655.78
CCE No. 78R3	Card Access Readers & Call Buttons wit negotiated cost split 50/50 + Bond Cost	\$ 3,451.39
CCE No. 79R2	Additional Fire Alarm Fixtures	\$ 1,214.13
CCE No. 80R1	Structural Support for HVAC No. 7	\$ 1,086.31
CCE No. 81	Decorative Gate at Coral Rock Stairs	\$ 3,172.06
CCE No. 84	Chandelier Shades	\$ 281.11
CCE No. 86R1	HVAC Drain Pans -- 2 <sup>nd</sup> Floor	\$ 1,312.58
CCE No. 87R1	Portico rail in wood in lieu of steel material only.	\$ 1,514.37
CCE No. 88R3	New Grill Elevator Room & Balcony	\$ 1,411.75
CCE No. 89R1	Retrofitting Doors 1-16/1-17	\$ 213.29
CCE No. 90R1	Water Connection Fee's	\$ 3,613.00
CCE No. 91R2	Additional Code electrical Work in Elevator Negotiated	\$ 957.09
CCE No. 92R1	Credit for Appliances	(-\$ 1,424.50)
CCE No. 96R3	Fire Marshals Request at final inspection	\$ 2,672.68
CCE No. 97R1	Failed Inspection Remobilization from Kone Split Cost	\$ 1,151.84
CCE No. 98R1	Failed Inspection Elevator Split Cost	\$ 763.13
CCE No. 100	Warning Signs as per Fire Inspection comments	\$ 318.83
CCE No. 101	Archive Room Door Swing Change	\$ 1,249.00
CCE No. 102	Settlement Document	\$ 3,186.00
CCE No. 103R1	Credit Wood Flooring Repairs	(-\$ 1,300.00)
CCE No. 104R2	Approved generator Modifications	\$ 6,479.72
<b>TOTAL THIS CHANGE ORDER</b>		<b>\$75,136.79</b>

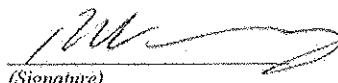
The original Base Bid (Contract Sum) (Guaranteed-Maximum-Price) was..... \$ 1,611,410.00  
The net change by previously authorized Change Order..... \$ 61,932.17  
The Base Bid (Contract Sum) (Guaranteed-Maximum-Price) prior to this Change Order was..... \$ 1,673,342.17  
The (Contract Sum) (Guaranteed-Maximum-Price) will (increase) (decrease) (unchanged)  
by this Change Order in the amount of..... \$ 0.00  
The new Base Bid (Contract Sum) (Guaranteed-Maximum-Price) including this Change Order will be..... \$ 1,673,342.17

The original Alternate #1 (Contract Sum) (Guaranteed-Maximum-Price) was..... \$ 1,369,830.00  
The net change by previously authorized Change Order..... \$ 22,471.26  
The Alternate #1 (Contract Sum) (Guaranteed-Maximum-Price) prior to this Change Order was..... \$ 1,392,301.26  
The (Contract Sum) (Guaranteed-Maximum-Price) will (increase) (decrease) (unchanged)  
by this Change Order in the amount of..... \$ 75,136.79  
The new Alternate #1 (Contract Sum) (Guaranteed-Maximum-Price) including this Change Order will be..... \$ 1,467,438.05  
The Contract Time will be (increase) (decrease) (unchanged) by 360 calendar days  
The date of Substantial Completion as of the date of this Change Order therefore is 6/9/2012  
The new (Contract Sum) (Guaranteed-Maximum-Price) including this Change Order will be..... \$ 3,140,780.22

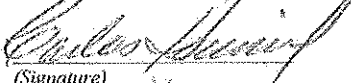
R.J. Heisenbottle Architects, P.A.

  
(Signature)  
DONKMAN MANGONES  
(Print)  
ARCHITECTURAL  
PROJECT MANAGER  
(Title)  
10/26/12  
(Date)

Curtiss Mansion, Inc.

  
(Signature)  
ROY RODRIGUEZ  
(Print)  
DIRECTOR  
(Title)  
10/30/2012  
(Date)

Carlson Construction Co.

  
(Signature)  
CARLOS HERNANDEZ  
(Print)  
V. President  
(Title)  
10/25/2012  
(Date)

City of Miami Springs

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Print)  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_  
(Date)



# Change Order

PROJECT: Curtiss Mansion Historic Restoration

CHANGE ORDER NO. 05

Owner   
 Architect   
 Contractor   
 CMI

TO CONTRACTOR:  
 Carivon Construction Co.  
 12171 SW 131st Avenue  
 Miami, FL 33186-6453

DATE: October 22, 2012

PROJECT NO.: 02-08/09

CONTRACT DATE: June 2, 2009

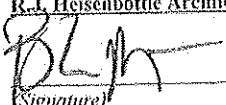
CONTRACT FOR:  
Curtiss Mansion Historic Restoration  
 Base Bid: Shell & Weather Tight Building Envelope Enc  
 Alternate #1: All other work and required not listed in Base Bid.

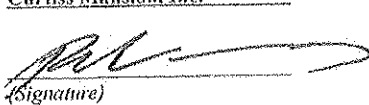
THE CONTRACT IS CHANGED AS FOLLOWS:  
 (Include, where applicable any undisputed amount attributable to previously executed Construction Change Orders.)

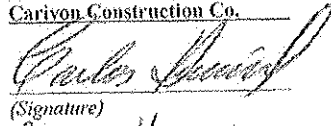
CCE#	DESCRIPTION	AMOUNT
This change order further authorizes Carivon Construction to proceed with the work required and as described in		
CCE No. 105R3	Fire Department additional requirements	\$ 370.26
<b>TOTAL THIS CHANGE ORDER</b>		<b>\$ 370.26</b>

The original Base Bid (Contract Sum) (Guaranteed Maximum Price) was..... \$ 1,611,410.00  
 The net change by previously authorized Change Order..... \$ 61,932.17  
 The Base Bid (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was..... \$ 1,673,342.17  
 The (Contract Sum) (Guaranteed Maximum Price) will (increase) (decrease) (unchanged)  
 by this Change Order in the amount of..... \$ 0.00  
 The new Base Bid (Contract Sum) (Guaranteed Maximum Price) including this Change Order will be..... \$ 1,673,342.17

The original Alternate #1 (Contract Sum) (Guaranteed Maximum Price) was..... \$ 1,369,830.00  
 The net change by previously authorized Change Order..... \$ 97,608.05  
 The Alternate #1 (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was..... \$ 1,467,438.05  
 The (Contract Sum) (Guaranteed Maximum Price) will (increase) (decrease) (unchanged)  
 by this Change Order in the amount of..... \$ 370.26  
 The new Alternate #1 (Contract Sum) (Guaranteed Maximum Price) including this Change Order will be..... \$ 1,467,808.31  
 The Contract Time will be (increase) (decrease) (unchanged) by 360 calendar days.  
 The date of Substantial Completion as of the date of this Change Order therefore is 6/9/2012  
 The new (Contract Sum) (Guaranteed Maximum Price) including this Change Order will be..... \$ 3,141,150.48  
~~\$ 3,140,780.22~~

R.L. Heisenbottle Architects, P.A.  
  
 Benkman Mangones  
 ARCHITECTURAL PROJECT MANAGER  
 10/26/12

Curtiss Mansion, Inc.  
  
 ROY RODRIGUEZ  
 DIRECTOR  
 10/30/2012

Carivon Construction Co.  
  
 CARLOS HERNANDEZ  
 V. President  
 10/25/2012

City of Miami Springs  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



**CITY OF MIAMI SPRINGS**

*Police Department  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: (305) 887-1444  
Fax: (305) 884-2384*

**TO:** Honorable Mayor Garcia and Members of the City Council

**VIA:** Ronald K. Gorland, City Manager

**FROM:** Peter G. Baan, Chief of Police

**DATE:** November 9, 2012

**RECOMMENDATION:** Recommendation that Council approve an expenditure to Dell Marketing, L.P., utilizing Florida State Contract #250-000-09-1, in the amount of \$6,433.56, for a file (LAN) server to accommodate required upgrades of the Police computer network, pursuant to Section §31.11(E)(5) of the City Code.

**DISCUSSION:** Purchase a new file (LAN) server to accommodate required upgrades of the Police computer network. See attached documentation; 1) Memo from P. Baan, 2) Memo from L. Bosque, 3) Dell Quote #636373651.

**COST:** **\$6,433.56**

**FUNDING:** **Department/ Description:** LETF/Police Machinery & Equipment  
**Account Number & Amount:** 650-2010-521.64-00

**FEDERAL STATUTE:** Civil Asset Forfeiture Reform Act, PL 106-185

**PROFESSIONAL SERVICES APPROVAL:** \_\_\_\_\_



Miami Springs  
Police Department

Memorandum

**To:** Ronald K. Gorland, City Manager

**From:** Peter G. Baan, Chief of Police

A handwritten signature in black ink, appearing to read "Peter G. Baan".

**Subject:** Police File Server Software Upgrade

**Date:** 11/08/2012

The Police Department recently purchased an operating system software upgrade for the records management file server. After conferring with the IT Director, Jorge Fonseca, the Police Communications Supervisor, Linda Bosque has recommended that the file server itself should be replaced. This due to the fact that the old server would be out of service for several days for the software upgrade and the integrity of the data could not be guaranteed. In addition, the old server is over five years old and out of warranty.

The total cost for a new file server is \$6,433.56, and since it is an upgrade to the system, this expenditure is eligible for funding from the Law Enforcement Trust Fund. I recommend that this item be placed on the next regular Council Meeting Agenda for approval.

Attachments


# MIAMI SPRINGS POLICE DEPARTMENT

## MEMORANDUM

**TO:** Chief Peter Baan

**DATE:** 11/08/2012

**FROM:** Linda Bosque, Communications Supervisor



**SUBJECT:** Purchase New LAN Server for Police Network

After much discussion with IT Director Jorge Fonseca, it is recommended that we purchase a new LAN server for the Police computer network. We are mandated to update our server software to a more current version of the operating system and SQL database software components (this has already been purchased). However, completing this upgrade in a single server environment would require that we wipe the drive of our old server and then completely install all the new software versions and then reload all the data and hope that everything goes smoothly. This method would require that our network be down during the entire upgrade process (possibly 2– 5days) including the officer's mobile laptop connectivity to such resources as running tags and subjects in the field. A better and safer solution would be to simply purchase a new server and install the new operating system on it and then move the data over from the old server. This method would eliminate a host of potential problems, such as;

- Extensive down time of the Police network during which...
  - Dispatchers would have to manually log all calls for service, and then back enter the data before we could start using the CAD system again.
  - We would be unable to search or update the records database
  - Officers would not be able to communicate with the CAD system or run checks through their laptops
- Avoids the potential loss of data during the installation process

This option would replace a server that is over five years old and out of warranty. The old server will be retained and used as a secure storage backup device or used to perform any other needed functions that enhance the Police network system.

I recommend the following equipment which meets or exceeds all the minimum server requirements needed to run all USA Software modules:

**Vendor:** Dell

Under Florida State Contract: #250-000-09-1

**Item Description:** PowerEdge R510 rack server; dual Intel X5650 processors, 32GB RAM, RAID5; DVD; No operating system; (4) 600GB 15K SAS hot-plug hard drives

Total Purchase Price: **\$6,433.56**



## QUOTATION

Quote #: 636373651  
 Customer #: 059504465  
 Contract #: 32ABH  
 Customer Agreement #: 250-000-09-1 *FL STATE CONTRACT #*  
 Quote Date: 11/07/2012  
 MIAMI SPRINGS POLICE  
 DEPARTMEN

Date: 11/06/2012

Customer Name:

Thanks for choosing Dell! Your quote is detailed below; please review the quote for product and informational accuracy. If you find errors or desire certain changes please contact your sales professional as soon as possible.

### Sales Professional Information

SALES REP: BLAIR A FOOSE PHONE: 1800 - 4563355  
 Email Address: [blair\\_foose@dell.com](mailto:blair_foose@dell.com) Phone Ext: 80000

**GROUP: 1 QUANTITY: 1 SYSTEM PRICE: \$6,433.56 GROUP TOTAL: \$6,433.56**

Base Unit	<ul style="list-style-type: none"> <li>✓ PE R510 Chassis for Up to Eight Hot Swap Hard Drives, LCD (224-8665) 1</li> <li>✓ PowerEdge R510 Shipping (330-5462) 1</li> <li>✓ 32GB Memory (4x8GB), 1333MHz Dual Rank LV RDIMMs 2 Processors, Advanced ECC (317-6024) 1</li> <li>✓ Intel Xeon X5650, 2.66Ghz, 12M Cache, Turbo, HT, 1333MHz Max Mem (317-4109) 1</li> <li>PE R510 Heatsink For 2 Processors (317-2374) 1</li> <li>✓ Intel Xeon X5650, 2.66Ghz, 12M Cache, Turbo, HT, 1333MHz Max Mem (317-4121) 1</li> <li>HD Multi-Select (341-4158) 1</li> <li>✓ PERCS300 Cable, 8HD (330-5580) 1</li> <li>✓ PERC S300 3Gb/s SAS/SATA Internal Software RAID adapter (341-0402) 1</li> <li>✓ No Operating System (420-6320) 1</li> <li>✓ Intel Gigabit ET Dual Port NIC PCIe-4 (430-0643) 1</li> <li>✓ iDRAC6 Express (313-8777) 1</li> <li>✓ DVD+/-RW, SATA, INTERNAL (313-9090) 1</li> <li>Optical Cable R510 (330-5576) 1</li> <li>Bezel (313-8551) 1</li> <li>Electronic System Documentation and OpenManage DVD Kit (313-8552) 1</li> <li>✓ RAID 5 for PERC S300 Controllers, 3-8HDDs, x8 Chassis (330-5470) 1</li> <li>INFO, S300, 3 TO 8 HDDS (341-1135) 1</li> <li>✓ ReadyRails Sliding Rails with Cable Management Arm (330-6276) 1</li> <li>Dell Hardware Limited Warranty Plus On Site Service Initial Year (905-6667) 1</li> <li>Dell Hardware Limited Warranty Plus On Site Service Extended Year(s) (905-7218) 1</li> <li>Pro Support : Next Business Day Onsite Service After Problem Diagnosis, 2Year Extended (906-0422) 1</li> <li>ProSupport : 7x24 HW / SW Tech Support and Assistance , 3 Year (906-0462) 1</li> <li>✓ Pro Support : Next Business Day Onsite Service After Problem Diagnosis, Initial Year (906-9710) 1</li> <li>Dell ProSupport. For tech support, visit <a href="http://support.dell.com/ProSupport">http://support.dell.com/ProSupport</a> or call 1-800-945-3355 (989-3439) 1</li> <li>On-Site Installation Declined (900-9997) 1</li> </ul>
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Proactive Maintenance Service Declined (926-2979)	1
750 Watt Non-Redundant Power Supply (330-6597)	1
Power Cord, NEMA 5-15P to C13, 15 amp, wall plug, 10 feet / 3 meter (310-8509)	1
2U Threaded Hole Rack Adapter Kit for Sliding ReadyRails (331-0164)	1
✓600GB 15K RPM SAS 6Gbps 3.5in Hot-plug Hard Drive (342-2056)	4

<b>*Total Purchase Price:</b>	<b>\$6,433.56</b>
Product Subtotal:	\$6,433.56
Tax:	\$0.00
Shipping & Handling:	\$0.00
State Environmental Fee:	\$0.00
Shipping Method:	LTL 5 DAY OR LESS

(\* Amount denoted in \$)

#### Statement of Conditions

The information in this document is believed to be accurate. However, Dell assumes no responsibility for inaccuracies, errors, or omissions, and shall not be liable for direct, indirect, special, incidental, or consequential damages resulting from any such error or omission. Dell is not responsible for pricing or other errors, and reserves the right to cancel orders arising from such errors.

Dell may make changes to this proposal including changes or updates to the products and services described, including pricing, without notice or obligation.

This proposal is not intended to create a contractual relationship. Unless expressly agreed otherwise in a writing signed by the parties, all orders by MIAMI SPRINGS POLICE DEPARTMENT for Dell products and services shall be subject to Dell's Terms and Conditions of Sale-Direct, which can be found at [www.dell.com/terms](http://www.dell.com/terms), and which incorporate Dell's U.S. Return Policy, at [www.dell.com/returnpolicy#total](http://www.dell.com/returnpolicy#total). Please read those terms carefully and in their entirety, and note in particular that Dell EqualLogic and EqualLogic-branded products, Dell|EMC and EMC-branded products, PowerVault ML6000 tape libraries, non-Dell-branded enterprise products, enterprise software, and customized hardware or software products may not be returned at any time. Orders also shall be subject to the terms of any applicable service contract(s), which can be found at [www.dell.com/servicecontracts](http://www.dell.com/servicecontracts).

All information supplied to MIAMI SPRINGS POLICE DEPARTMENT for the purpose of this proposal is to be considered confidential information belonging to Dell.

#### About Dell

Dell Inc. (NASDAQ: DELL) listens to customers and delivers innovative technology and services they trust and value. Uniquely enabled by its direct business model, Dell is a leading global systems and services company and No. 34 on the Fortune 500. For more information, visit [www.dell.com](http://www.dell.com).

#### Privacy Policy

Dell respects your privacy. Across our business, around the world, Dell will collect, store, and use customer information only to support and enhance our relationship with your organization, for example, to process your purchase, provide service and support, and share product, service, and company news and offerings with you. Dell does not sell your personal information. For a complete statement of our Global Privacy Policy, please visit [dell.com/privacy](http://dell.com/privacy).



**CITY OF MIAMI SPRINGS**

*Police Department  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: (305) 887-1444  
Fax: (305) 884-2384*

**TO:** Honorable Mayor Garcia and Members of the City Council

**VIA:** Ronald K. Gorland, City Manager

**FROM:** Peter G. Baan, Chief of Police

**DATE:** November 9, 2012

**RECOMMENDATION:** Recommendation that Council approve a bid to Maroone Dodge of Pembroke Pines, utilizing Florida Sheriffs Association Bid Award Announcement #12-20-0905 in the amount of \$71,205.00, for three (3) 2013 Dodge Chargers patrol vehicles, pursuant to Section §31.11(E)(5) of the City Code.

**DISCUSSION:** Purchase three (3) new 2013 Dodge Charger patrol vehicles for the Police Department fleet, replacing older vehicles. See attached documentation; 1) FSA Bid Award Announcement #12-20-0905 with specifications.

**COST:** **\$71,205.00**

**FUNDING:**                   **Department/ Description:**                   Police/Vehicles  
                                  **Account Number & Amount:**               001-2001-521.65-00

**PROFESSIONAL SERVICES APPROVAL:** \_\_\_\_\_

**2013 (Pursuit - RWD Police Package) Vehicle Purchase (Specification #1)**  
**(FSA) Bid Award Announcement #12-20-0905**  
**FSA's FAN CODE (49313)**  
**MIAMI SPRINGS POLICE Chrysler FAN CODE (006HW)**

**PURCHASER:** City of Miami Springs Police Department  
 201 Westward Dr.  
 Miami Springs, FL 33166

Contact: Lieutenant Randy Walker  
 PH: 305-887-1444 FAX: 305-884-2384

**BID** Florida Sheriff's Association  
**COORD.:** P.O. Box 12519  
 Tallahassee, FL 32317-2519

Contact: Lynn Meek, Cooperative Bid Coordinator  
 E-mail lmeek@flsheriffs.org  
 PH: 850-877-2165 FAX: 850-878-8665

**VENDOR:** Maroone Dodge of Pembroke Pines  
 13601 Pines Blvd.  
 Pembroke Pines, Fl. 33027  
 Contact: Steve Henry  
 E-mail: schenry1@comcast.net  
 PH: 954-441-2034; 954-383-1009 Fax: 800-766-7027

**VEHICLE:** 2013 Dodge Charger (LDDE48) Pursuit - RWD **(3 ea)**  
 Exterior Color: White Clearcoat  
 Interior Color: Slate Grey

**BASE PRICE:** \$21,216.00

**Order Code**

**OPTIONS:**

CW6	Rear door locks & handles inoperative (Includes rear windows) . . . . .	+. \$ 24.00
TTG	Temporary Tag. . . . .	+. \$ 25.00
MPXW575	Manufacturer's Extended 5yr 75K Warranty (\$0 deductible) . . . . .	\$2,470.00
		<u>\$23,735.00</u>

X 3 Vehicles

**Grand Total: \$71,205.00**



**FLORIDA SHERIFFS ASSOCIATION,  
FLORIDA ASSOCIATION OF COUNTIES &  
FLORIDA FIRE CHIEFS' ASSOCIATION**

**SPECIFICATION #01 - FULL SIZE PURSUIT VEHICLES - RWD (POLICE PACKAGE)**

2013 Chevrolet Caprice (1EW19/ISB/PPV); 2013 Dodge Charger (LDDE48)

**ALL ITEMS FACTORY INSTALLED UNLESS OTHERWISE INDICATED**

**INSTRUCTIONS:** Listed above, you will find the model numbers of the vehicles that will be included in this year's contract.

**INSTRUCTIONS:** Listed below you will find the model number of the vehicles that are being requested for the Full Size Police Pursuit Vehicles RWD. At a minimum, the following items will be factory installed on the base vehicle to meet the model number and build codes of the vehicles listed.

**2013 Chevrolet Caprice (1EW19/ISB/PPV)**

<b>Code</b>	<b>Description</b>
1EW19/ISB/PPV	2013 Chevrolet Caprice
LPX	V-6 engine 3.6L
7X6	Driver's Side (Left Hand) Spotlight
SG8	Full Size Spare Tire
AEH	Vinyl Rear Seat
6A3	Heavy Duty Black Vinyl Floor Mat (Front and Rear)
6C7	Auxiliary Dome Lamp
A98	Ignition Control Trunk Release
VK3	Front License Bracket

**2013 Dodge Charger (LDDE48)**

<b>Code</b>	<b>Description</b>
LDDE48	2013 Dodge Charger
27A	Customer Preferred Package 27A
X5X9	HD Cloth Front Bucket Seats W/Vinyl Rear
TBW	Full Size Spare Tire
LNF	Driver's Side (Left Hand) Spotlight
CKJ	Heavy Duty Black Vinyl Floor Mat (Front and Rear)

**PROPOSAL PRICE**

**BID NO. 12-20-0905**

**Specification #1 FULL SIZE PURSUIT VEHICLES - RWD (Police Package)**

Unit Price Per Base	Western District \$21,216.00 /ea.
	Northern District \$21,216.00 /ea.
	Central District \$21,216.00 /ea.
	Southern District \$21,216.00 /ea.



Brand Name:  Dodge Charger (LDDE48)

SUBMIT SEPARATE SHEETS FOR EACH BRAND AND MODEL OFFERED

BIDDERS MUST ATTACH A MANUFACTURER'S PRINT-OUT (CHRYSLER -- "DIAL SYSTEM"; FORD -- "DORA"; GENERAL MOTORS -- "GM AUTOBOOK"; OR APPROVED EQUIVALENT) TO VERIFY THE VEHICLE BID MEETS ALL THE REQUIREMENTS OF THIS SPECIFICATION. ALSO, ANY DEALER INSTALLED AFTERMARKET COMPONENTS, IF SPECIFIED, MUST BE NOTED ON THE MANUFACTURER'S PRINT-OUT. ALL ENCLOSED CONDITIONS AND REQUIREMENTS SHALL APPLY.

Delivery should occur within 60 - 90 calendar days after receipt of Purchase Order.

**Specification #1 FULL SIZE PURSUIT VEHICLES - RWD (Police Package)**

**SPECIFICATIONS THAT MAY BE DELETED/ADDED, ORDER CODE, DESCRIPTION AND PRICE**

**LEGEND FOR  
DELETE/ADD OPTIONS**

Every line will require a **DOLLAR VALUE** or one of the following abbreviations:

**Std.** = Manufacturer's standard equip.

**Incl.** = included with base specs.

**NC** = no additional charge

**NA** = not applicable to the vehicle

**SUBMIT SEPARATE SHEETS FOR EACH BRAND AND MODEL OFFERED**

Order code	Delete options	Credit
C8X9	Cloth rear seat in lieu of vinyl	\$25.00
	Front door body side molding	Not Applicable
	5" round dome lamp	Not Applicable
LNF	Driver's Side (Left Hand) Spotlight	\$65.00
TBW	Space saver spare tire in lieu of full size spare tire	\$65.00
	Front License Bracket	Not Applicable
Order code	Add options	Price
29A	V8 engine	\$2,225.00
	Priority start/battery saver	Not Applicable
	Limited slip differential <i>Electronic Stability Control</i>	Standard
	Complete Police Prep Package	Not Applicable
AYE	Base Police Prep Package <i>Front &amp; Rear Wire HArness, Power Distribution Center, Siren Speaker &amp; Bracket and Trunk Tray &amp; Cooling Fan</i>	\$1,735.00
	Police Prep Package - "Ready for the Road"	Not Applicable
	Base Lighting Package	Not Applicable
LNF/LNX	Left & right-hand pillar mounted 6" spotlight with clear halogen bulb, factory installed <i>Left Side spotlight Std. Add for right side spotlight and add LED to both sides</i>	\$535.00
	Visibility Package	Not Applicable
TRMC	Tremco anti-theft - foot activated, dealer installed	\$210.00
SSAT	SafeStop vehicle anti-theft - key activated or emergency lights activated, plug-&-play for most Ford and Chevy fleet vehicles, dealer installed in 20 minutes or less	\$299.00
RML	Rechargeable mag light	\$165.00
	Roof wiring with hole	Not Applicable
	Roof wiring without hole	Not Applicable
	Accessory feed wires for police equipment	Not Applicable
RBP	Ready Buckle Prisoner Restraint Seat Belt System	\$295.00
	Ignition powered trunk button, factory installed	Standard
	Comfort and convenience group	Not Applicable

**Specification #1 FULL SIZE PURSUIT VEHICLES - RWD (Police Package)**

**SPECIFICATIONS THAT MAY BE DELETED/ADDED, ORDER CODE, DESCRIPTION AND PRICE**

LEGEND FOR DELETE/ADD OPTIONS
Every line will require a DOLLAR VALUE or one of the following abbreviations: <b>Std.</b> = Manufacturer's standard equip. <b>Incl.</b> = included with base specs. <b>NC</b> = no additional charge <b>NA</b> = not applicable to the vehicle

**SUBMIT SEPARATE SHEETS FOR EACH BRAND AND MODEL OFFERED**

AEB	Street appearance group <i>Aluminum Wheels, Must Have Carpet or will get Mini-Console, Fog Lamps, FrontCup holders</i>	\$494.00
WBA	Full wheel covers	\$29.00
	Nitrogen filled tires including spare tire	Not Applicable
	AM/FM radio with single CD	Standard
	Daytime running lights	Not Applicable
	Sunscreen privacy glass	Not Applicable
	Cloth split bench - front	Not Applicable
	Driver seat only - 6 way power	Standard
CW6	Rear door locks & handles inoperative <i>Includes Rear windows inoperative</i>	\$24.00
CWD	Rear door locks & handles inoperative, dealer modification	\$110.00
CW6	Rear windows inoperative <i>Includes rear doors inoperative</i>	\$24.00
	Cruise control	Standard
	Radio noise suppression	Not Applicable
	Courtesy light disabled	Standard
	Side air protection (may affect cage availability)	Standard
LDT	Legal deep tinted film, lifetime warranty, dealer installed	\$225.00
	Third key <i>4 keys &amp; Fobs are standard-this price is for any additional keys more than 4</i>	\$215.00
GXF	Keyed alike <i>Includes Keyed Alike for the 4 Standard Keys and Fobs</i>	\$139.00
3KY	Factory remote keyless entry with 2 fobs included. <i>4 keys and fobs are standard. This price is for the 5th &amp; 6th key</i>	\$395.00
	Front door moldings, not installed	Not Applicable
RS-IV	Vent visors - stick-on style	\$145.00
RSFS	Rainshields - flange style	\$165.00
DBW	Door blank & rear window barriers with manual lock override <i>(Setina, Pro-Gard, Cruisers or approved equivalent)</i>	\$495.00
	Locking gas cap	Not Applicable
TTP	Two-tone paint <i>Includes Four Doors and Roof</i>	\$1,450.00



**Specification #1 FULL SIZE PURSUIT VEHICLES - RWD (Police Package)**

**SPECIFICATIONS THAT MAY BE DELETED/ADDED, ORDER CODE, DESCRIPTION AND PRICE**

**LEGEND FOR  
DELETE/ADD OPTIONS**

Every line will require a **DOLLAR VALUE** or one of the following abbreviations:  
**Std.** = Manufacturer's standard equip.  
**Incl.** = included with base specs.  
**NC** = no additional charge  
**NA** = not applicable to the vehicle

**SUBMIT SEPARATE SHEETS FOR EACH BRAND AND MODEL OFFERED**

TT-111	Class III hitch with 2" ball, dealer installed	\$420.00
3MR	Optional equipment - specify <i>3M Vinyl Wrap-Includes 4 Doors and Roof</i>	\$795.00
RLT	Optional equipment - specify <i>Relocate Spare Dealer Installed If Purchased with option AYE cost will be \$120.00</i>	\$229.00
CVS2400	Optional equipment - specify <i>Havis 24" Console w/ Arm Rest and 2 Cup Holders</i>	\$489.00
C3090	Optional equipment - specify <i>Havis Lap Top Mount w/ Tilt &amp; Swivel Low mount Pole</i>	\$625.00
CTTB	Optional equipment - specify <i>Must Have Compact Spare</i>	\$339.00
PB100A12	Setina PB100A12 - 12" Aluminum Push Bumper	\$445.00
PB100A16	Setina PB100A16 - 16" Aluminum Push Bumper	\$475.00
SPB300	Setina PB300 Push Bumper	\$495.00
GR50	Go Rhino 5000 Series Push Bumpers	\$465.00
RTS3P	Rear Transport Seat - Laguna System 3P	\$895.00
RTSPG6000	Rear Transport Seat - Pro Gard 6000 Series	\$775.00
	Rear Transport Seat - Cruiser PCM012	Not Applicable
	Rear Transport Seat with extended seat belt - Patriot PSCV1	Not Applicable
PGP2600	Pro-Gard P2600 Series Polycarbonate (Lexan) Cage with sliding window, full width lower extension panel, dealer installed	\$885.00
SET8S	Setina 8S Lexan cage with 1/2 lexan and 1/2 expanded metal with full lower extension panel, dealer installed	\$895.00
SET10	Setina #10 Series Lexan Cage with sliding window, full width lower extension panel, dealer installed	\$915.00
	Patriot VP1-120 Lexan cage with 1/2 lexan and 1/2 metal with full lower extension panel, dealer installed	Not Applicable
	Patriot VP1-100 all Lexan cage with full lower extension panel, dealer installed	Not Applicable
	Cruisers Cage with slide and lock window, lower extension panels, dealer installed	Not Applicable
	Cruisers Cage with 1/2 Lexan and 1/2 mesh, lower extension panels, dealer installed	Not Applicable
ERD	K-9 Container. All aluminum In-Vehicle (rear seat area) K-9 Container to protect the public, officer, K-9, and vehicle. Please specify vehicle year, make and model. Call for installation, shipping, and/or delivery prices.	\$2,540.00

Specification #1 FULL SIZE PURSUIT VEHICLES - RWD (Police Package)

**SPECIFICATIONS THAT MAY BE DELETED/ADDED, ORDER CODE, DESCRIPTION AND PRICE**

**LEGEND FOR  
DELETE/ADD OPTIONS**

Every line will require a **DOLLAR VALUE** or one of the following abbreviations:  
**Std.** = Manufacturer's standard equip.  
**Incl.** = included with base specs.  
**NC** = no additional charge  
**NA** = not applicable to the vehicle

**SUBMIT SEPARATE SHEETS FOR EACH BRAND AND MODEL OFFERED**

IIHNP	Electronic Remote Rear Door Opening system to be used with the K-9 Container. Allows the officer to release the K-9 from the vehicle from a remote position.	\$1,345.00
HAS	Heat Alarm System to be used in a K-9 vehicle. Warns officer when dangerously high temperatures are inside the vehicle.	\$785.00
TTG	Temporary tag	\$25.00
TER	Transfer existing registration (must provide tag number)	\$105.00
NST	New state tag (specify state, county, city, sheriff, etc.)	\$185.00
	Maintenance Plan - specify	Not Applicable
	Maintenance Plan - specify	Not Applicable
	Maintenance Plan - specify	Not Applicable
APXW575	Warranty - specify <i>Added Care Plus-0- Deductible 5 Years 75,000 Miles</i>	\$2,205.00
MPXW660	Warranty - specify <i>Maximum Care-0- Deductible 6 Years 60,000 Miles</i>	\$2,285.00
MPXW575	Warranty - specify <i>Maximum Care-0-deductible 5 Years 75,000 Miles</i>	\$2,470.00



**CITY OF MIAMI SPRINGS**  
Police Department  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: (305) 887-1444  
Fax: (305) 884-2384

**TO:** Honorable Mayor Garcia and Members of the City Council

**VIA:** Ronald K. Gorland, City Manager

**FROM:** Peter G. Baan, Chief of Police

**DATE:** November 2, 2012

**RECOMMENDATION:** Recommendation that Council approve a bid to Peterson's Harley-Davidson of Miami, L.L.C., utilizing Miami Dade County Contract #5206-5/14-4 in the amount of \$22,186.34, for two (2) 2013 Harley-Davidson Road King motorcycles, pursuant to Section §31.11(E)(5) of the City Code.

**DISCUSSION:** Purchase two (2) new 2013 Harley-Davidson Road King motorcycles for the Police Department fleet, replacing older motorcycles. See attached documentation; 1) Memo from P. Baan, 2) 2013 Police Solo Motorcycles Purchase Quote, 3) Miami Dade County Contract #5206-5/14-4, 4) Proposal dated 10/23/12 from Peterson's Harley Davidson of Miami, L.L.C.

**COST:** **\$22,186.34**

**FUNDING:** **Department/ Description:** Police/Vehicles  
**Account Number & Amount:** 001-2001-521.65-00

**PROFESSIONAL SERVICES APPROVAL:** \_\_\_\_\_



Miami Springs  
Police Department

Memorandum

**To:** Ronald K. Gorland, City Manager

**From:** Peter G. Baan, Chief of Police

A handwritten signature in black ink, appearing to read "Peter G. Baan".

**Subject:** FYE 2013 Vehicle Purchase

**Date:** 11/01/2012

In the FYE 2013 Police Budget, only three police cars and one motorcycle were included for purchase. This is one less police car and three less motorcycles than are normally included in the budget. After obtaining quotes for these vehicles, it has been determined that funding is available for one additional motorcycle, so that a total three cars and two motorcycles could be purchased out of the current budget. The funds are available for three reasons:

- The police car quote was \$23,735 each, which is \$1,265 less than budgeted, for a total savings of \$3,795.
- The motorcycle quote, after trade-in was \$11,093.10 which is \$3,906.90 less than budgeted. The purchase price was lower and the trade-in allowance was higher than expected.
- The balance necessary to purchase the second motorcycle can be funded by re-using some of the vehicle equipment that will be installed in these vehicles.

I therefore recommend that two motorcycles instead of one be submitted to the Council for purchase approval.



**2013 POLICE SOLO MOTORCYCLES PURCHASE**  
**Miami Dade County Contract #5206-5/14-4**

**PURCHASER:** City of Miami Springs Police Department  
201 Westward Dr.  
Miami Springs, FL 33166

Contact: Lieutenant Randy Walker  
PH: 305-887-1444 FAX: 305-884-2384

**BID** Miami-Dade County Department of Procurement Management  
**COORD.:**

Contact: Sherry Y. Crockett, CPPB Procurement Officer  
PH: 305-375-4693 FAX: 305-375-4407

**VENDOR:** Peterson's Harley-Davidson of Miami, L.L.C.  
19400 NW 2<sup>nd</sup> Ave.  
Miami, Florida 33169  
Contact: Ace Armstrong  
PH: 305-651-4811 Fax: 305-653-8006

**VEHICLE:** 2013 Harley-Davidson Road King (FLHP) w/ Anti-Lock Brakes  
Color: Vivid Black

<b>PRICE (Each)</b>	\$17,885.00
	<u>X2</u>
<b>Sub Total</b>	<b>\$35,770.00</b>
<b>Guaranteed Buyback: (Trade In)</b>	
(2) 2008 FLHP Motorcycles (#623 & #625)	
@ \$ 8,000.00 each	<u>-\$16,000.00</u>
<b>Sub Total</b>	<b>\$19,770.00</b>
(2) Move police equipment (emergency lighting, sirens, and police radios) from trade-in to new motorcycles @ \$ 1,208.17 each	<b>\$ 2,416.34</b>
<b>Grand Total</b>	<b>\$22,186.34</b>



**CONTRACT AWARD SHEET**  
**DEPARTMENT OF PROCUREMENT MANAGEMENT**  
**PURCHASING DIVISION**

**BPO NO.:** ABCW1200574

**BID NO.:** 5206-5/14-4

**Previous Bid No.:**5206-5/14-3

**TITLE:** POLICE SOLO MOTORCYCLES

**COMMODITY CODE NO.:** 070-12

**OTR YEARS:** FIVE (5)

**LIVING WAGE APPLIES:**  
 YES  NO

**CONTRACT PERIOD:** AUGUST 1, 2012 through JULY 31, 2013

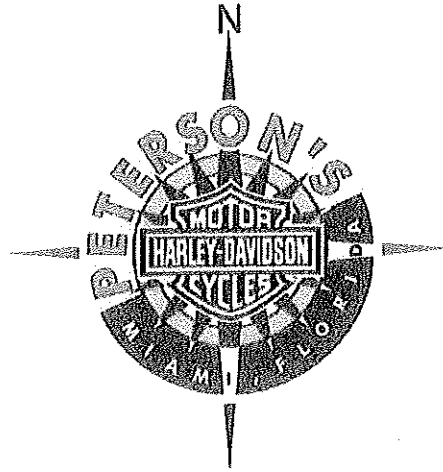
**AWARD BASED ON MEASURES:**  YES  NO

**PROCUREMENT OFFICER:** SHERRY Y. CROCKETT, CPPB  
**PHONE:** 305-375-4693

- |  |   |   |                                    |
|--|---|---|------------------------------------|
| <input type="checkbox"/> SBE Set Aside                   | <input checked="" type="checkbox"/> Bid Preference: | <input checked="" type="checkbox"/> SBE | <input type="checkbox"/> Micro SBE |
| <input type="checkbox"/> SBE Goal                        | <input type="checkbox"/> CSBE Level                 |   |                                    |
| <input type="checkbox"/> Local Preference                |   |   |                                    |
| <input type="checkbox"/> Prevailing Wages (Reso. 90-143) |   |   |                                    |
| <input type="checkbox"/> Living Wage                     |   |   |                                    |

**PART #1: VENDOR AWARDED**

<b>F.E.I.N.:</b>	650418864 02
<b>VENDOR:</b>	PETERSONS HARLEY DAVIDSON OF MIAMI LC
<b>STREET:</b>	19400 N.W. 2 <sup>ND</sup> AVENUE
<b>CITY/STATE/ZIP:</b>	MIAMI, FLORIDA 33169-3315
<b>F.O.B. TERMS:</b>	DESTINATION
<b>PAYMENT TERMS:</b>	NET 30
<b>DELIVERY:</b>	AS REQUIRED
<b>TOLL FREE PHONE #</b>	(800) 545-2561
<b>PHONE:</b>	(305) 651-4811
<b>FAX:</b>	(305) 653-8006
<b>E-MAIL:</b>	ACE@MIAMIHARLEY.COM
<b>CONTACT PERSON:</b>	ACE ARMSTRONG



October 23, 2012

Lieutenant Randall J. Walker  
City of Miami Springs Police Department  
VIA FACSIMILE: [rwalker@miamispringspolice.com](mailto:rwalker@miamispringspolice.com)

## Proposal

Peterson's Harley-Davidson of Miami, L.L.C. proposes to sell the City of Miami Springs Police Department two (2) 2013 Harley-Davidson FLHP police motorcycle.

2013 FLHP Motorcycle	\$17,885.00 per bike
Move police equipment from trade-in to new bike	\$ 1,208.17 per bike
Trade Allowance: 2008 FLHP	(\$ 8,000.00) per bike

As per Dade County Bid Pricing (5206-5114-4):

This would make the balance due, including new motorcycle and equipment, \$22,186.34. \*

If you have any questions, please feel free to contact me at 305-651-4811 ext. 501

Sincerely,

Ace Armstrong  
General Manager



**CITY OF MIAMI SPRINGS**  
**PUBLIC WORKS**  
345 N Royal Poinciana Blvd  
Miami Springs, FL 33166-5259  
Phone: (305) 805-5170  
Fax: (305) 805-5195

Agenda Item No.

City Council Meeting of:

11-19-2012

**TO:** Honorable Mayor Garcia and Members of the City Council

**VIA:** Ronald Gorland, City Manager

**FROM:** Thomas Nash, Public Works Director

**DATE:** November 13, 2012

**RECOMMENDATION:**

Recommendation that Council approve a change order of \$1,325.00, to Metro Express for additional paving of area around Bentley & Ludlam Drives , pursuant to Section §31.11 (F)(11)(b) of the City Code.

**DISCUSSION:**

Once the project was near completion it was determined that the additional drain in front of 125 Bentley had to have a pad as not to compromise the integrity of the storm cover and keep rock and debris out of the box.

**COST:** \$ 1,325.00

**FUNDING:** Storm water  
Account Number: 440-3901-539-6300

**PROFESSIONAL SERVICES APPROVAL:**



**Metro Express, Inc.**  
**State Wide General Engineering Contractors**  
**CGCO50965- E-201301**

Licensed  
 Insured  
 Bonded

# PROPOSAL

Quote No. 103112-004

Date: 10/31/2012

To:	City of Miami Springs Public Works Department 345 N Royal Poinciana Blvd Miami Springs FL 33166-5259		
Contact	Lazaro Garaboa	Phone: 305-805-5170	Fax: 305-805-5195
Job:	Bently DR & Ludland DR Additional Paving Work (change order)		

We hereby propose to furnish all labor, material and equipment subject to terms and conditions as follows:

The job will include and be limited to the following:

	<u>Unit</u>	<u>Qty</u>	<u>UP</u>	<u>Total</u>
526-1-1 Driveway Restoration Additional (44x24)	SY	0	25.00	0.00
526-1-1 Driveway Restoration Inlet (13x24)	SY	35	25.00	875.00
Base Construction	SY	35	12.00	420.00
Regular Excavation	CY	5	6.00	30.00
			<b>TOTAL</b>	<b>\$1,325.00</b>

**Notes:**

- \*\*All other job not listed above will be billed at additional charge.
- \*\*Price do not include any permit (to be obtained by others), MOT, surveying, tree removal, valve adjustment, testing, layout, marking, painting, as-built, regrading, landscaping, etc
- \*\*Not responsible for area not ready, cars or any other obstacle in the area of work.
- \*\*All work to be performed in regular daily operation hours during weekdays.

We hereby propose to furnish labor and materials, complete in accordance with above specifications, for the sum shown above, with payment to be made within 30 days after work completed.

THIS PROPOSAL SUBJECT TO ACCEPTANCE WITHIN 30 DAYS AND IS VOID THEREAFTER AT THE OPTION OF METRO EXPRESS INC.

Authorized Signature: A.F.

**ACCEPTANCE OF PROPOSAL**

The above prices, specifications and conditions are hereby accepted. You are authorized to do work as specified. Payment will be made as outline above and interest charges may be charged upon delinquent accounts.

ACCEPTED BY: \_\_\_\_\_  
 name signature

DATE: \_\_\_\_\_



Google earth



AREA BEFORE CONSTRUCTION



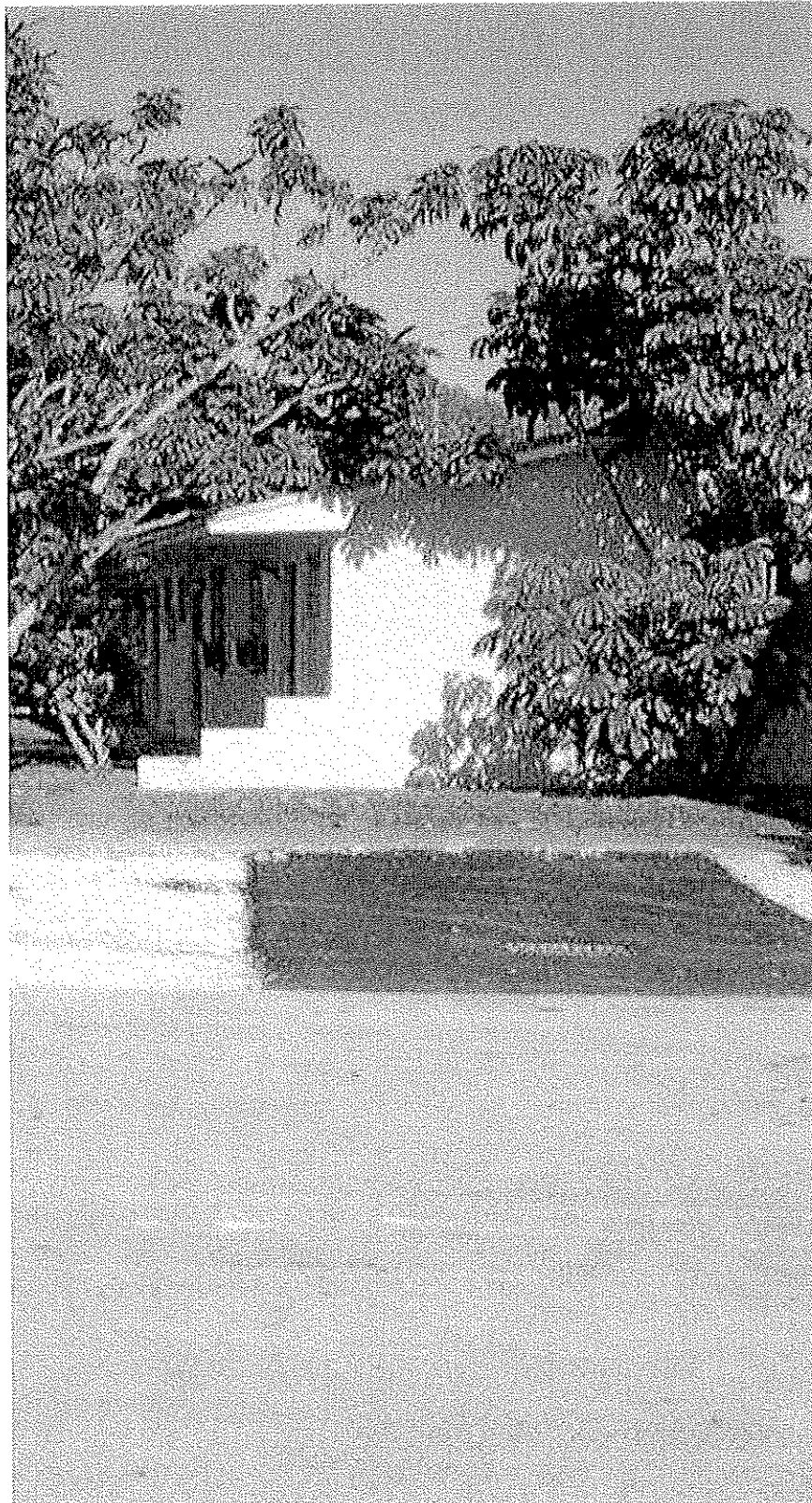
Google earth



AREA BEFORE CONSTRUCTION









**CITY OF MIAMI SPRINGS**  
*Finance Department*  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5014  
Fax: (305) 805-5037

**TO:** The Honorable Mayor Xavier Garcia and Members of the City Council

**VIA:** Ron Gorland, City Manager

**FR:** William Alonso, CPA, CGFO, Asst. City Manager/Finance Director

**Date:** November 14, 2012

**RECOMMENDATION:**

Request that Council approve an expenditure in an amount not to exceed \$12,000 to Gabriel Roeder Smith and Company, Actuaries (GRS). for Police Pension Plan alternatives, as a sole source provider, pursuant to Section 31.11 (E) (6) (c) of the City Code.

**DISCUSSION:**

During the executive session held on November 13, 2012, Council directed the Administration to request an actuarial study on the effects to benefits of the Police Pension Plan if the "total" contributions to the plan were a) 24%, b) 32%, or c) 40%.

We have contacted the current Pension Actuaries, GRS, and requested an estimate for these services. They provided a range of between \$8,000 and \$12,000. Since GRS is the actuary for the Police Pension plan, we have not requested other quotes since we understand that going to a third party actuary would be more expensive since they would need to start from scratch. Therefore, the Administration considers GRS a sole source provided and recommends contracting with GRS to perform these valuations.

**COST:** Not to exceed \$ 12,000.00

**FUNDING:** Funding is available from designated fund balance.

**PROFESSIONAL SERVICES/PROCUREMENT APPROVAL:** \_\_\_\_\_



**OFFICE OF THE CITY CLERK  
MEMORANDUM**

**TO:** Honorable Mayor Garcia and Members of the City Council  
**FROM:** Magalí Valls, City Clerk  
**DATE:** November 13, 2012  
**SUBJECT: PENDING BOARD APPOINTMENTS**

\*\*\*\*\*

The following appointments are pending:

<b>APPOINTMENT COUNCILMEMBER</b>	<b>CURRENT MEMBER</b>	<b>NEW TERM EXPIRES</b>	<b>ORIGINAL APPOINTMENT DATE</b>	<b>LAST APPOINTMENT DATE</b>
<b><u>Board of Adjustment</u></b>				
Mayor Xavier M. Garcia	Francisco Fernández	04-30-2015	10-14-1991	11-28-2011
Vice Mayor Ator – Group IV	Vacant – Alternate	10-31-2015	VACANT	VACANT
<b><u>Architectural Review Board</u></b>				
Councilman Best – Group I	Bob Calvert*	10-31-2015	VACANT	VACANT
Councilwoman Bain - Group II	Joe Valencia	10-31-2015	02-27-2012	02-27-2012
Councilman Lob– Group III	Fredy Albiza	10-31-2015	08-27-2012	08-27-2012
<b><u>Civil Service Board</u></b>				
Councilwoman Bain - Group II	Carrie Figueredo	06-30-2015	08-24-2009	08-24-2009
Councilman Best – Group I	Rob Youngs	06-30-2015	01-11-2010	01-11-2010
<b><u>Code Enforcement Board</u></b>				
Councilman Lob– Group III	J. Martínez-Regueira	09-30-2015	06-09-2003	10-12-2009
<b><u>Code Review Board</u></b>				
Mayor Xavier M. Garcia	Connie Kostyra*	04-30-2015	VACANT	VACANT
<b><u>Disability Advisory Board</u></b>				
Mayor Xavier M. Garcia	Charlene Anderson*	12-31-2013	VACANT	VACANT
Councilwoman Bain - Group II	Peter Newman*	12-31-2013	VACANT	VACANT

<b>APPOINTMENT COUNCILMEMBER</b>	<b>CURRENT MEMBER</b>	<b>NEW TERM EXPIRES</b>	<b>ORIGINAL APPOINTMENT DATE</b>	<b>LAST APPOINTMENT DATE</b>
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**Ecology Board**

Councilman Lob– Group III	Dr. Mara Zapata*	04-30-2013	VACANT	VACANT
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**Golf and Country Club**

Vice Mayor Ator – Group IV	Mark Trowbridge*	07-31-2013	VACANT	VACANT
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\* Bob Calvert resigned on January 31, 2012.  
Connie Kostyra resigned on April 28, 2011.  
Charlene Anderson resigned on June 6, 2011.  
Peter Newman resigned on August 1, 2009.  
Dr. Mara Zapata resigned from the Ecology Board to become a member of the Education Advisory Board.  
Mark Trowbridge resigned on August 20, 2012.

cc: City Manager  
Assistant City Manager/Finance Director  
City Attorney  
Affected Board Members




Agenda Item No.

City Council Meeting of:

11-19-2012

City Manager Department  
201 Westward Drive  
Miami Springs FL 33166  
305-805-5010

TO: Honorable Mayor Garcia and Members of the City Council  
FROM: Ron Gorland, City Manager   
DATE: November 15, 2012  
SUBJECT: Movie Nights on the Circle

Consideration of funding Movie Nights on the Circle as requested by All Angels Academy.



Agenda Item No.

City Manager Department  
201 Westward Drive  
Miami Springs FL 33166  
305-805-5010

City Council Meeting of:

11-19-2012

TO: Honorable Mayor Garcia and Members of the City Council

FROM: Ron Gorland, City Manager

DATE: November 15, 2012

SUBJECT: Request to Serve Alcohol in the lobby of the Rebeca Sosa Theater

Lino Ferrer Productions is renting the Rebeca Sosa Theater for a production Sunday evening, Nov. 18<sup>th</sup> , and requests to serve alcohol during their event.

**RESOLUTION NO. 2012-3566**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, AUTHORIZING AND APPROVING THE SUBMITTAL OF AN APPLICATION FOR A 2012 TRANSPORTATION ENHANCEMENT PROGRAM (“TEP”) GRANT ADMINISTERED BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING EXECUTION OF THE REQUIRED GRANT APPLICATION DOCUMENTATION BY THE PROPER OFFICERS AND OFFICIALS OF THE CITY; EFFECTIVE DATE.**

**WHEREAS**, the Federal Highway Administration sponsors a Surface Transportation Program that provides Grant funding for the development of “non-traditional” transportation projects; and,

**WHEREAS**, the aforesaid Program is administered by the State of Florida Department of Transportation; and,

**WHEREAS**, applications for participation in the current Grant Program are required to be submitted to the Miami-Dade County Metropolitan Planning Organization (“MPO”) by November 30, 2012; and,

**WHEREAS**, the City believes that it is eligible for participation in the Grant Program because it is desirous of providing a lighted walking track and bike path for pedestrians and bicycles, promoting pedestrian and bicycle safety and education activities, and planting landscaping for scenic beautification in the City; and,

**WHEREAS**, the aforesaid Grant categories for eligibility are consistent with the City's current plan to provide a lighted bike path and pedestrian walkway in the existing Westward Drive median from Flamingo Circle to Hammond Drive; and,

**WHEREAS**, the Grant funding will allow pedestrians and cyclists, as well as the general public, to access and enjoy the newly constructed Public Library on Westward Drive, its restored landscaping and gardens, and other restored facilities; and,

**WHEREAS**, the proposed Grant will provide sufficient funding for the proposed project, without requiring any match from the City, and the City remains cognizant of the five year funding timeline employed by the "MPO":

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

**Section 1:** That the City Council of the City of Miami Springs hereby authorizes and approves the submittal of the City's application for a 2012 Transportation Enhancement Program ("TEP") Grant administered by the State of Florida Department of Transportation.

**Section 2:** That the City Council of the City of Miami Springs hereby authorizes the proper officers and officials of the City to execute all required Grant application documentation.

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



**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida

this 19<sup>th</sup> day of November, 2012.

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

Vice Mayor Ator	“ _____ ”
Councilman Best	“ _____ ”
Councilwoman Bain	“ _____ ”
Councilman Lob	“ _____ ”
Mayor Garcia	“ _____ ”

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO LEGALITY AND FORM:**



Jan K. Seiden, City Attorney

**ORDINANCE NO. 1042-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-034, INSTALLATION OF CENTRAL AIR CONDITIONING AND HEATING UNITS, POOL PUMPS AND EQUIPMENT, AND SPRINKLER PUMPS AND EQUIPMENT; BY PROVIDING AN ADDITIONAL SITE LOCATION FOR THE PLACEMENT OF SUCH EQUIPMENT ON NEWLY CONSTRUCTED PROPERTIES AND CLARIFYING THAT ALL APPROVED LOCATIONS ARE NOT TO BE WITHIN REQUIRED SETBACK AREAS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE**

**WHEREAS**, since the amendment of Code Section 150-034 in 2006-2007 the mechanical equipment located outside of homes has been dramatically improved; and,

**WHEREAS**, the aforesaid equipment improvements have effectively reduced the operating “noise” of such equipment; and,

**WHEREAS**, it has also been determined that the location of such equipment provides energy saving consequences and more efficient equipment operation; and,

**WHEREAS**, a number of property owners of newly constructed homes have shown the inclination and desire to locate such equipment in specially designed side yard “niche” areas of the new structures; and,

**WHEREAS**, these special location areas lend themselves to the planting or installation of proper screening from the side yard areas of adjacent properties; and,

**WHEREAS**, the City Council has determined that it is in the best interests of the City and its citizens to expand the approved area for the location of mechanical equipment for newly constructed homes;

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

**Section 1:** That Code of Ordinance Section 150-034, Installation of central air conditioning and heating equipment, pool pumps and equipment, and sprinkler pumps and equipment, is hereby amended as follows;

Sec.150-034. Installation of Central Air Conditioning and Heating Units, Pool Pumps and Equipment and Sprinkler Pumps and Equipment.

(A) *Location Property-New Construction* - Central air conditioning and heating units, pool pumps and equipment and sprinkler pumps and equipment to be installed in conjunction with the construction of new residential structures may ~~only~~ be located in the rear yard area of the homesites- or in the side yard of homesites in "niche" cutout areas of the structure provided for the location of such equipment. All side yard location areas shall also be required to be properly obscured and screened from view. Nothing contained herein shall permit the location of any equipment within the required rear or side yard setback areas of the property.

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,

Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

Vice Mayor Ator	“ _____ ”
Councilman Best	“ _____ ”
Councilwoman Bain	“ _____ ”
Councilman Lob	“ _____ ”
Mayor Garcia	“ _____ ”

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 11-19-2012  
Second reading: 12-10-2012

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

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**ORDINANCE NO. 1043-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-010, ROOF MATERIALS, REQUIREMENTS, AND RE-ROOFS; BY DELETING ALL REFERENCES TO THE TWO YEAR SUNSET PROVISION THEREBY INCLUDING ASPHALT SHINGLES AS AN ADDITIONAL APPROVED ROOFING MATERIAL FOR THE CITY; STRIKING SUBSECTION (H) OF THE ORDINANCE AS BEING INAPPROPRIATE AND OUTDATED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, approximately two years ago, the then City Council amended Code Section 150-010 to provide a two year period to determine the feasibility of permitting asphalt shingles as an additional approved roofing material in the City; and,

**WHEREAS**, during the aforesaid period a number of City property owners have installed new roofs or re-roofed their homes using the newly permitted asphalt shingles; and,

**WHEREAS**, as the time is approaching (January 2013) for this two year feasibility and testing period to automatically “sunset”, the City Council has received documentation and testimony from the Building and Code Department Director regarding the results of the two year feasibility period and the current state and status of asphalt shingle products; and,

**WHEREAS**, in addition, the City Council has received many comments regarding the Building and Code Department’s support of adding asphalt shingles as an approved roofing material in the City; and,

**WHEREAS**, the City Council has conducted its own debate and discussion of the issues related to adding asphalt shingles as an approved roofing material in the City; and,

**WHEREAS**, the City Council has determined that it is in the best interests of the City and its citizens to allow the use of asphalt shingles as an approved roofing material in the City; and,

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

**Section 1:** That Code of Ordinance Section 150-010, Roof Materials, Requirements and Re-Roofs, is hereby amended as follows:

150-010. Roof Materials, Requirements and Re-Roofs.

(A) . . .

(B) . . .

(C) In addition to the other approved materials for new roofs contained in subsections (A) and (B) above, Florida Building Code and Miami-Dade County N.O.A. approved asphalt shingles may be used for the installation of new roofs, ~~for a two-year period commencing on the date of the passage of this Ordinance. If no further City Council action is approved prior to the expiration of the aforesaid two-year period, the provisions of this subsection shall automatically “sunset” and become null and void at the end of the two-year period.~~

(D) . . .

(E) . . .

(F) . . .

(G) Re-roofs. Any roof cover that has outlived its bond shall be replaced. The replacement roof shall be constructed of the same roofing materials as was utilized on the roof being replaced. However, nothing contained herein shall prevent the replacement roof from being constructed of cement tile or clay tile. In addition, metal roofs can be utilized as replacement or re-roofs so long as the conditions set forth above for new construction metal roof usage are met. Further, in accordance with the provisions of Subsection (C) above, Florida Building Code and Miami-Dade County N.O.A. approved asphalt shingles may be used for re-roofs, ~~during the two-year "sunset" period provided therein.~~

~~(H) Gravel roof coverings shall be required for all roofs with a slope of one-half to two and one-half to 12.~~

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,

Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

Vice Mayor Ator	“ _____ ”
Councilman Best	“ _____ ”
Councilwoman Bain	“ _____ ”
Councilman Lob	“ _____ ”
Mayor Garcia	“ _____ ”

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 11-19-2012  
Second reading: 12-10-2012

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

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**ORDINANCE NO. 1044-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-002, DEFINITIONS; BY CLARIFYING AND UPDATING THE DEFINITIONS OF REAR YARD [SUBSECTION (C) (79)], AND SIDE YARD [SUBSECTION (C) (80)]; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, as a result of certain recent cases the City Planner, Building and Code Department, and other administrative officials of the city have had occasion to review the Code definitions of rear and side yards; and,

**WHEREAS**, the aforesaid reviews have resulted in various recommendations for the clarification and updating of the aforesaid Code definitions; and,

**WHEREAS**, although “regulatory provisions” are not normally included within provisions providing definitions, it is appropriate to include such “regulatory provisions” if such provisions are specifically separated from the definitions and such placement does not create interpretation issues for the definition; and,

**WHEREAS**, it was further agreed by the City Staff that the subject definitional provisions required updating; and,

**WHEREAS**, the City Council has been provided an explanation for the proposed clarification and updating of the subject definitions and determined that such actions are in the best interests of the City and its citizens; and,

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

**Section 1:** That Code of Ordinance Section 150-002, Definitions, is hereby amended as follows;

150-002. Definitions.

(A) . . .

(B) . . .

(C) The following words and phrases shall have the following meanings ascribed to them respectively:

(1) thru (78) . . . .

(79) Yard, rear. A yard extending across the rear of a lot, and being the required minimum horizontal distance between the rear lot line and the rear of the nearest part of the main building. ~~Eaves or overhangs may extend into any minimum rear yard setback, but shall not extend more than 30 inches into the minimum rear yard setback or closer than three feet to the rear property line. Stoops and steps may extend into any minimum rear yard setback, but shall not extend more than 36 inches into the minimum rear yard setback. No portion of a central air conditioning or heating unit shall be located in any minimum rear yard setback area. Window awnings and shutters may extend into any minimum rear yard setback. No other structures than those specifically permitted above shall be constructed or erected in any minimum rear yard setback. On all lots, the rear yard shall be that portion opposite and most distant from the front yard.~~

The rear yard shall be that portion of the lot that is opposite and most distant from the front yard. Despite the definition contained herein, for total rear yard area computation purposes only, the entire open and non-constructed areas behind the rear of the main building and extending to the rear lot line, shall be used for such calculations. The following shall constitute the only permitted encroachments into the minimum rear yard setback areas;

(a) Eaves and overhangs; not to exceed thirty inches into the minimum setback.

(b) Stoops and steps; not to exceed thirty-six inches into the minimum setback.

(c) Window awnings and shutters

(80) Yard, side. A yard between the main building and the side line of the lot, and extending from and between the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the nearest part of the main building. ~~Eaves or overhangs may extend no more than 30 inches into the minimum side yard setback, nor closer than three feet to the side property line. Stoops and steps may extend into any minimum side yard setback, but shall not extend more than 36 inches into the minimum side yard setback. Any portable air conditioning unit, whether installed through the wall or set into a window, may extend into the minimum side yard setback. Window awnings and shutters may extend into any minimum side yard setback. No other structures than those specifically permitted above shall be constructed or erected in any minimum side yard setback.~~ It is contemplated that building indentations, niches, or cutout areas may be provided adjacent within the side yards of properties and that such areas may constitute a part of the total side yard area, but shall not be permitted within the

minimum side setback area. The following shall constitute the only permitted encroachments into the minimum side setback area;

(a) Eaves and overhangs; not to exceed thirty inches into the minimum setback, nor closer than three feet to any side property line.

(b) Stoops and steps; not to exceed thirty-six inches into the minimum setback.

(c) Window awnings and shutters

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

Vice Mayor Ator " \_\_\_\_\_ "  
Councilman Best " \_\_\_\_\_ "  
Councilwoman Bain " \_\_\_\_\_ "  
Councilman Lob " \_\_\_\_\_ "  
Mayor Garcia " \_\_\_\_\_ "

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 11-19-2012  
Second reading: 12-10-2012

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

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**ORDINANCE NO. 1045-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-164, NORTHWEST 36<sup>TH</sup> STREET; BY REMOVING ANY AND ALL REFERENCES TO THE REQUIRED PARTICIPATION OF THE CITY ARCHITECTURAL REVIEW BOARD IN THE DESIGN REVIEW PROCESS MANDATED BY THE ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, in the application of Code Section 150-164 requirements to certain recently proposed projects for the District, it was determined that certain ordinance mandated procedures and processes were unnecessary; and,

**WHEREAS**, while the process of design review for development within the district was intended to be expedited and “developer-friendly”, the multi-level review process mandated by the District Boundary Regulations proved to be time consuming and duplicitous; and,

**WHEREAS**, it was determined by the City Administration and Staff that the review procedures designated for the Architectural Review Board could be adequately and more efficiently handled by the other review processes and parties already mandated within the ordinance; and,

**WHEREAS**, in addition to the foregoing, the jurisdiction and duties of the Architectural Review Board for design review of proposed projects for the 36<sup>th</sup> Street District have recently been amended out of the Board’s enabling legislation; and,

**WHEREAS**, in light of the foregoing, the City Council has determined that it is both necessary and proper that any and all references to the Architectural Review Board duties and responsibilities for development review be removed from the subject ordinance;

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

**Section 1:** That Code of Ordinance Section 150-164, Northwest 36<sup>th</sup> Street, is hereby amended as follows;

Section 150-164. Northwest 36<sup>th</sup> Street District

(A) . . . .

(B) . . . .

(C) . . . .

(D) . . . .

(E) . . . .

(F) . . . .

(G) . . . .

(H) . . . .

(I) *Development review procedures.* An application for development review shall be submitted to the City for processing. No construction or alterations governed by this ordinance may begin without such approval. There are two types of approval. These are outlined below:



- (1) *Review for projects not requiring City Council Approval.* The City Planner and City Building Official shall review all permit applications not requiring City Council approval such as accessory and minor structures such as fences, sheds, replacement of sign faces, new signage, exterior wall re-painting or re-roofing to ensure the improvements are in compliance with the Architectural Design Standards.
- (2) *Projects requiring formal review by the City Council.* The following formal approval process for the City shall apply to all new construction, remodeling and renovation projects.
- (a) Optional informational and pre-application meeting with City Staff and Revitalization Specialist as described in (J).
  - (b) Mandatory preliminary review meeting with City Staff and Revitalization Specialist. The requirements of this meeting are described in (K).
  - ~~(c) The Architectural Review Board shall review the proposed plans and designs which have completed the mandatory preliminary review process and issue an opinion as described in Code § 32-100.~~
  - ~~(d)~~(c) Applications for variances, if any, shall be submitted to the City Board of Adjustment for review and consideration in accordance with the procedures set forth in Code § 150-110 through 150-113.
  - ~~(e)~~(d) The City Zoning and Planning Board will have the responsibility to review all site and development plans and to make recommendations for modification, approval or denial to the City Council in accordance with Code § 150-101 and 150-102.
  - ~~(f)~~(e) The decisions and recommendations of the City Board of Adjustment and Zoning and Planning Board will be reviewed for final approval by the City Council in accordance with the procedures set forth in Code § 150-113.

~~(g)~~(f) The City Council will authorize the preparation and issuance of a Development Order for each project application which has completed the Development Review Process.

(J) . . . .

(K) . . . .

(L) . . . .

(M) . . . .

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,

Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

Vice Mayor Ator	“ _____ ”
Councilman Best	“ _____ ”
Councilwoman Bain	“ _____ ”
Councilman Lob	“ _____ ”
Mayor Garcia	“ _____ ”

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 11-19-2012  
Second reading: 12-10-2012

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

**ORDINANCE NO. 1046-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 32-20, ESTABLISHMENT AND MEMBERSHIP; BY REVISING THE MEMBERSHIP OF THE CITY'S MEMORIAL COMMITTEE TO MEET CURRENT PARTICIPATION AVAILABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE**

**WHEREAS**, the Memorial Committee of the City was previously established to provide participation by a diverse cross-section of City leaders; and,

**WHEREAS**, one of the Board membership positions was reserved for the President of the Minister's Council; and,

**WHEREAS**, the City has recently been advised that the Minister's Council no longer exists within the community; and,

**WHEREAS**, the City Council requested that the City Clerk's Office poll the various religious institutions in the City to determine if there was any interest in continuing to serve on the Memorial Committee; and,

**WHEREAS**, the City Clerk's poll of the City's religious institutions established that four (4) of the institutions wished to maintain a membership presence on the Committee; and,

**WHEREAS**, the City Council has determined that it is both proper and appropriate and in the best interests of the City to amend the membership structure of the Committee;

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

**Section 1:** That Code of Ordinance Section 32-20, Establishment and Membership, regarding the City's Memorial Committee is hereby amended as follows:

**ARTICLE IV. MEMORIAL COMMITTEE**

**Sec. 32-20. Establishment and Membership**

There is established a Memorial Committee whose membership shall be composed as follows:

~~(A) President Miami Springs Minister's Council~~

(A) Beginning on January 1, 2013, each of the following shall serve for consecutive one year terms on an annual rotating basis:

(1) Reverend or official delegate, All Angels Episcopal Church

(2) Pastor or official delegate, Grace Lutheran Church

(3) Pastor or official delegate, Vida Nueva Christian Ministries

(4) Pastor or official delegate, Iglesia Bautista Sion

(B) . . . .

(C) . . . .

(D) . . . .

(E) . . . .

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

Vice Mayor Ator                   “    ”  
Councilman Best                 “    ”  
Councilwoman Bain             “    ”  
Councilman Lob                 “    ”  
Mayor Garcia                   “    ”

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magalí Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading:       11-19-2012  
Second reading:    12-10-2012

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



**CITY OF MIAMI SPRINGS  
OFFICE OF THE CITY CLERK**

201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: 305.805.5006  
Fax: 305.805.5028

**TO:** Ronald K. Gorland, City Manager

**VIA:** Magalí Valls, City Clerk

**FROM:** Elora R. Sakal, Board Secretary

**DATE:** November 9, 2012

**SUBJECT:** **Board of Parks and Parkways Recommendation**

Based on their actions taken at their meeting of November 8, 2012, the Board of Parks and Parkways members would like to bring the following recommendation to the attention of the City Council:

*“Recommendation that Council approve 190 Shadow Way as the Yard of the Month for the month of December.*

*Recommendation that Council approve 209 Chippewa Street as the Yard of the Month for the month of January.”*

Attachments: Excerpts of Minutes



**Chair Richey asked for all those in favor of 190 Shadow Way being the December Yard of the Month and by consensus the Board members agreed.**

**Chair Richey asked for all those in favor of 209 Chippewa Street being the January Yard of the Month and by consensus the Board members agreed.**



**CITY OF MIAMI SPRINGS**  
**Office of the Mayor and Council**  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: 305.805.5006  
Fax: 305.805.5028

Agenda Item No.

City Council Meeting of:

11-19-2012

*Leo*

*J.A.*

**TO:** Honorable Mayor Garcia and Members of the City Council

**FROM:** Jennifer Ator, Vice Mayor

**DATE:** November 14, 2012

**SUBJECT:** **Code of Ethics and Citizens Bill of Rights**

Attached are two documents I received from J.C. Bermudez, Mayor of Doral, when I was at the Ethics Commission Luncheon a couple of months ago. Mayor Bermudez spoke on the Citizens' Bill of Rights that is included in the Doral Charter, and the Amended Ethics Ordinance, which was passed in August 2012. I found both documents interesting and believe that we should strongly consider putting a Bill of Rights on the ballot in April and passing an Ethics Ordinance. Both would need to be drafted by Counsel (Mr. Seiden) and the City Manager (Mr. Gorland).

It is unfortunate that the electorate does not trust the City Council. This type of legislation, which requires transparency and mandates ethical conduct, will go a long way towards earning some of that trust back.

Respectfully submitted

Vice Mayor Jennifer Ator

**ORDINANCE #2012-22**

**AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING SECTION \_\_\_\_\_ OF THE CITY CODE OF THE CITY OF DORAL ESTABLISHING AN ENFORCEMENT MECHANISM FOR THE CODE OF ETHICS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Section 2.07 of the City of Doral Charter requires the City Council to pass ordinance(s) that address a code of ethics; and

**WHEREAS**, the City of Doral adopted Ordinance 2012-16 which established a Code of Ethics; and

**WHEREAS**, that Ordinance required that enforcement mechanisms be established by separate Ordinance; and

**WHEREAS**, the enforcement mechanisms referred to are established in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AS FOLLOWS:**

Section 1. Section \_\_\_\_\_ of the City Code of the City of Doral is hereby created to read as follows:

Section \_\_\_\_\_. Definitions.

(1) All terms used herein shall have the same meaning as those in Section 2-11.1 of the Miami-Dade County Code of Ordinances except for the following:

- a. A "city vendor" is a person and/or entity who has been selected by the city as the successful contractor on a present or pending solicitation for goods, equipment or services, or has been approved by the city on a present or pending award for goods, equipment or services prior to or upon execution of a contract,

purchase order, standing order, direct payment or purchasing card payment.

- b. The term "immediate family" shall refer to the spouse, domestic partner, parents, stepparents, children and stepchildren, spouses of a child or stepchild of the person involved.
- c. The term "Members of the Council" shall mean the Mayor and Councilmembers of the City of Doral.

Section \_\_\_\_\_. Ethics Training.

- (1) All Members of the Council shall attend an ethics training course offered by the Miami-Dade County Commission on Ethics and Public Trust at least once annually.
- (2) All lobbyists registered with the City shall attend an ethics training course offered by the Miami-Dade County Commission on Ethics and Public Trust at least once annually.

Section \_\_\_\_\_. Meeting with Unregistered Lobbyists Prohibited. Penalties

- (1) No Member of the Council, Charter Official or city employee shall meet with any person required to register as a lobbyist pursuant to Section \_\_\_\_\_ of the Miami-Dade County Code without verifying that the lobbyist has registered with the City Clerk.
- ~~(2) A Member of the Council found to have violated this Section shall be subject to the following penalties:
  - a. \$500.00 for the first violation.
  - b. \$1000.00 for the second violation.
  - c. \$1500.00 for the third and subsequent violations.~~
- ~~(3) A city employee found to have violated this Section shall be subject to disciplinary action consistent with the City policies as interpreted by the City Manager.~~
- ~~(4) A Charter Official found to have violated this Section shall be subject to discipline as determined by the City Council.~~

Section \_\_\_\_\_. Prohibited Outside Employment.

- (1) No entity may be a city vendor if a Member of the Council is an owner, director, employee, consultant for or has any financial relationship with the entity or a subcontractor of the entity.

- (2) No entity may be a city vendor if a Member of the Council's immediate family is an owner, director, employee, consultant for or has any financial relationship with the entity or a subcontractor of the entity.
- (3) The City shall have the right to immediately terminate, for cause, any contract with any city vendor in the event that a relationship in violation of this Section is discovered after the execution of the contract.

Section \_\_\_\_\_. Financial Disclosures of Candidates and Elected Officials.

- (1) Upon qualifying for any elected City office, any candidate for such office shall, in addition to all other disclosures required by State or County law, submit Form 6 of the Florida Commission on Ethics to the City Clerk.
- (2) All elected officials in office as of the Effective Date of this Ordinance shall submit Form 6 of the Florida Commission on Ethics to the City Clerk within 30 days of the Effective Date of this Ordinance.
- (3) Elected officials and Charter Officials shall submit Form 6 of the Florida Commission on Ethics to the City Clerk annually by July 1<sup>st</sup> of each calendar year, provided, however, that this section shall not apply to the City Attorney when the City Attorney is a law firm and not an individual.

Section \_\_\_\_\_. Prohibited Gifts from Vendors and Lobbyists.

- (1) A Member of the City Council, Charter Official, or City Employee, may not directly or indirectly, accept any gift, greater than twenty five dollars (\$25.00) in value, from any city vendor or registered lobbyist.

Section \_\_\_\_\_. Disqualification from serving as city vendor/lobbyist.

- (1) Definition. For purposes of this section, the term "disqualified" shall be defined to include:
  - (a) Termination of a city vendor/lobbyist's existing contract with the city, subject to the waiver provisions of subsection (5); and
  - (b) Disqualification of a response to solicitation requests for prospective city vendor/lobbyist contracts with the city, subject to the waiver provisions of subsection (5).
  - (c) For purposes of this section, "city vendor/lobbyist" status shall terminate upon completion of the agreement for the provision of goods, equipment or services.

- (d) For purposes of this section, the term "services" shall mean the rendering by a city vendor/lobbyist through competitive bidding or otherwise, of labor, professional and/or consulting services to the city.
  - (e) The term contribution shall have the meaning ascribed to such term in F.S. ch. 106, as amended and supplemented (copies available in city clerk's office).
- (2) Except as provided herein, any willing violation of this Ordinance by a vendor or lobbyist may lead to disqualification as defined in this Section.
- (3) Waiver of prohibition. Conditions for waiver. The requirements of this section may be waived by a four-fifths vote for a particular transaction by city council vote after public hearing upon finding that:
- (a) The goods, equipment or services to be involved in the proposed transaction are unique and the city cannot avail itself of such goods, equipment or services without entering into a transaction which would violate this section but for waiver of its requirements; or
  - (b) The business entity involved in the proposed transaction is the sole source of supply as determined by the City Manager; or
  - (c) An emergency contract must be made in order to protect the health, safety or welfare of the citizens of the city, as determined by a four-fifths vote of the city council; or
  - (d) A contract for the provision of goods, equipment or services exists which, if terminated by the city, would be adverse to the best economic interests of the city.
- (4) Full disclosure. Any grant of waiver by the city council must be supported with a full disclosure of the subject campaign contribution.
- (5) Applicability. This section shall be applicable only to prospective transactions, and the city council may in no case ratify a transaction entered into in violation of this section.

Section \_\_\_\_\_ ~~Doral Ethic Commission Created.~~

- ~~(1) By separate Ordinance, the City Council shall create mechanisms to enforce this Ordinance including, but not limited to, a Doral Ethics Oversight Board.~~

Section \_\_\_\_\_ . Enforcement and Penalties.

- (1) The Miami-Dade Ethics Commission shall investigate alleged violations of this Section. The City Manager and the City Attorney shall negotiate with the Ethics Commission as to terms of enforcement and compensation. In addition to any penalties imposed by the Ethics Commission, violators of this Ordinance shall be subject to additional penalties as provided herein.
- (2) A Member of the Council found to have violated any section of this Ordinance shall be subject to the following penalties:  
a. \$500.00 for the first violation.  
b. \$1000.00 for the second violation.  
c. \$1500.00 for the third and subsequent violations.  
Any fine due by a Member of the Council shall be deducted from his or her stipend by the Finance Director at the direction of the City Manager. Such funds shall be refunded to the City's General Revenue Fund.
- (3) A city employee found to have violated this Section shall be subject to disciplinary action consistent with the City policies as interpreted by the City Manager.
- (4) A Charter Official found to have violated this Section shall be subject to discipline as determined by the City Council.
- (5) All alleged violations of this Section shall be reported to the City Clerk or the City Attorney who shall then be responsible for transmission of such allegations to the Miami-Dade Ethics Commission. In the event that the allegation is made directly to the Miami-Dade Ethics Commission, the Commission shall investigate the matter pursuant to its agreement with the City but shall inform the City Attorney of such allegations.

Section 2. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Chapter, those provisions are repealed in their entirety.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any

reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Doral, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date. This Ordinance shall be effective after adopted on second reading.

INTENTIONALLY LEFT BLANK



The foregoing Ordinance was offered by Councilman Cabrera who moved its adoption. The motion was seconded by Councilman Boria and upon being put to a vote, the vote was as follows

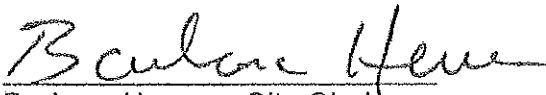
Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Luigi Boria	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on FIRST READING this 22 day of August, 2012.

PASSED AND ADOPTED on SECOND READING this 19 day of September, 2012.

  
\_\_\_\_\_  
Juan Carlos Bermudez, Mayor

ATTEST:

  
\_\_\_\_\_  
Barbara Herrera, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Jimmy L. Morales, City Attorney

## CITY OF DORAL

### MUNICIPAL CHARTER

**Notes from 2003 Charter Commission.** The following are notes which are included in the Charter as directed by the 2003 Charter Commission.

1. For historical purposes, the Commission wishes to note the following. The members of the original Charter Commission were as follows:

Jerome Reisman, Chair

Ernesto Anton, Vice Chair

Alicia Casanova, Member

Morgan Levy, Member

Santiago Sellan, Member

The attorneys were Richard Jay Weiss and Gilberto Pastoriza, assisted by Michael Marrero and Tony Recio, of the law firm of Weiss Serota Helfman Pastoriza and Guedes, P.A.

#### **PREAMBLE**

We, the people of the City of Doral, in order to secure for ourselves the benefits and responsibilities of home rule, and in order to provide a municipal government to serve our present and future needs, and recognizing that the City exists for the purpose of providing for the health, education, safety and welfare of its citizenry, do hereby adopt this Charter. The City Council and all of its boards, committees, commissions and employees shall at all times conduct themselves in accordance with common courtesy and consistent with the Code of Ethics of the state of Florida and Miami-Dade County.

#### **CITIZENS' BILL OF RIGHTS**

(A) This government has been created to protect the governed, not the governing. In order to provide the public with full and accurate information, to promote efficient administration management, to make government more accountable, and to insure to all persons fair and equitable treatment, the following rights are guaranteed:

(1) *Convenient Access.* Every person has the right to transact City business with a minimum of personal inconvenience. It shall be the duty of the Mayor, the City Council and the City Manager to provide, within budgetary limitations, reasonably convenient times and places for registration and voting, for required inspections, and for transacting business with the City.

(2) *Truth in Government.* No municipal official or employee shall knowingly furnish false information on any public matter, nor knowingly omit significant facts when giving requested information to members of the public.

(3) *Public Records.* Records of the City, its boards, agencies, departments and authorities shall be open for inspection at reasonable times and places convenient to the public, to the extent required by law.

(4) *Minutes and Ordinance Register.* The City Clerk shall maintain and make available for public inspection a register separate from the minutes showing the votes of each Councilmember on all ordinances and resolutions listed by descriptive title. The register shall be available for public inspection not later than 60 days after the conclusion of the meeting at which action was taken.

(5) *Right to be Heard.* So far as the orderly conduct of public business permits, any interested person has the right to appear before the City Council or City agency, board or department for the presentation, adjustment or determination of an issue, request, or controversy within the jurisdiction of the City. Matters shall be scheduled for the convenience of the public. The City Council shall adopt agenda procedures and schedule hearings in a manner that will enhance the opportunity for public participation. Nothing herein shall prohibit any governmental entity or agency from imposing reasonable time limits and procedures for the presentation of a matter.

(6) *Right to Notice.* Persons entitled to notice of a City hearing shall be timely informed as to the time, place and nature of the hearing and the legal authority pursuant to which the hearing is to be held. Failure by an individual to receive such notice shall not constitute mandatory grounds for canceling the hearing or rendering invalid any determination made at such hearing. Copies of proposed ordinances or resolutions shall be made available at a reasonable time prior to the hearing, unless the matter involves an emergency ordinance or resolution.

(7) *No Unreasonable Postponements.* No matter, once having been placed on a formal agenda by the City, shall be postponed to another date except for good cause shown.

(8) *Right to Public Hearing.* Upon a timely written request from any interested party, and after presentation of the facts to and approval by the Council, a public hearing shall be held upon any significant policy decision which is not subject to subsequent administrative or legislative review and hearing.

At any zoning or other hearing in which review is exclusively by certiorari, a party or his/her counsel shall be entitled to present his/her case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross examination as may be required for a full and true disclosure of the facts. The

decision of such agency, board, department or authority must be based upon the facts in the record. Procedural rules establishing reasonable time and other limitations may be promulgated and amended from time to time.

(9) *Notice of Action and Reasons.* Prompt notice shall be given of the denial in whole or in part of a request of an interested person made in connection with any City administrative decision or proceeding when the decision is reserved at the conclusion of the hearing. The notice shall be accompanied by a statement of the grounds for denial.

(10) *Managers' Report.* The City Manager shall periodically make a public status report on all major matters pending or concluded within his/her area of concern.

(11) *Budgeting.* In addition to any budget required by state law, the City Manager, at the direction of the Mayor, shall prepare a budget showing the cost of each department for each budget year. Prior to the City Council's first public hearing on the proposed budget required by state law, the City Manager shall issue a budget summary setting forth the proposed cost of each individual department and reflecting the personnel for each department, the purposes therefore, the estimated millage cost of each department and the amount of any contingency and carryover funds for each department.

(12) *Quarterly Budget Comparisons.* The City Manager shall issue a quarterly report showing the actual expenditures during the quarter just ended against one quarter of the proposed annual expenditures set forth in the budget. Such report shall also reflect the same cumulative information for the portion of the fiscal year that has elapsed.

(B) The foregoing enumeration of citizens' rights vests large and pervasive powers in the citizenry of the City. Such power necessarily carries with it responsibility of equal magnitude for the successful operation of government in the City. The orderly, efficient and fair operation of government requires the participation of individual citizens exercising their rights with dignity and restraint so as to avoid any sweeping acceleration in the cost of government because of the exercise of individual prerogatives, and for individual citizens to grant respect for the dignity of public office.

(C) All provisions of this Bill of Rights shall be construed to be supplementary to and not in conflict with the general laws of Florida.

## **ARTICLE I. CORPORATE EXISTENCE, FORM OF GOVERNMENT, BOUNDARY AND POWERS**

### **Section 1.01. Corporate existence.**

A municipal corporation known as the City of Doral (the "City") is hereby created pursuant to

the Constitution of the State of Florida (the "State") and the Home Rule Charter of Miami-Dade County (the "County"). The corporate existence of the City shall commence upon the adoption of this Charter.

### **Section 1.02. Form of Government**

The City shall have a "Mayor-Council-Manager" form of government.

### **Section 1.03. Corporate Boundaries.**

The corporate boundaries of the City are legally described as follows (the "Legal Description"):

#### **A PORTION OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at the Northeast corner of Section 8, Township 53 South, Range 40 East in Miami-Dade County, Florida, said corner also being the intersection of the Center line of NW 90 Street with the Center line of NW 97 Avenue; thence Westerly following the Center Line of NW 90 Street along the North line of said Section 8, said line being also the South boundary line of the Town of Medley, to the West boundary line of said Town of Medley and the Northwest corner of said Section 8; thence continue Westerly following the Center line of NW 90 Street, along the North line of Section 7, Township 53 South, Range 40 East, to the Northwest corner of said Section 7; thence continue Westerly following the Center Line of the NW 90 Street, along the North line of Section 12 in Township 53 South, Range 39 East, to the Easterly Limited Access Right-of-Way line of State Road No. 821 (Homestead Extension of Florida Turnpike) as shown on the Florida State Department of Transportation Right-of-Way Map Section 87005-2310 dated May 20, 1970; thence Southerly, along said Easterly Limited Access Right-of-Way line of State Road No. 821 through Sections 12, 13, 24, and 25 in Township 53 South, Range 39 East, to the point of intersection with the Center Line of NW 25 Street, said line also being the South line of said Section 25; thence Easterly following the Center Line of NW 25 Street along the South line of said Section 25 to the Southwest corner of Section 30, Township 53 South, Range 40 East; thence continue Easterly along the South line of said Section 30, said line also being the Northerly Right-of-Way line of the NW 25 Street Canal, to the point of intersection with the Center Line of NW 107 Avenue, said point also being the Southeast corner of said Section 30; thence Southerly following the Center Line of NW 107 Avenue along the West line of Section 32, Township 53 South, Range 40 East, to the Southwest corner of said Section 32; thence continue Southerly along the West line of Government Excess Lot 5 between Township 53 and 54 South, Range 40 East, to the Northerly Limited Access Right-of-Way line of State Road No. 836 (Dolphin Expressway Extension) as shown on the Florida State Department of Transportation Right-of-Way Map Section 87200-2521 dated May 17, 1971; thence Easterly, along said Northerly Limited Access Right-of-Way line of State Road No. 836 through said Government Excess Lot 5 and Government Excess Lot 4, and through Sections 33 and 34 in Township 53 South, Range 40 East, and through Government Excess Lot 3, to the Easterly Limited Access Right-of-Way line of State Road No. 826 (Palmetto Expressway) as shown on the Florida State Department of Transportation Right-of-Way Map Section 8726-101 recorded in Road Plat Book 72 at Page 61 of the Public Records of Miami-Dade County, Florida; thence Northerly, along the Westerly Limited Access Right-of-Way line of State Road No. 826 (Palmetto Expressway) through Sections 34, 27, and 22 in Township 53 South, Range 40 East,

to the Center Line of NW 58 Street; thence Westerly following the Center Line of NW 58 Street, along the North line of said Section 22 and the North line of Section 21, Township 53 South, Range 40 East, to the Northwest corner of said Section 21, said corner also being the intersection of the Center line of NW 58 Street with the Center Line of NW 97 Avenue; thence Northerly following the Center Line of NW 97 Avenue, along the East line of Section 17, Township 53 South, Range 40 East, and along the East line of said Section 8, to the Northeast corner of said Section 8, said corner also being the intersection of the Center line of NW 90 Street with the Center line of NW 97 Avenue, and the **POINT OF BEGINNING**.

The corporate boundaries are generally described as follows (the "General Description") and shown on the following map (the "Map"). In case of a conflict between the Legal Description, the Map and the General Description, the Legal Description shall govern.

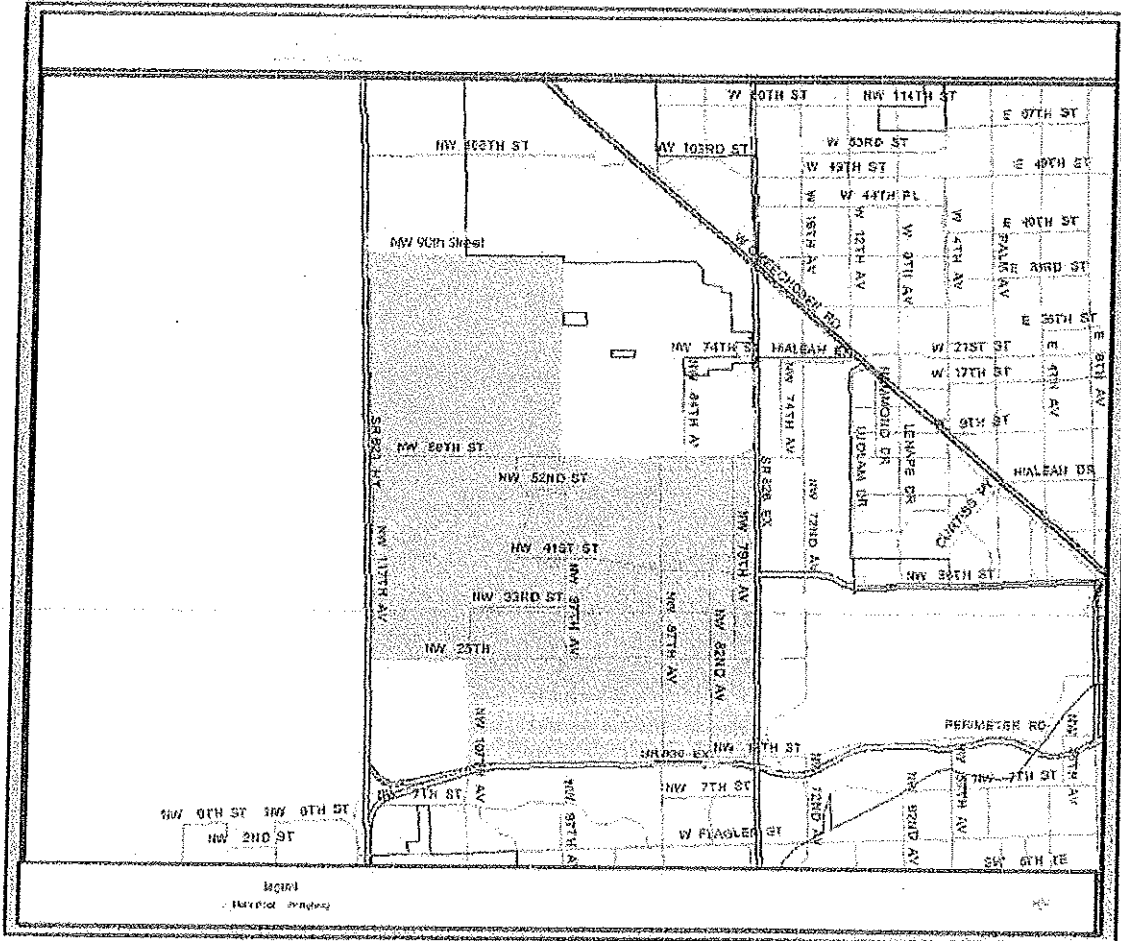
Northern Boundary: NW 90<sup>th</sup> Street between 97<sup>th</sup> Avenue and the Florida Turnpike and NW 58<sup>th</sup> Street between State Road 826 and NW 97<sup>th</sup> Avenue.

Eastern Boundary: NW 97<sup>th</sup> Avenue between NW 58<sup>th</sup> Street and NW 90<sup>th</sup> Street and State Road 826 between State Road 836 and NW 58<sup>th</sup> Street.

Southern Boundary: State Road 836 between State Road 826 and NW 107<sup>th</sup> Avenue and NW 25<sup>th</sup> Street between 107<sup>th</sup> Avenue and the Florida Turnpike.

Western Boundary: NW 107<sup>th</sup> Avenue between State Road 836 and NW 25<sup>th</sup> Street and the Florida Turnpike between NW 25<sup>th</sup> Street and NW 90<sup>th</sup> Street.

# DORAL



CBI (Commercial, Business & Industrial)
  Residential

## Section 1.04. Powers.

The City shall have all available governmental, corporate and proprietary powers and may exercise them except when prohibited by law. Through the adoption of this Charter, it is the intent of the electors of the City that the municipal government established herein have the broadest exercise of home rule powers permitted under the Constitution and laws of the State.

## Section 1.05. Construction.

This Charter and the powers of the City shall be construed liberally in favor of the City.

## ARTICLE II. CITY COUNCIL; MAYOR.

### **Section 2.01. City Council**

There shall be a City Council (the "Council") vested with all legislative powers of the City, consisting of four members ("Councilmembers") and the Mayor. Collectively, Councilmembers and the Mayor are "Members of the Council". Councilmembers shall occupy seats numbered 1 through 4 (individually each is a "Seat").

### **Section 2.02. Mayor and Vice Mayor.**

(a) *Mayor.* The Mayor shall preside at meetings of the Council and be a voting member of the Council. In addition, the Mayor shall have the following specific responsibilities:

- i) Recommend the appointment of a City Manager to the Council in accordance with Section 3.02 of this Charter.
- ii) Recommend the appointment of a City Attorney to the Council in accordance with Section 3.07 of this Charter.
- iii) Present "State of the City" and budgetary addresses annually.
- iv) May create and appoint subject to Council approval, committees of the Council which may include non-Councilmembers. The members of each committee shall select a chair.
- v) Be recognized as head of the City government for all ceremonial purposes, for purposes of military law, and for service of process.
- vi) Be the official designated to represent the City in all dealings with other governmental entities.
- vii) Execute contracts, deeds and other documents on behalf of the City as authorized by the Council.

(b) *Vice-Mayor.* During the absence or incapacity of the Mayor, the Vice-Mayor shall have all the powers, authority, duties and responsibilities of the Mayor. At the first Council meeting after each regular City election, or in any calendar year in which there is no regular City election, at the first Council meeting in the month of November, the Council shall elect a Councilmember as Vice-Mayor.

### **Section 2.03. Election and term of office.**

(a) *Election and term of office.* Each Councilmember and the Mayor shall be elected at-large for four-year terms in the manner provided in Article V of this Charter.

(b) *Limitations on lengths of service.* For the purposes of determining length of service, a "Term" shall be defined as more than two years of service as a Councilmember. No person shall serve as Mayor for more than two consecutive elected terms. No person may serve as a Councilmember for more than two consecutive Terms.

### **Section 2.04. Qualifications.**

Candidates for Councilmember or Mayor shall qualify for election by filing a written notice of candidacy with the City Clerk at such time and in such manner as may be prescribed by



ordinance (the "Qualifying Date") and payment of a qualifying fee of \$200 to the City Clerk. A person may not be a candidate for Councilmember and Mayor in the same election. Only electors of the City who have resided continuously in the City for at least two years preceding their Qualifying Date shall be eligible to hold the office of Councilmember or Mayor. If at the conclusion of the qualifying period no elector has filed or qualified for the position of Mayor or a particular Seat, then the qualifying period for Mayor or for that particular Seat shall be reopened for a period of five business days for qualification in the manner provided in this Section.

**Section 2.05. Vacancies; forfeiture of office; filling of vacancies.**

(a) *Vacancies.* The office of a Member of the Council shall become vacant upon his/her death, resignation, removal from office in any manner authorized by law, or by forfeiture of his/her office.

(b) *Forfeiture of office.*

(i) *Forfeiture by disqualification.* A Member of the Council shall forfeit his/her office if at any time during his/her term s/he ceases to maintain his/her permanent residence in the City or otherwise ceases to be a qualified elector of the City.

(ii) *Forfeiture by absence.* A Member of the Council shall be subject to forfeiture of his/her office, in the discretion of the remaining Members of the Council, if s/he is absent without good cause from any six regular meetings of the Council during any calendar year, or if s/he is absent without good cause from any four, or three as to the Mayor, consecutive regular meetings of the Council, whether or not during the same calendar year.

(iii) *Procedures.* The Council shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Council office, including whether or not good cause for absence has been or may be established. The burden of establishing good cause shall be on the Member of the Council in question; provided, however, that any Member of the Council may at any time during any duly held meeting move to establish good cause for the absence of himself or any other Member of the Council, from any past, present or future meeting(s), which motion, if carried, shall be conclusive. A Member of the Council whose qualifications are in question or who is otherwise subject to forfeiture of his/her office shall not vote on any such matters. The Member of the Council in question shall be entitled to a public hearing on their request regarding an alleged forfeiture of office. If a public hearing is requested, notice thereof shall be published in one or more newspapers of general circulation in the City at least one week in advance of the hearing. Any final determination by the Council that a Member of the Council has forfeited his/her office shall be made by resolution. All votes and other acts of the Member of the Council in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.

(c) *Filling of vacancies.* A vacancy on the Council shall be filled as follows:

(i) If the vacancy occurs in a Seat and six months or less remain in the unexpired term, the vacancy shall be filled by vote of the Council. If the vacancy occurs in the office of

Mayor, the vacancy in the Mayor's position and the temporary vacancy on the Council during service by the Vice Mayor as Interim Mayor, shall be filled as provided by subparagraph (iii) below.

(ii) If more than six months remain in the unexpired term of a Councilmember and the vacancy is not the Vice-Mayor's position when the Vice-Mayor is serving as Interim Mayor, the vacancy shall be filled by a special election to be held not sooner than 45 days or more than 90 days following the occurrence of the vacancy, unless there is a City, County, State or a national election scheduled to take place within 150 days, in which case the vacancy shall be filled by special election on the first such election date.

(iii) If the Mayor's position becomes vacant, the Vice-Mayor shall serve as Interim Mayor, with all powers of Mayor, until the next regularly scheduled federal, state, county, or City of Doral election. When the Vice Mayor becomes Interim Mayor, the Council, by majority vote shall appoint an interim Councilmember to fill the Vice Mayor's vacant seat only until the required election of the Mayor. The Council shall then select a new Vice-Mayor within thirty days of the Vice-Mayor becoming Interim Mayor. The Councilmember serving as Interim Mayor shall serve as Mayor until the newly elected Mayor is sworn into office. Should the Interim Mayor seek election as Mayor, he or she shall declare for such and resign his or her Council seat as required for candidacy eligibility requirements of Florida law. Should the Interim Mayor not seek election as Mayor, the Interim Mayor shall return to the position of Councilmember previously held to serve the remainder of his or her unexpired term if any.

(iv) Persons filling vacancies shall meet the qualifications specified in this Article II.

(v) If no candidate for a vacancy meets the qualifications under this Article for that vacancy, the Council shall appoint a person qualified under this Article to fill the vacancy.

(vi) Notwithstanding any quorum requirements established in this Charter, if at any time the full membership of the Council is reduced to less than a quorum, the remaining members may, by majority vote, appoint additional members to the extent otherwise permitted or required under this subsection (c).

(vii) In the event that all Members of the Council are removed by death, disability, recall, forfeiture of office and/or resignation, the Governor shall appoint an interim Council who shall call a special election within not less than 30 days or more than 60 days after such appointment. Such election shall be held in the same manner as the initial elections under this Charter; provided, however, that if there are less than six months remaining in any unexpired terms, those particular interim Members of the Council appointed by the Governor shall serve out the unexpired terms. Appointees shall meet the requirements for candidates specified in this Article.

#### **Section 2.06. Compensation; reimbursement for expenses.**

Councilmembers shall receive compensation in the amount of \$12,000 per fiscal year. The Mayor shall receive compensation in the amount of \$50,000 per fiscal year. The above

notwithstanding, the compensation for Councilmembers and the Mayor shall be adjusted each calendar year consistent with the Urban Consumer Price Index. The Council shall also receive reimbursement in accordance with applicable law, or as may be otherwise provided by ordinance, for authorized expenses incurred in the performance of their official duties.

**Section 2.07. Code of Ethics/Rules of Procedure.**

The Council shall pass ordinance(s) which address code of ethics and rules of procedures for the City Council and all of the City Boards. These ordinances may be amended from time to time as the Council deems in the best interest of the City.

**Section 2.08. Naming of City Property/Facilities.**

The City Council shall develop a procedure and criteria to be used in determining whether City property/facilities should be named after an individual and/or organization.

**ARTICLE III. ADMINISTRATIVE**

**Section 3.01. City Manager.**

There shall be a City Manager (the "Manager") who shall be the chief administrative officer of the City. The Manager shall be responsible to the Council for the administration of all City affairs.

**Section 3.02. Appointment; removal; compensation of the Manager.**

The Manager shall be nominated by the Mayor subject to confirmation by a majority of the Council. Once a selection for Manager has been submitted to the Council and rejected, that name may not be resubmitted to the Council by the Mayor without approval by a majority of the Council. The Manager may be removed at any time by a majority of the Council either upon the recommendation of the Mayor or upon the Council's own motion. The term, conditions of employment, and compensation of the Manager shall be established by the Council.

**Section 3.03. Powers and duties of the Manager.**

The Manager shall:

- (1) Be responsible for the hiring, supervision and removal of all City employees;
- (2) Direct and supervise the administration of all departments and offices but not City boards or agencies, unless so directed by the Council from time to time;
- (3) Attend all Council meetings and have the right to take part in discussion but not the right to vote;
- (4) Ensure that all laws, provisions of this Charter and acts of the Council, subject to enforcement and/or administration by him/her or by officers subject to his/her direction and supervision, are faithfully executed;

- (5) Prepare and submit to the Council a proposed annual budget and capital program;
- (6) Submit to the Council and make available to the public an annual report on the finances and administrative activities of the City as of the end of each fiscal year;
- (7) Prepare such other reports as the Council may require concerning the operations of City departments, offices, boards and agencies;
- (8) Keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as s/he deems to be in the best interests of the City;
- (9) Execute contracts, deeds and other documents on behalf of the City as authorized by the Council;
- (10) Pursue the collection of all allowable fees and taxes and maximize financial revenues as necessary to sustain the City and the service levels set by the Council; and
- (11) Perform such other duties as are specified in this Charter or as may be required by the Council.

#### **Section 3.04. Absence or disability of Manager.**

To perform his/her duties during his/her temporary absence or disability, the Manager may designate by letter filed with the City Clerk, a qualified administrative officer of the City. In the event of the failure of the Manager to make such designation, or should the person so designated by the Manager be unsatisfactory to the Council, the Council may by resolution appoint an officer of the City to perform the duties of the Manager until s/he shall return or his/her disability shall cease.

#### **Section 3.05. Bond of the Manager.**

The Council may provide by ordinance for the Manager to furnish a fidelity bond to be approved by the Council, and in such amount as the Council may fix. The premium of the bond shall be paid by the City.

#### **Section 3.06. City Clerk.**

(a) *Duties.* The Council shall appoint a City Clerk (the "Clerk"). The Clerk shall give notice of Council meetings to its members and the public, shall keep minutes of its proceedings and shall perform such other duties as the Council may prescribe from time to time. The Clerk shall report to the Council.

(b) *Appointment; removal; compensation.* The Council shall appoint the Clerk for an indefinite term. The Clerk may be removed at any time by a majority of the Council either upon the recommendation of the Mayor or upon the Council's own motion. The compensation and benefits of the Clerk shall be fixed by the Council.

#### **Section 3.07. City Attorney.**

The Mayor shall nominate, subject to approval by a majority of the Council, an individual

attorney or law firm to act as the City Attorney under such terms, conditions, and compensation as may be established by the Council. The City Attorney shall report to the Council. The City Attorney may be removed by the Council at any time.

### **Section 3.08. Expenditure of City funds.**

No funds of the City shall be expended except pursuant to duly approved appropriations.

### **Section 3.09. Competitive bid requirement/Purchasing.**

Contracts for public improvements and purchases of supplies, materials or services shall be awarded or made on the basis of clearly drawn specifications and competitive bids or proposals, except as provided by law or in cases where the Council specifically determines that it is impracticable to do so.

### **Section 3.10. City boards and agencies.**

Except as otherwise provided by law, the Council shall establish or terminate such boards and agencies as it may deem advisable from time to time. The boards and agencies shall report to the Council. Members of boards and agencies shall be appointed by the Mayor subject to the approval of the Council. The Council by affirmative vote of a majority of its members may remove members of boards and agencies.

## **ARTICLE IV. LEGISLATIVE**

### **Section 4.01. Council meeting procedure.**

(a) *Meetings.* The Council shall hold at least 11 regular monthly meetings in each calendar year, at such times and places as the Council may prescribe by rule. Special meetings may be held on the call of the Mayor or Manager or upon the call of three Councilmembers and upon no less than 48 hours' notice to each member and the public, or such shorter time as a majority of the Council shall deem necessary in case of an emergency affecting life, health, property or the public peace.

(b) *Rules and minutes.* The Council shall determine its own rules of procedure and order of business and shall keep minutes open for public inspection.

(c) *Quorum and voting.* Any three Members of the Council shall constitute a quorum but a smaller number may adjourn from time to time and may compel the attendance of absent members in a manner and subject to the penalties prescribed by the rules of the Council. Voting on ordinances shall be by roll call on final reading. Except as otherwise specially provided in this Charter, no action of the Council shall be valid or binding unless adopted by the affirmative votes of at least three Members of the Council. In the event that three or more Members of the Council are ineligible to vote on a particular matter due to required abstention pursuant to

Florida law, then the remaining Members of the Council may vote and approve such matter by unanimous vote.

(d) *Meeting time limits.* No meeting of the Council shall extend later than 11:00 p.m. except upon the affirmative vote of four Members of the Council present at the meeting.

#### **Section 4.02. Prohibitions Authority.**

(a) The City Manager may terminate Department Directors except if the Council, by 4/5 majority vote, disapproves said termination.

(b) *Appointments and removals.* Other than as expressly provided for in Section 4.02(a) of this Charter, neither the Council nor any of its members shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the Manager or any of his/her subordinates is empowered to appoint, but the Council may express its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees.

(c) *Interference with administration*

(i) Except for the purpose of inquiries and investigations made in good faith, the Council or its members shall deal with officers and employees of the City who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement in City government operations by individual Members of the Council be made solely to and through the Manager. Members of the Council may discuss with the Manager any matter of City business; however, no individual Member of the Council shall give orders to the Manager.

(ii) A criminal conviction for willful violation of this Section shall be grounds for removal from office of any Member of the Council.

(d) *Holding other office.* No elected City official shall hold any appointive City office or employment while in office. No former elected City official shall hold any compensated appointive City office or employment until one year after the expiration of his/her term.

#### **Section 4.03. Action requiring an ordinance.**

In addition to other acts required by law or by specific provision of this Charter to be effected or authorized by ordinance, those acts of the Council shall be by ordinance which:

- (1) Adopt or amend an administrative regulation or establish, alter or abolish any City office, department, board or agency;
- (2) Establish a rule or regulation the violation of which carries a penalty;

- (3) Levy taxes or appropriate funds;
- (4) Grant, renew or extend a franchise;
- (5) Set service or user charges for municipal services or grant administrative authority to set such charges;
- (6) Authorize the borrowing of money;
- (7) Convey or lease or authorize by administrative action the conveyance or lease of any lands owned by the City; or
- (8) Amend or repeal any ordinance previously adopted, except as otherwise provided in this Charter.

#### **Section 4.04. Emergency ordinances.**

(a) *Authorization; form.* To address a public emergency affecting life, health, property or the public peace, the Council may adopt, in the manner provided in this Section, one or more emergency ordinances, but such ordinances may not: enact or amend a land use plan or rezone private property; levy taxes; grant, renew or extend any municipal franchise; set service or user charges for any municipal services; or authorize the borrowing of money except as provided under the emergency appropriations provisions of this Charter if applicable. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated in a preamble as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms.

(b) *Procedure.* Upon the affirmative vote of four Members of the Council, an emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. After its adoption, the ordinance shall be advertised and printed as prescribed for other ordinances.

(c) *Effective date.* Emergency ordinances shall become effective upon adoption or at such other date as may be specified in the ordinance.

(d) *Repeal.* Every emergency ordinance except emergency appropriation ordinances shall automatically be repealed as of the 61st day following its effective date, but this shall not prevent re-enactment of the ordinance under regular procedures, or if the emergency still exists, in the manner specified in this Section. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this Section for adoption of emergency ordinances.

(e) *Emergency appropriations.* The Council may make emergency appropriations in the manner provided in this Section. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may, by affirmative vote of four Members of the Council, enact an emergency ordinance authorizing the issuance of emergency notes, which may be renewed from time to time, but the emergency notes, including renewals thereof, shall be payable not later than the last day of the fiscal year next succeeding the fiscal year in which the emergency appropriation ordinance was originally adopted.

**Section 4.05. Annual budget adoption.**

- (a) *Balanced budget.* Each annual budget adopted by the Council shall be a balanced budget.
- (b) *Specific appropriation.* The budget shall be specific as to the nature of each category of appropriations. Reasonable appropriations may be made for contingencies, but only within defined spending categories.

**Section 4.06. Appropriation amendments during the fiscal year.**

- (a) *Supplemental appropriations.* If, during any fiscal year, revenues in excess of those estimated in the annual budget are available for appropriation, the Council may by ordinance make supplemental appropriations for the fiscal year up to the amount of such excess.
- (b) *Reduction of appropriations.* If, at any time during the fiscal year, it appears probable to the Manager that the revenues available will be insufficient to meet the amounts appropriated, s/he shall report to the Council without delay, indicating the estimated amount of the deficit, and his/her recommendations as to the remedial action to be taken. The Council shall then take such action as it deems appropriate to prevent any deficit spending not covered by adequate reserves.

**Section 4.07. Authentication, recording and disposition of ordinances; resolutions and Charter amendments.**

- (a) *Authentication.* The Mayor or the Clerk shall authenticate by his/her signature all ordinances and resolutions adopted by the Council. In addition, when Charter amendments have been approved by the electors, the Mayor and the Clerk shall authenticate by their signatures the Charter amendment, such authentication to reflect the approval of the Charter amendment by the electorate.
- (b) *Recording.* The Clerk shall keep properly indexed books in which shall be recorded, in full, all ordinances and resolutions enacted or passed by the Council. Ordinances shall, at the direction of the Council, be periodically codified. The Clerk shall also maintain the Charter in current form as to all amendments.
- (c) *Availability of Enactments.* The Council shall, by ordinance, establish procedures for making all resolutions, ordinances, technical codes adopted by reference, and this Charter available for public inspection and available for purchase at a reasonable price.

**Section 4.08. Tax levy and assessments.**

The City shall have the right to levy, assess and collect all such taxes and assessments as are permitted by law, including without limitation ad valorem, excise, franchise or privilege taxes and taxes on services and utilities.

**Section 4.09. Independent audit.**



The Council shall provide for an independent annual audit of all City accounts and may provide for more frequent audits as it deems necessary. Such audits shall be made by a certified public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers and shall be rotated at least every five years to a new certified public accountant or firm of such accountants. Residency in the City per se shall not constitute a direct or indirect interest.

## **ARTICLE V. ELECTIONS.**

### **Section 5.01. Elections.**

- (a) *Electors.* Any person who is a resident of the City, has qualified as an elector of the State and registers to vote in the manner prescribed by law shall be an elector of the City.
- (b) *Nonpartisan elections.* All elections for the offices of Councilmember and Mayor shall be conducted on a nonpartisan basis.
- (c) *Election dates.* An election shall be held in November of each even-numbered year, on the same day U.S. congressional elections are held, or if none are held in any year, on the first Tuesday following the first Monday of November of that year. A run-off election, if necessary, shall be held on the fourth Tuesday in November. The Council shall hold no meetings between the general election and the swearing in of newly elected or re-elected Members of the Council, except in case of an emergency affecting life, health, property, or the public peace.
- (d) *General election.* The ballot for the general election shall contain the names of all qualified candidates for Mayor if the Mayor's term is expiring and for each of the two Council Seats which are to be filled as a result of two Councilmembers' terms expiring, and shall instruct electors to cast one vote for Mayor, if applicable, and one vote for each Seat. If any candidate for Mayor receives a number of votes greater than 50% of the total number of ballots cast, such candidate shall be the duly elected Mayor, and no run-off election for Mayor shall be required. If any candidate(s) for a Seat receive(s) a number of votes greater than 50% of the total number of ballots cast for that Seat, such candidate(s) shall be duly elected to the Council and no run-off election for that Seat(s) shall be required.
- (e) *Run-off election.* As applicable, the ballot for the run-off election shall contain the names of the two candidates for Mayor and the names of the two candidates for each Seat who received the most votes in the general election. The ballot shall instruct electors to cast one vote for Mayor and to cast one vote for each Seat. The candidate for Mayor receiving the most votes shall be the duly elected Mayor. The candidate for each Seat receiving the most votes shall be duly elected to that Seat. If a tie vote occurs in the run-off elections between candidates for the office of Mayor or any Seat, the tie shall be decided by lot under the direction of the Clerk.
- (f) *Special elections.* Special elections, when required, shall be scheduled by the Council at such times and in such manner as shall be consistent with this Charter.

(g) *Single candidates.* No election for Mayor or any Seat shall be required in any election if there is only one duly qualified candidate for Mayor or for that Seat. The duly qualified candidate shall be deemed elected.

(h) *Absentee votes.* Absentee voting will be permitted as provided by the laws of the State and under such conditions as may be prescribed by ordinance from time to time; provided, however, that no ordinance shall limit the right to vote by absentee ballot available under State law.

(i) *Commencement of terms.* The term of office of any elected official will commence on the day following the general election, or if a run-off election is necessary for the office of Mayor or for any Seat open at that time, on the day following the run-off election.

### **Section 5.02. Initiative and referendum.**

(a) *Power to initiate and reconsider ordinances.*

(i) *Initiative.* The electors of the City shall have power to propose ordinances to the Council and, if the Council fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it at a City election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes or setting salaries of officers or employees of the City.

(ii) *Referendum.* The electors of the City shall have power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, to approve or reject it at a City election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes or setting salaries of officers or employees of the City.

(b) *Commencement of proceedings.* A minimum of 25 electors may commence initiative or referendum proceedings by filing with the Clerk or other official designated by the Council an affidavit stating they will constitute the petitioners' committee (the "Petitioners' Committee") and be responsible for circulating the petition and filing it in proper form, stating their names and addresses, specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. The affidavit of the Petitioners' Committee shall be accompanied by a filing fee in an amount equal to the fee charged by the Circuit Court of Miami-Dade County for the filing of a complaint as of the date the initiative or referendum proceedings are commenced. Promptly after the affidavit of the Petitioners' Committee is filed, the Clerk may, at the Petitioners' Committee's request and expense, issue the appropriate petition blanks to the Petitioners' Committee. Petitioners' proposed ordinance shall be approved as to legal sufficiency by the City Attorney prior to circulation.

(c) *Petitions.*

(i) *Number of signatures.* Initiative and referendum petitions must be signed by at least

10% of the total number of electors registered to vote at the last regular City election.

(ii) *Form and content.* All papers of a petition shall be assembled as one instrument for filing. Each signature shall be executed in ink and shall be followed by the printed name and address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or sought to be reconsidered.

(iii) *Affidavit of circulator.* At the time of filing, each paper of a petition shall include as an attachment an affidavit executed by the circulator thereof stating that s/he personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his/her presence, that s/he believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.

(iv) *Filing deadline.* All initiative and referendum petitions must be filed within 60 days of the date on which proceedings with respect to such initiative or referendum are commenced.

(d) *Procedure for filing*

(i) *Certificate of Clerk; amendment.* Within 20 days after an initiative petition is filed or within five business days after a referendum petition is filed, the Clerk shall complete a certificate as to its sufficiency (the "Certificate"). If insufficient, the Certificate shall specify the particulars of the deficiency. A copy of the Certificate shall be promptly sent to the Petitioners' Committee by registered mail. Grounds for insufficiency are only those specified in subsection (c) of this Section. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the Petitioners' Committee files a notice of intent to amend the petition with the Clerk or other official designated by the Council within two business days after receiving the copy of the Certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of the Certificate. Such supplementary petition shall comply with the requirements of subsection (c) of this Section. Within five business days after a supplementary petition is filed, the Clerk or other official designated by the Council shall complete a Certificate as to the sufficiency of the petition as amended and promptly send a copy of such Certificate to the Petitioners' Committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the Petitioners' Committee does not elect to amend or request Council review under paragraph (ii) of this subsection (d) within the time required, the Clerk or other official designated by the Council shall promptly present the Certificate to the Council and such Certificate shall then be a final determination as to the sufficiency of the petition.

(ii) *Council review.* If a petition has been certified insufficient and the Petitioners' Committee does not file notice of intent to amend it or if an amended petition has been

certified insufficient, the Petitioners' Committee may, within two business days after receiving the copy of such Certificate, file a request that it be reviewed by the Council. The Council shall review the Certificate at its next meeting following the filing of such request and approve or disapprove it, and the Council's determination shall then be a final determination as to the sufficiency of the petition.

(e) *Action on petitions*

(i) *Action by Council.* When an initiative or referendum petition has been finally determined sufficient, the Council shall promptly consider the proposed initiative ordinance or reconsider the referred ordinance by voting its repeal, all in the manner provided in Article IV. If the Council fails to adopt a proposed initiative ordinance without any change in substance within 45 days or fails to repeal the referred ordinance within 30 days, it shall submit the proposed or referred ordinance to the electors of the City. If the Council fails to act on a proposed initiative ordinance or a referred ordinance within the time period contained in this paragraph (i), the Council shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal the referred ordinance on the last day that the Council was authorized to act on such matter.

(ii) *Submission to electors.* The vote of the City on a proposed or referred ordinance shall be held not less than 30 or more than 60 days from the date the Council acted or was deemed to have acted pursuant to paragraph (i) of subsection (e) of this Section. If no regular election is to be held within the period described in this paragraph, the Council shall provide for a special election, except that the Council may, in its discretion, provide for a special election at an earlier date within the described period. Copies of the proposed or referred ordinance shall be made available at the polls.

(iii) *Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the 15th day preceding the day scheduled for a vote of the City by filing with the Clerk or other official designated by the Council a request for withdrawal signed by at least four-fifths of the members of the Petitioners' Committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

(f) *Results of election.*

(i) *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. If the proposed initiative ordinance fails, it or any ordinance that is substantially similar may not be submitted in accordance with this Article for at least one year from the date of election.

(ii) *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote for repeal, it shall be considered repealed upon certification of the election results.

**Section 5.03. Form of ballots.**

A charter amendment, ordinance or other ballot issue to be voted on by the electors shall be presented for voting by ballot title. The ballot title of a measure may differ from its legal title and shall be a clear, concise statement describing the substance of the measure without argument or prejudice in accordance with state law.

**ARTICLE VI. CHARTER AMENDMENTS.**

**Section 6.01. Procedure to Amend.**

(a) *Procedure.* This Charter may be amended in accordance with the provisions of Section 5.03 of the Home Rule Charter of Miami-Dade County. The Council shall adopt an ordinance to implement this Article.

(b) *Results of election.* If conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

**Section 6.02. Charter revision.**

(a) *Charter Commission.* At its first regular meeting in November, 2008, and every fifth year thereafter, the Council shall appoint and fund a Charter revision commission (the "Charter Commission"). The Charter Commission shall commence its proceedings within 15 days after appointment by the Council. If the Charter Commission determines that a revision is needed, it shall draft such amendments to this Charter as it deems appropriate and submit the same to the Council not later than April 1st of the year following appointment. The Council shall, not less than 60 days or more than 120 days after submission of the proposed amendments to the Council, submit the proposed amendments to the electors of the City in accordance with the provisions of Section 6.01.

(b) *Composition.* The Charter Commission shall consist of five electors residing in the City, one of whom shall have served as a member of the previous Charter Commission. Each Member of the Council shall appoint one elector to the Charter Commission.

**ARTICLE VII. GENERAL PROVISIONS.**

**Section 7.01. Severability.**

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter or the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or

part of section to which such holding shall directly apply.

**Section 7.02. Variation of pronouns.**

All pronouns and any variation thereof used in this Charter shall be deemed to refer to masculine, feminine, neutral, singular or plural as the identity of the person or persons shall require and are not intended to describe, interpret, define or limit the scope, extent or intent of this Charter.

**Section 7.03. Style and capitalization.**

When a defined word is enclosed in quotes and in parentheses after the definition, that word shall be treated as a defined term in the remainder of this Charter, when capitalized.

**Section 7.04. No discrimination.**

The City shall not adopt any measure or policy or otherwise discriminate against any person due to race, religion, color, national origin, physical or mental disability, creed, sexual preference or sex. The City shall not adopt any policy regarding the use of City facilities that would discriminate against any person due to race, religion, color, national origin, physical or mental disability, creed, sexual preference or sex.

**Section 7.05. Precedence over Related Laws.**

In case of a conflict between the provisions of this Charter and the provisions of the City Code to be adopted pursuant thereto, the Charter terms shall control.

**Section 7.06. Calendar day.**

For the purposes of this Charter, a day shall mean a calendar day, unless otherwise specified.

**ARTICLE VIII. TRANSITION PROVISIONS.**

**Section 8.01. Temporary Nature of Article.**

The following sections of this Article are inserted solely for the purpose of effecting the incorporation of the City and the transition to a new municipal government. Each section of this Article shall automatically, and without further vote or act of the electors of the City, become ineffective and no longer a part of this Charter at such time as the implementation of such section has been accomplished. In cases of a conflict between this Article and the remainder of the Charter the provisions of this Article shall govern.

**Section 8.02. Interim Governing Body.**

After adoption of this Charter but prior to the election and acceptance of office of the first

elected Council, the governing body of the City shall be the Miami-Dade County Board of County Commissioners (the "County Commission"). In acting as the governing body for the City during this interim period, the County Commission shall provide all municipal services to the City but shall not make decisions which could reasonably be postponed until the election of the Council or which would materially alter or affect the status quo within the City boundaries. Once the Council is seated, notwithstanding the delivery of any services provided by virtue of Article IX of the Charter or any interlocal agreement with Miami-Dade County, it is understood that the Council shall make all decisions for the City.

### **Section 8.03. Interim Adoption of Codes and Ordinances.**

Until otherwise modified or replaced by this Charter or the Council, all codes, ordinances and resolutions in effect on the date of adoption of this Charter shall, to the extent applicable to the City, remain in full force and effect as municipal codes, ordinances and resolutions of the City.

### **Section 8.04. Taxes and Fees.**

Unless otherwise modified by the Council, all municipal taxes and fees imposed within City boundaries by Miami-Dade County as the municipal government for unincorporated Miami-Dade County, which taxes and fees are in effect on the date of adoption of this Charter, shall continue at the same rate and on the same conditions as if those taxes and fees had been adopted and assessed by the City.

### **Section 8.05. Initial Election of City Council and Mayor; 2003 Election.**

(a) *2003 Election.* This Section shall apply to the initial general and run-off elections for the Council. The general and run-off election in 2003 shall be held pursuant to the election procedures set forth in this Charter except as follows:

(i) *Dates.* The general election shall be held on July 22, 2003. The first City run-off election, if necessary, shall be held on August 5, 2003.

(ii) *Qualification.* Candidates must qualify for election by filing a written notice of candidacy for Councilmember or Mayor (but not both) with the Miami-Dade County Elections Department (the "Elections Department"), before 5:00 p.m., June 27, 2003 (the "Notice of Candidacy"). The Notice of Candidacy shall be signed by the candidate and notarized and include the following:

- (A) a statement as to whether the candidate seeks the office of Councilmember or Mayor; if for Councilmember, a Seat 1-4 shall be designated;
- (B) the candidate's certification that s/he is a qualified elector of the State, is registered to vote in the City and that the person has resided continuously within the area comprising the City since June 27, 2001;
- (C) a check payable to the Elections Department in the amount of \$200.00 in

addition to any fees required by Florida Statutes, as a qualifying fee;

- (D) such other information or statement, if any, as may be required by the Election's Department.

(iii) The office of Mayor and four Seats will be filled.

(iv) The Mayor will be elected to a term expiring in November, 2008.

(v) Two Councilmembers shall be elected to terms expiring in November, 2008, as follows ("2008 Seats"):

- (A) In the event two or less candidates run without opposition ("Unopposed Candidate(s)") each Unopposed Candidate shall be elected to a 2008 Seat. In the event that there are more than two Unopposed Candidates, the candidates elected to a 2008 Seat shall be decided by lot at the initial Council meeting.
- (B) In the event that one or both 2008 Seats are not filled by Unopposed Candidates, the remaining 2008 Seat(s) shall be filled by those elected at the general election. In the event that more candidates are elected in the general election than 2008 Seat(s) remain to be filled, the 2008 Seat(s) shall be filled by the candidate(s) receiving the most votes in the general election.
- (C) In the event that the 2008 Seats are not filled by either Unopposed Candidates or in the general election, the remaining 2008 Seat(s) shall be filled by the candidate(s) receiving the most votes in the run-off election.
- (D) Ties shall be decided by lot at the first Council meeting.

(vi) The remaining two Councilmembers shall be elected to terms expiring in November, 2006.

(b) *Induction into Office.* In the event that a run-off election is unnecessary, those candidates elected at the initial election shall take office at the initial Council meeting, which shall be held at 7 p.m. on August 4, 2003 at the Doral Park Country Club, Main Building, 5001 N.W. 104<sup>th</sup> Avenue. In the event that a run-off election is necessary, those candidates elected at the initial election shall take office at the initial Council meeting, which shall be held at 7 p.m. on August 21, 2003 at the Doral Park Country Club, Main Building, 5001 N.W. 104<sup>th</sup> Avenue.

#### **Section 8.06 Initial Expenditures.**

Upon receipt by the City of its first revenues, the City shall immediately pay the invoices for utilities and for expenses, if any, incurred in the drafting and production of this Charter, including but not limited to invoices for secretarial services, photocopies, mailing and other



services authorized by the City's original Charter Commission.

**Section 8.07. Fiscal Year and First Budget.**

(a) *First Fiscal Year.* The first fiscal year of the City shall commence on the effective date of this Charter and shall end on September 30, 2003. The first budget shall be adopted on or before a date which is ten days after the date of the initial election of the Council. The first budget shall be adopted by resolution of the Council.

(b) *First Full Fiscal Year.* The first full fiscal year budget of the City for the fiscal year which commences on October 1, 2003 and ends on September 30, 2004, shall be adopted by resolution of the Council. The annual City budget for subsequent fiscal years shall be adopted by ordinance.

(c) *Contingency.* In the event that the Council is not elected and functioning in time to notify the County Property Appraiser of the proposed ad valorem tax millage rate and of the date, time and place of the first budget hearing of September 2003, for inclusion in the Property Appraiser's Section 200.069, Fla. Stat., notice to taxpayers, the Clerk of the Board of County Commissioners, as the Clerk of the interim governing body of the City, shall timely notify the County Property Appraiser of such information or the County Property Appraiser shall take notice of the provisions hereof. Accordingly, in such event only:

- (i) the proposed municipal millage rate, for consideration at the first budget hearing, shall be the same proposed millage rate which Miami-Dade County utilizes for the unincorporated municipal services area of Miami-Dade County (the "UMSA") for consideration at its first budget hearing of September, 2003; and
- (ii) the first of the two required budget hearings to be held in September, 2003, for the first full fiscal year of the City, shall be held in compliance with the time frames of Section 200.065(2)(c), Fla. Stat., on the first business day of the week commencing Monday, September 8, 2003, which date is not the date of the budget hearing for Miami-Dade County or for the Miami-Dade County School Board, and shall be held at 7:00 p.m. on such date at the Doral Park Country Club, Main Building, 5001 N.W. 104<sup>th</sup> Avenue.

(d) *Procedure.* The proposed and final ad valorem tax millage levy resolutions of the City, as required by Section 200.065, Fla. Stat., for the September 2003, budget hearings, may be adopted by resolution or by ordinance, as authorized by Section 200.065, Fla. Stat.

(e) *Conflict of provisions.* The provisions of this Section shall prevail over any conflicting provisions of this Charter concerning the levy of taxes or appropriation of funds.

(f) *Conflict with State law.* In the event that any of the procedures provided by this section conflict with the Florida Statutes, the Council is authorized to replace such conflicting procedures by ordinance.

**Section 8.08. Transitional Ordinances and Resolutions.**

The Council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first Council meeting may be passed as emergency ordinances. These transitional ordinances shall be effective for a period of no longer than 180 days and thereafter may be readopted, renewed or otherwise continued only in the manner normally prescribed for ordinances.

**Section 8.09. Interim Personnel**

(a) The Mayor may, subject to Council approval, appoint an interim Manager and interim staff for a period not to exceed 180 days to serve until such time as a permanent Manager is selected and begins work.

(b) The Council may appoint an interim Clerk for a period not to exceed 180 days from the date of the appointment.

**Article IX. Special Conditions**

**Section 9.1 Interlocal Agreements.**

Within 180 days after the election of a municipal council, the City will enter into an interlocal agreement ("Interlocal Agreement") with Miami-Dade County to set forth contractual provisions establishing the municipality's relationship with Miami-Dade County to the extent required by the Charter.

**Section 9.2 County Services.**

The City shall remain a part of and receive services at least equal to the service level as of the date of approval of this Charter by the electors of the City, in perpetuity, from the:

- (1) Miami-Dade Fire Rescue District,
- (2) Miami-Dade Library System, and
- (3) Miami-Dade Solid Waste Collection Service Area.

Private trash collection in place on the date of incorporation within the residential and commercial areas of Doral will continue. The County's Department of Solid Waste Management will provide services to all new residential customers and continue serving existing customers.

Except as otherwise provided in this Article the County shall not have the right or ability to impair or infringe upon the functions and powers assumed by the City upon incorporation.

**Section 9.3 Reserved.**

**Section 9.4 Local Patrol Police Services.**

The City shall exclusively utilize the Miami-Dade Police Department for a specific level of patrol staffing for an initial period of three years. The utilization of the Miami-Dade Police Department for local patrol services may only be terminated for cause during this initial three (3) year period. Payment amounts and other pertinent items relating to the provision of local patrol services shall be set forth in a contract between the City and Miami-Dade County. Such contract shall also provide that "the initial three-year period" shall commence upon the execution of the Local Patrol Contract by all parties. At the end of the three (3) year period the City may elect not to renew the Local Patrol Contract at which point a transition period of no less than twelve (12) months will begin.

**Section 9.5 Municipal Service Trust Fund.**

The City agrees that Miami-Dade County may retain payments it would otherwise make to the City from fees collected by the County on behalf of the City to offset all or a portion of the amount due from the City to the MSTF.

Provide for payment of mitigation for fiscal year 2008-2009 due on or before September 30, 2009 and fiscal year 2009-2010 due on or before September 30, 2010 consistent with County Resolution 1268-08. No further payment of mitigation will be required after mitigation payment for fiscal year 2009-2010.

**Section 9.6 Regulatory Control.**

The local government comprehensive plan adopted by the City of Doral pursuant to Chapter 163, Part II, Florida Statutes, shall be consistent with the adopted Miami-Dade County Comprehensive Development Master Plan (the CDMP) as it may be amended from time to time, as applied to the sites listed below:

<b>DEPARTMENT/FACILITY</b>	<b>LOCATION</b>
<b>MIAMI-DADE POLICE DEPARTMENT</b>	
Training Bureau Metro Training Center	9601 NW 58 Street
MDPD Headquarters Complex	9105 NW 25 Street
Doral Station (District 3)	9105 NW 25 Street
<b>MIAMI-DADE FIRE DEPARTMENT</b>	
Training Complex	9300 NW 41 Street
MDFD Headquarters Complex	9300 NW 41 Street
Emergency Operations Center	9300 NW 41 Street
Doral Station	9710 NW 36 Street
Fontainebleau Station	8825 NW 18 Terrace
<b>DEPARTMENT OF SOLID WASTE MANAGEMENT</b>	

<b>Disposal Facility</b>	
Resource Recovery	6990 NW 97 Avenue

The Miami-Dade County Board of County Commissioners may revise this list of facilities from time to time.

Any use or activity allowed by the CDMP over the listed sites may not be limited or impeded in any way by the local government comprehensive plan adopted by the City of Doral. Jurisdiction over the listed sites for purposes of zoning and building approvals (including but not limited to site plan approvals, issuance of building permits, building inspections, compliance with the Florida Building Code or other applicable building code, issuance of certificates of occupancy, zoning applications, special exceptions, variances, building and/or zoning moratoria, and all other types of functions typically performed by Building and/or Zoning Departments) water and sewer installations, compliance with environmental regulations, street maintenance (including sidewalks, if applicable) and utility regulation shall be and is hereby vested in Miami-Dade County regardless of any City of Doral code, charter, or ordinance provision to the contrary. So long as Miami-Dade County maintains jurisdiction over the matters set forth in this paragraph, Miami-Dade County shall pay the costs of providing the services described herein.

This provision shall not alter or affect the legal rights of any person residing or owning real property within the City. The City shall not institute, intervene or otherwise participate in, in opposition to Miami-Dade County, any judicial or formal administrative proceeding regarding land use or development of the listed sites, or Miami-Dade County's planning or regulatory requirements for any listed facility of countywide significance.

These Charter provisions shall be deemed self-executing.

**Section 9.7 Continuing Obligations as to County Bonds.**

The County has previously issued \$41,580,000.00 Stormwater Utility Revenue Bond Series 1999 (the "Stormwater Bond") of which \$ 38,805,000.00 remains outstanding as of May 1st, 2002, payable from stormwater utility fees collected in the unincorporated area and within a limited number of cities. The County assesses and collects the stormwater utility fee pursuant to Sections 24-61 through 24-61.5 of the County Code, as amended from time to time and Section 403.0893, Florida Statutes, as amended from time to time (the "Stormwater Utility Fees").

The County has issued \$77,640,000 Public Service Tax Revenue Bonds (UMSA Public Improvements) Series 1999 (the "Series 1999 Public Service Bonds") currently outstanding in the principal amount of \$71,295,000 and has issued an additional series of bonds in an amount not to exceed \$60,000,000 (the "Series 2002 Public Service Bonds") prior to the City's incorporation payable from Public Service Taxes (defined below) collected in the unincorporated area. The County receives a public service tax pursuant to Section 166.231, Florida Statutes, as amended from time to time, and as of October 1, 2001, from a discretionary communications tax assessed pursuant to Chapter 202, Florida Statutes and Section 29 of the County Code (collectively, "The Public Service Tax"). If required by the County within 180 days of the

adoption of this Charter, the City agrees to enact an ordinance, pursuant to Section 202.19, Florida Statutes, authorizing the levy of the discretionary services tax at a rate no less than the rate established by the County for communications services prior to the incorporation of the City.

The Stormwater Bonds, the Series 1996 Public Service Bonds, the Series 1999 Public Service Bonds, the Series 2002 Public Service Bonds, and any bonds issued in the future, provided that the City remains a part of the Stormwater utility system, that are secured either through Stormwater Utility Fees or Public Service Taxes ("Fees and Taxes") are referred to collectively in this Section as the "Bonds".

The City agrees that until the Bonds are retired the County shall have the right to receive and apply to debt service on the Bonds all of the Fees and Taxes collected within the unincorporated area and within the boundaries of the City. After the County has paid or satisfied the monthly debt service requirements on the Bonds, the County shall make a payment to the City, equal to its share of the remaining Fees and Taxes on deposit with the County. The City's share shall be all Fees and Taxes collected within the City annually minus its Debt Service Share. The City's Debt Service Share is determined by expressing the Fees and Taxes collected within the City at the time of incorporation as a percentage of the total Fees and Taxes collected within the unincorporated area at the time of incorporation and any municipalities incorporated after 1998 and apply that percentage to the total annual debt service on the Bonds. The City may prepay its proportionate share of the aforementioned bonds at any time during the life of the bonds with out penalty.

The intent of this section is to ensure that the City continues to collect revenues on behalf of the County which were collected by the County prior to the incorporation of the City and which were pledged and relied upon to pay for capital improvements provided by the County to the then existing unincorporated area to the benefit of the City.

#### **Section 9.8 Favored Nation Status.**

##### *County Services*

If a subsequent incorporation is approved without the newly incorporated area being required to remain in the Miami-Dade Fire Rescue District, Miami-Dade Library System, Miami-Dade Solid Waste collection service area, or without contracting with the Miami-Dade Police Department for local patrol police services, the City will be entitled to modify its relationship with the County, so that the city will not be required to receive that particular service from the County. Both parties also agree that if a subsequent incorporation of any area is approved without conditions outlined in this agreement, and those terms would be beneficial to the City of Doral, the terms under this Charter will immediately be replaced with the terms granted to the subsequent, new, municipality (the "Most Favored Nation Status"). It is provided, however, that the Most Favored Nation Status shall not apply to mitigation payments into the Municipal Services Trust Fund, nor apply to any requirement to separately contract or pay for the provision of specialized police services.

The provisions of this section, apply only to the service or services modified, and in no way alter

the agreement regarding the remaining services.

**Section 9.9 Rights of the City.**

The City will be granted all rights powers and privileges afforded to all municipalities and provided under the general laws of the State of Florida subject only to the restrictions placed upon it by this Charter. The City will receive all other municipal revenue sources such as utility taxes including those that the County by right or may otherwise retain, such as the franchise fees, and will continue to receive all services that are provided to cities under the countywide budget.

**Section 9.10 Modifications.**

Any modifications to Article IX will require:

- (1) All approvals normally required by the municipal charter, and
- (2) Approval by 2/3rds of the total membership of the Miami-Dade County Board of County Commissioners.

11A

# CITY OF MIAMI SPRINGS



Agenda Item No.

City Council Meeting of:

11-19-2012

Finance Department  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5014  
Fax: (305) 805-5037

To: The Honorable Mayor Xavier Garcia and Members of the City Council

VIA: Ron Gorland, City Manager *Ron*

FR: William Alonso, CPA, CGFO, Finance Director *WAlonso*

Date: November 7, 2012

Re: FY2011-2012 4th Quarter Budget Status Report (Unaudited)

Attached, please find the above referenced report based on revenues received and appropriations expended through September 30, 2012. The purpose of this report is to apprise the City's governing body of the FY2011-2012 budgetary status and projected year-end revenues, expenditures, and fund balances

As in previous interim reports, this report is organized as follows:

- I. Overview/Financial Dashboard - Pages 1-3
- II. General Fund Revenues – Page 4
- III. General Fund Expenditures – Page 6
- IV. General Fund Subsidized Departments
  - a) Senior center - Page 7
- V. Enterprise Funds - Pages 8-9
- VI. Investments – Page 10
- VII. Analysis of Charges for Services
  - a) Building & Zoning/Code Enforcement – Page 11
  - b) Recreation Department – Page 12
- VIII. Other Funds
  - a) Road and Transportation Fund – Page 13
  - b) Law Enforcement Trust Fund – Page 14
  - c) Capital Fund – Page 15
  - d) Debt Service Fund – Page 16
- IX. Status of Designated Fund Balance Page 17
- IX. Golf Course Financial Report – Pages 18,19 and A-1 thru C-1

**I. OVERVIEW**

**After completion of the fiscal year, we are pleased to report that the city ended the year with a surplus of \$120,708.** The city originally budgeted the use of \$590,740 of available fund balance in its FY2012 budget. The city, however, ended the year using only \$470,032 of fund balance thus creating the surplus stated above. The city's fund balance decreased from \$4,903,778 in FY2011 to \$4,433,747 at the end of FY2012.

Total expenditures were under budget by almost \$146,391 as departments did not spend 100% of their budgets. Total revenues were \$88,311 lower than budgeted due to receiving less than anticipated permit fees, investment income, traffic fines, and franchise fees.

**The City's general fund balance as of September 30, 2012 will be approximately \$4,433,747 an increase of 419% from the FY 2003 fund balance of \$853,643.** Although the FY2012 ending fund balance is a decrease of 9.5% from the FY2011 fund balance of 4,903,779, it is important to note what "fund balance" should be accumulated for. First of all the generally accepted guidelines require that a government maintain at least 15-20% of their general fund budgeted expenditures as "reserves", **OUR CITY MAINTAINS A MINIMUM RESERVE OF 25%.**

Second, reserves are meant to be accumulated to pay for long term projects that the city has envisioned, such as the new irrigation system for the golf course installed last year. These are legitimate uses for our reserves. State Statutes require that if a local government has significant reserves and no plan on what they will be used for, they have to return these to the residents in the form of tax reductions. Our current fund balance of \$4,433,747 represents almost 32% of budgeted expenditures. This is why we will have approximately \$1.0 million in designations for future projects and uses. After deducting these designations, the undesignated fund balance is \$3.5 million or about 25% of budgeted expenditures.

The following chart is an unaudited projection of the City's revenues, expenditures, and general fund balance as of the end of the fiscal year ended September 30, 2012:

**Chart A- General Fund Budget Summary-FY 2011-12**

	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Year-End Actual (Unaudited)</u>	<u>Variance</u>
<b>Sources:</b>				
General Fund beginning balance	4,903,779	4,903,779	4,903,779	-
Current revenues	13,157,448	13,272,892	13,184,581	(88,311)
Transfers in	984,525	984,525	1,047,153	62,628
<b>Total Sources</b>	<b>19,045,752</b>	<b>19,161,196</b>	<b>19,135,513</b>	<b>(25,683)</b>
<b>Uses:</b>				
Operating expenditures	13,660,949	14,347,458	14,245,561	(101,897)
Transfers out	481,025	500,699	456,205	(44,494)
<b>Total Uses</b>	<b>14,141,974</b>	<b>14,848,157</b>	<b>14,701,766</b>	<b>(146,391)</b>
<b>General Fund ending balance</b>	<b>4,903,778</b>	<b>4,313,039</b>	<b>4,433,747</b>	<b>120,708</b>
<b>Budgeted change in fund balance</b>		<b>(590,740)</b>		
<b>Ending change in fund balance</b>			<b>(470,032)</b>	



*FINANCIAL DASHBOARD*

*FINANCIAL INDICATORS-GENERAL FUND*

	<i>Budgeted</i>	<i>Actual</i>	<i>% of budget</i>
<b>General Fund Revenues as of 09/30/12</b>	<b>\$13,272,892</b>	<b>\$13,184,581</b>	<b>99%</b>
<b>General Fund Revenues as of 9/30/11</b>	<b>\$13,337,486</b>	<b>\$13,136,151</b>	<b>98%</b>

<b>General Fund Expenditures as of 9/30/12</b>	<b>\$14,848,157</b>	<b>\$14,701,766</b>	<b>99%</b>
<b>General Fund Expenditures as of 9/30/11</b>	<b>\$15,218,680</b>	<b>\$14,732,133</b>	<b>97%</b>

	<i>As of 9/30/11</i>	<i>Projected 9/30/12</i>	<i>\$ Increase/Decrease</i>
<b>General Fund Reserve</b>	<b>\$6,299,906</b>	<b>\$5,695,463</b>	<b>\$(604,443)</b>

*INVESTMENT INDICATOR*

	<i>As of 9/30/12</i>	<i>As of 9/30/11</i>	<i>\$ Increase/(Decrease)</i>
<b>Investments</b>	<b>\$ 6,156,473</b>	<b>\$ 8,181,298</b>	<b>\$(2,024,825)</b>

	<i>Total On Deposit</i>	<i>Unrealized Loss</i>	<i>Net Asset Value</i>
<b>SBA Account</b>	<b>\$94,727.02</b>	<b>\$ (4,833.64)</b>	<b>\$89,893.38</b>

*FINANCIAL INDICATORS-OTHER*

	<i>Revenues as of 9/30/12</i>	<i>Expenditures as of 9/30/12</i>	<i>Deficit at 9/30/12</i>	<i>Deficit at 9/30/11</i>
<b>Golf Course fund operating deficit requiring General Fund subsidy</b>	<b>\$1,074,921</b>	<b>\$1,361,377</b>	<b>\$(286,456)</b>	<b>\$(414,281)</b>

	<i>Revenues as of 9/30/12</i>	<i>Expenditures as of 9/30/12</i>	<i>Deficit at 9/30/12</i>	<i>Surplus at 9/30/11</i>
<b>Building &amp; Code</b>	<b>\$ 519,147</b>	<b>\$ 599,009</b>	<b>\$(79,862)</b>	<b>\$136,026</b>

	<i>As of 9/30/11</i>	<i>As of 9/30/12</i>	<i>\$ Increase/(Decrease)</i>
<b>Long-Term Debt</b>	<b>\$5,168,547</b>	<b>\$4,632,735</b>	<b>\$(535,812)</b>

	<i>At 9/30/12</i>	<i>At 9/30/11</i>
<b>% of Recreation Expenditures Collected in Fees</b>	<b>24.3%</b>	<b>22.1%</b>

*Notes:*

II) REVENUES

Chart B-Schedule of General Fund Budgeted and Actual Revenues  
For the Year ending September 30, 2012  
(100% OF YEAR COMPLETED)

Department	FY 2010-11	FISCAL YEAR 2011-2012				Note
	FULL YEAR ACTUAL	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL AS of 9/30/12	% OF BUDGET	
Ad Valorem Taxes - Current	\$ 5,409,466	\$ 5,776,261	\$ 5,776,261	\$ 5,792,665	100%	
Ad Valorem Taxes - Delinquent	167,510	20,000	20,000	19,336	97%	
Utility and Franchise Taxes	2,608,798	2,655,000	2,655,000	2,578,754	97%	
Occupational Licenses - City	78,357	72,000	72,000	77,874	108%	
Occupational Licenses - County	19,037	20,000	20,000	20,957	105%	
Building Permits	150,168	225,000	225,000	140,163	62%	6
Electrical Permits	56,038	50,000	50,000	27,496	55%	
Plumbing Permits	101,724	40,000	40,000	27,337	68%	
Roofing Permits	31,814	27,000	27,000	35,980	133%	
Mechanical Permits	66,467	25,000	25,000	21,622	86%	
Zoning Permits	4,650	7,000	7,000	1,150	16%	
Certification of Completions	1,325	1,000	1,000	1,965	197%	
Structural Permits	19,116	15,000	15,000	16,761	112%	
POD Permit Fees	1,900	1,000	1,000	1,800	180%	
Other Permits	110,390	90,000	90,000	115,042	128%	
Misc Plan Reviews	-	11,300	11,300	-	0%	
Local Option Gas Tax	369,713	359,859	359,859	361,726	101%	
Revenue sharing	369,153	394,850	394,850	404,323	102%	
8-cent Motor Fuel Tax	-	-	-	2,460	100%	
Alcoholic Beverage License	8,978	9,000	9,000	15,223	169%	
1/2-cent Sales Tax	827,344	869,125	869,125	896,447	103%	
Gas Tax Rebate	5,610	8,000	8,000	11,285	141%	
School Crossing Guards	21,732	18,000	18,000	32,256	179%	
Program Activity Fees	920	-	-	-	0%	
After School Programs	39,175	25,000	25,000	42,094	168%	
SWIM MEETS/TEAM RENTAL	10,000	15,600	15,600	12,715	82%	
Swimming Pool Admissions/Lessons	69,437	91,445	91,445	83,286	91%	
Annual Daddy/Daughter Dance	2,913	2,800	2,800	3,263	117%	
Pelican theatre	2,908	5,000	5,000	6,360	127%	
Vending Machines	2,690	2,276	2,276	1,725	76%	
Fireworks-VG	3,000	3,000	3,000	-	0%	
Summer Camp	137,256	176,250	176,250	158,725	90%	
Summer Camp Activity Fee	25,979	18,500	18,500	16,900	91%	
Senior Center Rental	-	2,500	2,500	-	0%	
Gym Rental	5,043	5,000	5,000	-	0%	
Fitness Room Membership	43,266	39,375	39,375	47,228	120%	
Gym Admission Fees	14,412	12,000	12,000	-	0%	
Gym Memberships	-	1,500	1,500	-	0%	
Yoga Classes	18,490	11,400	11,400	19,502	171%	
Annual Turkey Trot	2,220	900	900	1,210	134%	
Basketball Fees	25,895	30,375	30,375	26,405	87%	
Other activities	660	3,455	3,455	1,115	32%	
Pool Rental	27,931	6,000	6,000	27,278	455%	
Pool Memberships	5,645	3,200	3,200	7,663	239%	
Jazzercise	3,925	4,800	4,800	3,925	82%	
Green Fees	763,488	866,245	866,245	762,746	88%	
Golf Memberships	64,034	83,438	83,438	52,824	63%	
Cart Rentals	62,301	86,247	86,247	113,563	132%	
Range Fees	94,688	99,615	99,615	98,907	99%	
Golf Merchandise Sales	45,652	57,777	57,777	53,489	93%	
Gift Certificate Redeemed	(3,158)	3,731	3,731	735	20%	
Rain Check Redeemed	(16,233)	(15,248)	(15,248)	(17,778)	117%	
CanAm Commissions	(1,780)	-	-	(450)	0%	
Golf Pro Commissions	1,133	3,000	3,000	2,262	75%	
Golf Course Rentals	6,491	7,355	7,355	8,440	115%	
Country Club Lease Eqpt Payment	10,000	-	-	-	0%	
GHIN Disabled Fees	153	918	918	183	20%	
Miscellaneous Charges for Serv	4,083	6,000	6,000	-	0%	
Copies & Other Charges	1,831	2,000	2,000	3,038	152%	
Tree Replacement	-	-	-	200	0%	
Lien Search	10,670	10,000	10,000	14,365	144%	
Re-occupancy inspection fee	8,500	5,000	5,000	15,600	312%	
Clerk of the Court - Fines	169,282	165,000	165,000	118,587	72%	1
Code Enforcement tickets	32,900	40,000	40,000	15,400	39%	4
Disabled Parking tickets	7,018	3,000	3,000	7,442	248%	
Interest - Checking	1,448	2,000	2,000	-	0%	
Interest-CD's	-	75,000	75,000	27,451	37%	2
Interest-Money Market	17,792	-	-	-	0%	
Interest - Tax Collections	1,886	2,000	2,000	1,656	83%	
Rent - Metro Fire	13,488	17,000	17,000	14,040	83%	
Rent - Dade Co. Library	8,253	8,300	8,300	8,253	99%	
Rent - Bus Benches	4,080	3,900	3,900	4,165	107%	

**Chart B-Schedule of General Fund Budgeted and Actual Revenues  
For the Year ending September 30, 2012  
(100% OF YEAR COMPLETED)**

Department	FY 2010-11	FISCAL YEAR 2011-2012			% OF BUDGET	Note
	FULL YEAR ACTUAL	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL AS of 9/30/12		
Recreational Activities	7,386	5,000	5,000	14,693	294%	
Sprint Tower	61,749	60,000	60,000	87,640	146%	
Nextel	8,540	8,300	8,300	6,490	78%	
Metro PCS	7,896	7,600	7,600	8,211	108%	
Surplus sale of equipment	2,151	60,000	60,000	13,715	23%	5
Other Miscellaneous	49,134	80,075	80,075	56,866	71%	
Insurance Reimbursement	5,495	-	-	12,833	100%	
Code Enforcement Liens	1,857	1,000	1,000	-	-100%	
Returned check charges	278	2,000	2,000	389	19%	
Byrne Grant	13,787	-	-	11,026	100%	
Police COPS Grant	167,242	146,424	146,424	176,382	120%	
Other Grants	4,000	-	10,444	10,086	97%	
Historic tax Credit-mansion	-	-	105,000	105,000	100%	
Red Light Fines	-	100,000	100,000	314,116	314%	3
Dog Park Donations	3,941	-	-	-	0%	
ITF - Road & Transportation	-	521,149	521,149	542,153	104%	
ITF -Hurricane Fund	412,563	-	-	-	0%	
ITF - Sanitation Admin Fee	350,000	410,376	410,376	450,000	110%	
ITF- Stormwater Admin Fee	53,000	53,000	53,000	55,000	104%	
<b>TOTALS &gt;&gt;&gt;</b>	<b>\$ 13,328,054</b>	<b>\$ 14,141,973</b>	<b>\$ 14,267,417</b>	<b>\$ 14,231,734</b>	<b>100%</b>	

## II. REVENUES

### Notes to Revenue Schedule:

- (1) Traffic fines revenues are less than budgeted due to the fact that we had two motorcycle officers on workmen's compensation during the year and that affected the quantity of citations issued.
- (2) Interest rates have been at historically low levels and this has affected the amount of investment income the city earned.
- (3) Red light camera revenues were significantly higher than budgeted for the first year of the program.
- (4) Code enforcement fines were lower than budgeted due to the loss of one code enforcement position during the year.
- (5) Surplus sales of equipment was lower than budgeted since the city only held one sale due to the lack of items available to be auctioned.
- (6) Building permits were lower than expected since some of the new building activity we were expecting (new hotels, etc) did not materialize during this year.

Overall our total collected revenues for the year were 99% of budget.

III) EXPENDITURES

Chart C-Schedule of General Fund Budgeted and Projected Expenditures  
For the Year Ending September 30, 2012  
(100% OF YEAR COMPLETED)

Department	FY2010-11 ACTUAL	FISCAL YEAR 2011-2012			% OF ACTUAL VS. BUDGET	NOTES
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2012		
<b>General Government:</b>						
Mayor & City Council	107,219	104,401	219,302	199,338	91%	
Office of the City Manager	756,070	718,961	689,572	686,462	100%	
Office of the City Clerk	332,381	269,646	298,176	285,368	96%	
Office of the City Attorney	144,513	141,000	156,000	156,503	100%	
Human Resource Department	202,620	188,338	211,641	199,895	94%	
Finance-Administration	698,878	633,336	630,223	567,791	90%	
Finance-Professional Services	-	-	169,275	152,089	90%	
IT Department	355,102	333,269	327,108	339,353	104%	
Planning Department	160,512	131,420	143,620	130,472	91%	
Non-Departmental	17	-	-	527	100%	
Total General Government	2,757,312	2,520,371	2,844,917	2,717,798	96%	1
<b>Public Safety:</b>						
Police Department	5,352,455	5,399,857	5,476,395	5,711,639	104%	
Building, Zoning & Code Enforcement	537,860	619,004	620,026	599,009	97%	
Total Public Safety	5,890,315	6,018,861	6,096,421	6,310,648	104%	1
<b>Public Works:</b>						
Public Works - Administration	435,350	398,468	406,631	444,725	109%	
Public Works - Streets	310,863	302,388	310,388	323,868	104%	
Public Works - Properties	960,490	1,011,097	1,020,146	811,936	80%	
Public Works - Building Maintenance	193,795	195,382	285,163	292,605	103%	
Public Works - Fleet Maintenance	79,453	26,000	26,000	30,685	118%	
Total Public Works	1,979,951	1,933,335	2,048,328	1,903,819	93%	1
<b>Parks and Recreation:</b>						
Recreation	1,373,297	1,437,640	1,582,644	1,578,899	100%	
Aquatics	260,423	267,352	267,353	258,638	97%	
Tennis	31,698	30,726	32,449	26,876	83%	
Park Maintenance	133,739	109,698	107,277	87,507	82%	
Golf Administration	24,070	22,596	22,596	22,729	101%	
Golf Pro Shop	534,205	524,348	527,848	546,341	104%	
Golf Maintenance	824,689	796,022	817,625	792,306	97%	
Total Parks and Recreation	3,182,121	3,188,382	3,357,792	3,313,296	99%	
<b>TOTAL GENERAL FUND EXPS.</b>	<b>13,809,699</b>	<b>13,660,949</b>	<b>14,347,458</b>	<b>14,245,561</b>	<b>99%</b>	<b>1</b>
Transfers to other funds						
Debt Service fund	306,919	313,205	313,205	313,205	100%	
Capital Fund	475,000	-	19,674	19,674	0%	
Senior Center Fund	132,564	167,820	167,820	123,326	73%	
Total Transfers Out:	914,483	481,025	500,699	456,205	91%	1
Increase (decrease) in fund balance	(1,396,128)	-	(590,740)	(470,032)		
<b>TOTAL GENERAL FUND USES</b>	<b>13,328,054</b>	<b>14,141,974</b>	<b>14,257,417</b>	<b>14,231,734</b>	<b>100%</b>	<b>1</b>

### **III. EXPENDITURES**

#### Notes to Expenditure Schedule:

- 1) As of fiscal year end, most departments are within budget, as you can see on page 6 our total expenditures were 99% of budget.

IV) FUNDS SUBSIDIZED BY GENERAL FUND

CHART D-CITY OF MIAMI SPRINGS  
 ACTUAL VS BUDGET REPORT-SENIOR CENTER  
 (100% OF YEAR COMPLETED)

	FY2010-11 <u>ACTUAL</u>	FISCAL YEAR 2011-2012			% OF ACTUAL VS. BUDGET
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2012</u>	
<b>Revenues:</b>					
USDA C-1	\$ 18,520	\$ 13,130	\$ 13,130	\$ 10,622	81%
USDA C-2	9,524	8,150	8,150	18,127	222%
Local Grants C-1	94,060	77,752	77,752	93,668	120%
Local Grants C-2	52,125	52,048	52,048	51,169	98%
Local Grants III-B	25,059	21,017	21,017	22,781	108%
Grants	58,792	-	-	39,098	0%
Sales to Va Gardens	14,775	14,345	14,345	17,225	120%
Donations	3,242	1,610	1,610	4,884	303%
Misc Revenues	-	-	-	782	0%
<b>Total revenues</b>	<u>276,097</u>	<u>188,052</u>	<u>188,052</u>	<u>258,356</u>	137%
<b>Expenditures:</b>					
Administrative Costs	149,822	151,711	151,711	150,328	99%
Catering and operating supplies	137,525	149,396	149,396	134,708	90%
Operating Costs	57,932	54,464	54,464	49,397	91%
Capital Outlay	63,384	3,475	3,475	66,118	1903%
<b>Total expenditures</b>	<u>408,663</u>	<u>359,046</u>	<u>359,046</u>	<u>400,551</u>	112%
<b>Excess (deficiency) of revenues over expenditures</b>	<u>(132,566)</u>	<u>(170,994)</u>	<u>(170,994)</u>	<u>(142,195)</u>	83%
<b>Other financing sources</b>					
Transfers in	<u>132,564</u>	<u>167,820</u>	<u>167,820</u>	<u>123,326</u>	73%
<b>Total other financing sources</b>	<u>132,564</u>	<u>167,820</u>	<u>167,820</u>	<u>123,326</u>	73%
<b>Net change in fund balance</b>	<u>(2)</u>	<u>(3,174)</u>	<u>(3,174)</u>	<u>(18,869)</u>	0%
Beginning fund balance	<u>18,871</u>	<u>18,869</u>	<u>18,869</u>	<u>18,869</u>	
<b>Ending fund balance</b>	<u>\$ 18,869</u>	<u>\$ 15,695</u>	<u>\$ 15,695</u>	<u>\$ -</u>	

**CHART H-CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-SANITATION  
(100% OF YEAR COMPLETED)**

	FY2010-11 ACTUAL	FISCAL YEAR 2011-2012			% OF ACTUAL VS. BUDGET	NOTES
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2012		
Operating revenues:						
Sanitation revenues	\$ 2,298,155	\$ 2,248,626	\$ 2,248,626	\$ 2,126,145	95%	1
Total operating revenues	<u>2,298,155</u>	<u>2,248,626</u>	<u>2,248,626</u>	<u>2,126,145</u>	95%	
Operating expenses:						
Administrative costs	1,143,552	1,163,431	1,163,431	1,291,807	111%	
Operations and maintenance	234,180	309,506	309,506	267,104	86%	
Disposal costs	618,343	721,789	721,789	607,835	84%	
Depreciation and amortization	54,262	54,400	54,400	54,074	99%	
Total operating expenses	<u>2,050,337</u>	<u>2,249,126</u>	<u>2,249,126</u>	<u>2,220,820</u>	99%	
Operating income (loss)	<u>247,818</u>	<u>(500)</u>	<u>(500)</u>	<u>(94,675)</u>	18935%	
Nonoperating revenues (expenses):						
Interest income	632	500	500	1,008	0%	
Interest expense and fees	(7,755)	-	-	(5,837)	100%	
Total nonoperating revenues (expenses)	<u>(7,123)</u>	<u>500</u>	<u>500</u>	<u>(4,829)</u>	0%	
Change in net assets	<u>240,695</u>	<u>-</u>	<u>-</u>	<u>(99,504)</u>	100%	1
Total net assets, October 1	<u>721,670</u>	<u>962,365</u>	<u>962,365</u>	<u>962,365</u>		
Total net assets, September 30	<u>\$ 962,365</u>	<u>\$ 962,365</u>	<u>\$ 962,365</u>	<u>\$ 862,861</u>		

**Note:**

Collection of 39% of revenues is a result of the trash bills now being a part of the property tax bill which is mostly collected between October and March of each fiscal year.



**CHART I-CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-STORMWATER  
FOR THE YEAR ENDING SEPTEMBER 30, 2012  
(100% OF YEAR COMPLETED)**

	FY2010-11 ACTUAL	FISCAL YEAR 2011-2012			% OF ACTUAL VS. BUDGET	NOTES
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2012		
Operating revenues:						
Residential Class I	\$ 299,176	\$ 250,000	\$ 250,000	\$ 285,945	114%	
Total operating revenues	<u>299,176</u>	<u>250,000</u>	<u>250,000</u>	<u>285,945</u>	114%	
Operating expenses:						
Administrative costs	139,653	140,325	140,325	161,123	115%	
Operations and maintenance	109,504	166,281	166,281	84,249	51%	
Depreciation and amortization	142,664	142,665	142,665	148,978	104%	
Total operating expenses	<u>391,821</u>	<u>449,271</u>	<u>449,271</u>	<u>394,350</u>	88%	
Operating income (loss)	<u>(92,645)</u>	<u>(199,271)</u>	<u>(199,271)</u>	<u>(108,405)</u>	54%	
Nonoperating revenues (expenses):						
Interest & other income	465	500	500	492	98%	
Interest expense and fees	(2,277)	(2,300)	(2,300)	(1,440)	63%	
Total nonoperating revenues (exp)	<u>(1,812)</u>	<u>(1,800)</u>	<u>(1,800)</u>	<u>(948)</u>	53%	
Income (Loss) before transfers	(94,457)	(201,071)	(201,071)	(109,353)	54%	
Change in net assets	<u>(94,457)</u>	<u>(201,071)</u>	<u>(201,071)</u>	<u>(109,353)</u>	54%	
Total net assets, October 1	<u>3,164,329</u>	<u>3,069,872</u>	<u>3,069,872</u>	<u>3,069,872</u>		
Total net assets, September 30	<u>\$ 3,069,872</u>	<u>\$ 2,868,801</u>	<u>\$ 2,868,801</u>	<u>\$ 2,960,519</u>		

**Notes:**

**CITY OF MIAMI SPRINGS  
INVESTMENT SCHEDULE  
Sep-12**

<u>Institution</u>	<u>Acct#</u>	<u>Principal Amount</u>
BB&T Money Market		\$ 4,912,150.19
<b>Subtotal BB&amp;T</b>		<b>\$ 4,912,150.19</b>
SBA (Pool B)	221371	\$ 94,727.02
Reserve for loss		\$ (4,833.64)
<b>Subtotal SBA</b>		<b>\$ 89,893.38</b>
<b>Total all investments</b>		<b>\$ 5,002,043.57</b>

**CASH ON HAND-OPERATING ACCOUNTS:**

<i>BB&amp;T Cash on hand-Operating Acct</i>	1,154,429.03
<b>Total Cash on hand as of 9/30/12</b>	<b>\$1,154,429.03</b>
<b>Total Investments and cash on hand</b>	<b>\$6,156,472.60</b>

**RESTRICTED CASH:**

BB&T CD-LETF	\$ 700,000.00
(Law Enforcement Trust-restricted)	<b>\$ 700,000.00</b>

VII) ANALYSIS OF CHARGES FOR SERVICES

Chart J-Schedule of Building & Zoning/Code Enforcement  
 Comparative for the periods ending September 30, 2011 AND 2012  
 (100% OF YEAR COMPLETED)

Charges for Services:	YTD 9/30/12		YTD 9/30/11		
	<u>Building</u>	<u>Code Enforcement</u>	<u>Building</u>	<u>Code Enforcement</u>	
Occupational Licenses - City		\$ 77,874		\$ 78,357	
Occupational Licenses - County		20,957		19,037	
Building Permits	140,163		150,168		
Electrical Permits	27,496		56,038		
Plumbing Permits	27,337		101,724		
Roofing Permits	35,980		31,814		
Mechanical Permits	21,622		66,467		
Zoning Permits	1,150		4,650		
Certification of Completions	1,965		1,325		
Structural Permits	16,761		19,116		
Other Permits	116,842		112,290		
Re-Occupancy	15,600		-		
Code Enforcement tickets		15,400		32,900	
<b>Total Fees Collected</b>	<b>404,916</b>	<b>114,231</b>	<b>543,592</b>	<b>130,294</b>	
<b>Expenditures:</b>					
Personnel	297,057	154,105	285,226	119,700	
Inspector Costs	102,240		94,188	-	
Operating costs	33,439	11,146	27,207	9,069	25% of total expenses
Capital outlay	1,022		2,470	-	
Indirect costs from allocation	309,709		304,036	-	
<b>Total expenditures</b>	<b>743,467</b>	<b>165,251</b>	<b>713,127</b>	<b>128,769</b>	
<b>Excess charges for services over expenditures</b>	<b>(338,551)</b>	<b>(51,020)</b>	<b>(169,535)</b>	<b>1,525</b>	

The purpose of this report is to show if the charges being collected by the building & zoning /code enforcement departments are more than sufficient to cover the operating expenditures of these departments.

**Chart K-Schedule of Recreation Department Operations  
Period Ending Sept. 30, 2012  
(100% OF YEAR COMPLETED)**

	Admin	Pool	Tennis	Maintenance	YTD as of 9/30/2012	YTD as of 9/30/2011
<b>Charges for Services:</b>						
After School Programs	42,094				\$ 42,094	\$ 39,175
SWIM MEETS/TEAM RENTAL			12,715		12,715	10,000
Swimming Pool Admissions/lessons			83,286		83,286	69,437
Annual Daddy/Daughter Dance	3,263				3,263	2,913
Pelican theatre	6,360				6,360	2,908
Vending Machines	1,725				1,725	2,690
Summer Camp	158,725				158,725	163,235
Summer Camp Activity Fee	16,900				16,900	-
Facility Rentals	14,693				14,693	12,429
Fitness Room Membership	47,228				47,228	43,266
Gym Admission Fees					-	14,412
Yoga Classes	19,502				19,502	18,490
Annual Turkey Trot	1,210				1,210	2,220
Basketball Fees	26,405				26,405	25,895
Other activities	2,240				2,240	1,580
Pool Rental			27,278		27,278	27,931
Pool Memberships			7,663		7,663	5,645
Jazzercise	3,925				3,925	3,925
<b>Total Fees Collected</b>	<b>344,270</b>		<b>130,942</b>	<b>-</b>	<b>475,212</b>	<b>446,151</b>
<b>Expenditures:</b>						
Personnel	708,103		166,385	26,876	901,364	840,931
Operating costs	554,867		92,253	87,507	734,627	798,172
Debt Service	187,401		-		187,401	220,512
Capital outlay	128,528		-		128,528	159,818
<b>Total expenditures</b>	<b>1,578,899</b>		<b>258,638</b>	<b>26,876</b>	<b>1,951,920</b>	<b>2,019,433</b>
<b>Excess exp. over charges for services</b>	<b>\$ (1,234,629)</b>		<b>\$ (127,696)</b>	<b>\$ (26,876)</b>	<b>\$ (1,476,708)</b>	<b>\$ (1,573,282)</b>

Percentage of expenditures collected in fees

**24.3%**

**22.1%**

**NOTES TO STATEMENTS:**

VIII) OTHER FUNDS

CHART L-CITY OF MIAMI SPRINGS  
 ACTUAL VS BUDGET REPORT-ROAD & TRANSPORTATION  
 (100% OF YEAR COMPLETED)

	FY2010-11 ACTUAL	FISCAL YEAR 2011-2012			% OF ACTUAL VS. BUDGET	NOTES
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2012		
Revenues:						
Peoples Transportation Tax	418,043	372,000	372,000	431,144	116%	
Charges for services	12,983	12,000	12,000	14,807	100%	
Misc Revenues-Interest	526	1,000	1,000	146	100%	
Total revenues	<u>431,552</u>	<u>385,000</u>	<u>385,000</u>	<u>446,097</u>	116%	
Expenditures:						
Administrative	94,803	91,935	91,935	97,846	106%	
Contractual/Professional Services	168,856	194,473	194,473	151,733	78%	
Repairs and maintenance	463,513	460,000	460,000	182,609	40%	
Operating Supplies/Road Materials	3,651	5,000	5,000	788	16%	
Capital Outlay-Machinery	58,436	36,352	36,352	36,352	0%	
Total expenditures	<u>789,259</u>	<u>787,760</u>	<u>787,760</u>	<u>469,328</u>	60%	
Excess (deficiency) of revenues over expenditures	<u>(357,707)</u>	<u>(402,760)</u>	<u>(402,760)</u>	<u>(23,231)</u>	6%	
Other financing sources						
Transfers out	<u>(130,252)</u>	<u>(521,153)</u>	<u>(521,153)</u>	<u>(521,153)</u>	0%	
Total other financing sources	<u>(130,252)</u>	<u>(521,153)</u>	<u>(521,153)</u>	<u>(521,153)</u>	0%	
Net change in fund balance	(487,959)	(923,913)	(923,913)	<b>(544,384)</b>		
Beginning fund balance	<u>1,421,924</u>	<u>933,965</u>	<u>933,965</u>	<u>933,965</u>		
Ending fund balance	<u>\$ 933,965</u>	<u>\$ 10,052</u>	<u>\$ 10,052</u>	<u>\$ 389,581</u>		

VIII) OTHER FUNDS

**CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-LAW ENFORCEMENT TRUST FUND  
(100% OF YEAR COMPLETED)**

	FY2010-11 ACTUAL	FISCAL YEAR 2011-2012			% OF ACTUAL VS. BUDGET	NOTES
		ORIGINAL BUDGET	AMENDED BUDGET	AS OF 9/30/2012		
Revenues:						
Fines and Forfeitures	23,352			78,769	100%	
Interest Income	<u>5,004</u>	<u>10,000</u>	<u>10,000</u>	<u>1,281</u>	13%	
Total revenues	<u>28,356</u>	<u>10,000</u>	<u>10,000</u>	<u>80,050</u>	801%	
Expenditures:						
Administration Expenses	72,101	122,353	122,353	85,356	70%	
Police education	11,329	20,000	20,000	1,096	5%	
Capital Outlay	<u>72,904</u>	<u>-</u>	<u>-</u>	<u>6,373</u>	0%	
Total expenditures	<u>156,334</u>	<u>142,353</u>	<u>142,353</u>	<u>92,825</u>	65%	
Excess (deficiency) of revenues over expenditures	<u>(127,978)</u>	<u>(132,353)</u>	<u>(132,353)</u>	<u>(12,775)</u>	10%	
Net change in fund balance	(127,978)	(132,353)	(132,353)	(12,775)		
Beginning fund balance	<u>1,015,477</u>	<u>887,499</u>	<u>887,499</u>	<u>887,499</u>		
Ending fund balance	<u>\$ 887,499</u>	<u>\$ 755,146</u>	<u>\$ 755,146</u>	<u>\$ 874,724</u>		

VIII) OTHER FUNDS

**CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-CAPITAL FUND  
(100% OF YEAR COMPLETED)**

	FY2010-11 <u>ACTUAL</u>	FISCAL YEAR 2011-12			NOTES
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2012</u>	
<b>Revenues:</b>					
Intergovernmental	\$ 1,046,860	\$ -	\$ 97,257	\$ 97,257	100%
Interest and Other Income	-	-	161,770	161,770	0%
<b>Total revenues</b>	<u>1,046,860</u>	<u>-</u>	<u>259,027</u>	<u>259,027</u>	100%
<b>Expenditures:</b>					
General government	45,986	-	70,320	70,311	0%
Capital Outlay	1,484,800	-	309,932	236,870	76%
<b>Total expenditures</b>	<u>1,530,786</u>	<u>-</u>	<u>380,252</u>	<u>307,181</u>	81%
Excess (deficiency) of revenues over expenditures	<u>(483,926)</u>	<u>-</u>	<u>(121,225)</u>	<u>(48,154)</u>	0%
<b>Other financing sources</b>					
Transfers in	556,028	-	83,374	19,674	0%
<b>Total other financing sources</b>	<u>556,028</u>	<u>-</u>	<u>83,374</u>	<u>19,674</u>	0%
Net change in fund balance	<u>72,102</u>	<u>-</u>	<u>(37,851)</u>	<u>(28,480)</u>	0%
Beginning fund balance	<u>-</u>	<u>72,102</u>	<u>72,102</u>	<u>72,102</u>	
<b>Ending fund balance</b>	<u>72,102</u>	<u>72,102</u>	<u>34,251</u>	<u>\$ 43,622</u>	

VIII) OTHER FUNDS

**CITY OF MIAMI SPRINGS  
ACTUAL VS BUDGET REPORT-DEBT SERVICE FUND  
(100% OF YEAR COMPLETED)**

	FY2010-11 <u>ACTUAL</u>	FISCAL YEAR 2011-12			NOTES
		<u>ORIGINAL BUDGET</u>	<u>AMENDED BUDGET</u>	<u>AS OF 9/30/2012</u>	
<b>Revenues:</b>					
Property Taxes	\$ 382,947	\$ -	\$ -	\$ -	0%
Total revenues	<u>382,947</u>	<u>-</u>	<u>-</u>	<u>-</u>	0%
<b>Expenditures:</b>					
Principal Payments	476,305	427,598	427,598	428,297	100%
Interest Payments	189,025	141,880	141,880	140,282	99%
Administrative	<u>13,450</u>	<u>-</u>	<u>-</u>	<u>-</u>	0%
Total expenditures	<u>678,780</u>	<u>569,478</u>	<u>569,478</u>	<u>568,579</u>	100%
Excess (deficiency) of revenues over expenditures	<u>(295,833)</u>	<u>(569,478)</u>	<u>(569,478)</u>	<u>(568,579)</u>	100%
<b>Other financing sources</b>					
Transfers in	<u>306,919</u>	<u>569,478</u>	<u>569,478</u>	<u>519,478</u>	91%
Total other financing sources	<u>306,919</u>	<u>569,478</u>	<u>569,478</u>	<u>519,478</u>	91%
Net change in fund balance	<u>11,086</u>	<u>-</u>	<u>-</u>	<u>(49,101)</u>	100%
Beginning fund balance	<u>100,431</u>	<u>111,517</u>	<u>111,517</u>	<u>111,517</u>	
<b>Ending fund balance</b>	<u>111,517</u>	<u>111,517</u>	<u>111,517</u>	<u>\$ 62,416</u>	100%



**CITY OF MIAMI SPRINGS  
PROPOSED GENERAL FUND BALANCE DESIGNATIONS  
PROJECTED FISCAL YEAR 2012-2013**

<u>DESIGNATION</u>	<u>Balance 9/30/2012</u>	<u>FY2012-13</u>		<u>Balance 9/30/2013</u>
		<u>Additions</u>	<u>Reductions</u>	
<b>Senior Center:</b>				
Senior Center Building	19,945	-	-	19,945
<b>Total Senior Center Designations</b>	<u>19,945</u>	<u>-</u>	<u>-</u>	<u>19,945</u>
<b>Country Club Roof</b>	<u>60,120</u>	<u>-</u>	<u>-</u>	<u>60,120</u>
<b>Storage Tank-DERM project at the golf course</b>	<u>25,760</u>			<u>25,760</u>
<b>Downtown Revitalization</b>	<u>89,475</u>	<u>-</u>	<u>-</u>	<u>89,475</u>
<b>Westward Median</b>	<u>3,000</u>	<u>-</u>	<u>-</u>	<u>3,000</u>
<b>Contingency-Hurricane Costs</b>	<u>500,000</u>	<u>-</u>	<u>-</u>	<u>500,000</u>
<b>Pool improvements</b>	<u>260,133</u>	<u>-</u>	<u>-</u>	<u>260,133</u>
Total proposed designations	\$ 958,433	\$ -	\$ -	\$ 958,433
Encumbrances appropriated FY2013	\$ 86,325	\$ -		\$ 86,325
Total Available Fund Balance	<u>4,433,747</u>	<u>-</u>	<u>-</u>	<u>4,433,747</u>
Unrestricted, Undesignated fund Balance	<u>3,388,989</u>			<u>3,388,989</u>
				<u>25% of FY12-13 Budgeted expenditures.....</u>
				<u>\$ 3,506,927</u>
				<b>Excess(deficit) funds available for designation</b>
				<b>\$ (117,938)</b>

# CITY OF MIAMI SPRINGS



*Finance Department*  
 201 Westward Drive  
 Miami Springs, FL 33166-5289  
 Phone: (305) 805-5014  
 Fax: (305) 805-5037

**TO:** The Honorable Mayor Xavier Garcia and Members of the City Council  
**VIA:** Ron Gorland, City Manager  
**FR:** William Alonso, CPA, CGFO, Assistant City Manager/Finance Director *WAS*  
**DATE:** November 2, 2012  
**RE:** Golf Course (UNAUDITED) Financials for the year ended September 30, 2012

Attached hereto are the unaudited financial reports for the Golf Course Fund for the year ended 9/30/12. As in the past, the report is divided into three sections as follows: 1) Section A is a comparative profit and loss statement for the years ended September 30, 2012, 2011, and 2010. 2) Section B is a year-to-date actual to budget comparison for FY2012.

### Key Financial Indicators

The following are key year-to-date indicators from pages A-1 and A-2 of the attached report.

	Fiscal Year Ended <u>9/30/2012</u>	Fiscal Year Ended <u>9/30/2011</u>	% Change From 9/30/11	Fiscal Year Ended <u>9/30/2010</u>	% Change From 9/30/10
<b><u>Golf Operations:</u></b>					
Total Revenues	1,074,921	1,026,769	4.7%	1,023,139	5.1%
Operating Profit (Loss)	(244,855)	(279,322)	-12.3%	(355,012)	-31.0%
Profit(Loss)including non-golf costs	(286,456)	(414,281)	-30.9%	(1,552,050)	-81.5%
Pro Shop Costs	546,341	530,763	2.9%	534,132	2.3%
Maintenance Costs	773,435	775,328	-0.2%	844,019	-8.4%
Total Rounds Played	34,865	33,123	5.3%	33,388	4.4%
Total Greens Revenues	911,640	868,652	4.9%	881,250	3.4%
Average per Round	26.15	26.23	-0.3%	26.39	-0.9%
Memberships Sold	52,824	64,034	-17.5%	84,882	-37.8%
Driving Range revenues	98,907	94,688	4.5%	80,868	22.3%

**Key Financial Indicators (continued)**

As you can see from this matrix, the annual decline in revenues has stabilized and for FY2012 we are reporting a 4.7% increase from the prior year. YTD greens revenues are up 4.9% from last year, rounds played increased by 5.3% and memberships declined by 17.6%. Another positive indicator was that driving range revenues continue their upward trend, increasing 4.5% compared to last year. The total loss for FY2012 is down approximately 31% from last year, for FY2012 we will report a loss of \$286,456 compared to a loss of \$414,281 last year.

On the cost side, YTD maintenance costs have decreased by 0.2% from last year, while Pro shop costs are up 2.9% from last year due to higher advertising and promotions costs.

Page A-1 is a comparative profit and loss for the fiscal years ended 9/30/12, 9/30/11, and 9/30/10.

Page A-2 is a comparative profit and loss for the fiscal years ended 9/30/12, 9/30/11, and 9/30/10 for the pro shop operation only. The total YTD loss for the current year is \$263,727 compared to losses of \$390,212 as of 9/30/11 and a loss of \$1,517,402 as of 9/30/10.

Page B-1 provides an actual to budget comparison for the current fiscal year. We are currently reporting a total YTD loss as of September 2012 of \$286,456 compared to a budgeted annual loss of \$174,991. This budget variance is mainly due revenues coming in lower than budgeted. Page B-2 shows the pro shop operation for the period, the loss is \$263,727 compared to a budgeted annual loss of \$152,395.

Page C-1 is a rounds report for the fiscal year ended September 30, 2012.

**CITY OF MIAMI SPRINGS, FLORIDA  
ACTUAL VS ACTUAL-PRO SHOP OPERATIONS  
FOR THE PERIOD ENDING:**

	<u>9/30/2012</u>	<u>9/30/2011</u>	<u>9/30/2010</u>
<b>TOTAL PRO-SHOP AND GOLF COURSE- REVENUES</b>	<u>1,074,921</u>	<u>1,026,769</u>	<u>1,023,139</u>
<b>TOTAL PERSONNEL SERVICES</b>	279,616	292,220	297,901
<b>TOTAL OPERATING EXPENDITURES</b>	<u>1,040,160</u>	<u>1,013,871</u>	<u>1,080,250</u>
<b>TOTAL MANAGEMENT OPERATING EXPENDITURES</b>	<u>1,319,776</u>	<u>1,306,091</u>	<u>1,378,151</u>
<b>NET MANAGEMENT EXCESS OF EXP. OVER REV.</b>	<u>(244,855)</u>	<u>(279,322)</u>	<u>(355,012)</u>

**OTHER COSTS ASSOCIATED WITH OPERATIONS OF THE GOLF COURSE:**

<b>ADMINISTRATIVE EXPENSES</b>	22,729	24,069	34,648
<b>PROCEEDS FROM DEBT - MAINTENANCE</b>	-	-	(81,108)
<b>GRANT REVENUE</b>	-	-	(18,000)
<b>IMPROVEMENTS O/T BUILDINGS - ADMIN.</b>	-	-	1,092,925
<b>DEBT SERVICE PAYMENT-MAINTENANCE</b>	18,872	61,529	85,511
<b>MACHINERY &amp; EQUIPMENT</b>	-	-	1,954
<b>MACHINERY &amp; EQUIPMENT-MAINTENANCE</b>	-	49,361	81,108
<b>TOTAL OTHER COSTS ASSOCIATED WITH- OPERATIONS OF THE PRO-SHOP</b>	<u>41,601</u>	<u>134,959</u>	<u>1,197,038</u>
<b>EXCESS EXPENDITURES OVER REVENUES</b>	<u>\$ (286,456)</u>	<u>\$ (414,281)</u>	<u>\$ (1,552,050)</u>

**CITY OF MIAMI SPRINGS, FLORIDA  
ACTUAL VS ACTUAL-PRO SHOP OPERATIONS  
FOR THE PERIOD ENDING:**

	<u>9/30/2012</u>	<u>9/30/2011</u>	<u>9/30/2010</u>
<b>REVENUES</b>			
GREEN FEES	\$ 745,253	\$ 742,317	\$ 724,000
MEMBERSHIPS	52,824	64,034	84,882
CART REVENUES	113,563	62,301	72,368
RANGE FEES	98,907	94,688	80,868
GOLF - OTHER REVENUES	10,885	17,776	17,926
MERCHANDISE SALES	53,489	45,653	43,095
<b>TOTAL PRO SHOP REVENUES</b>	<u><b>1,074,921</b></u>	<u><b>1,026,769</b></u>	<u><b>1,023,139</b></u>
<b>PERSONNEL EXPENSES</b>			
REGULAR SALARIES	115,107	118,888	93,969
PART TIME SALARIES	115,814	130,571	170,483
OVERTIME	-	46	209
SEASONAL & OTHER	-	-	56
FICA TAXES	17,666	19,088	20,247
PENSION	16,546	11,698	5,532
MEDICAL INSURANCE	12,414	10,397	5,713
WORKER'S COMPENSATION	2,069	1,532	1,287
<b>TOTAL PERSONNEL SERVICES</b>	<u><b>279,616</b></u>	<u><b>292,220</b></u>	<u><b>297,901</b></u>
<b>OPERATING EXPENSES</b>			
CONTRACTUAL SERVICES	8,216	11,993	12,417
RENTALS AND LEASES	63,961	61,853	58,937
REPAIRS AND MAINTENANCE	4,281	8,036	23,884
PRINTING AND BINDING	2,962	3,250	-
PROMOTIONS & ADVERTISING	35,634	21,487	15,340
OTHER CHARGES - BANK & CREDIT CARD CHARGES	39,993	34,167	25,530
OPERATING SUPPLIES	8,398	6,327	8,688
UTILITY SERVICES-ELECTRICITY	28,783	25,620	24,455
UTILITY SERVICES-WATER	470	653	296
LIABILITY INSURANCE	12,778	13,718	13,056
TELECOMMUNICATIONS	14,049	9,427	8,832
MERCHANDISE	33,811	33,134	32,765
DRIVING RANGE	9,914	6,917	9,346
OFFICE SUPPLIES	2,518	1,110	1,918
DUES AND MEMBERSHIPS	957	851	767
<b>MAINTENANCE (Department Total)</b>	<u><b>773,435</b></u>	<u><b>775,328</b></u>	<u><b>844,019</b></u>
<b>TOTAL OPERATING EXPENDITURES</b>	<u><b>1,040,160</b></u>	<u><b>1,013,871</b></u>	<u><b>1,080,250</b></u>
<b>TOTAL PRO SHOP OPERATION EXPENDITURES</b>	<u><b>1,319,776</b></u>	<u><b>1,306,091</b></u>	<u><b>1,378,151</b></u>
<b>OPERATING PROFIT (LOSS) BEFORE OTHER COSTS</b>	<u><b>(244,855)</b></u>	<u><b>(279,322)</b></u>	<u><b>(355,012)</b></u>
<b>OTHER COSTS ASSOCIATED WITH OPERATIONS OF THE PRO-SHOP</b>			
DEBT SERVICE PAYMENT-MAINTENANCE	18,872	61,529	85,511
MACHINERY & EQUIPMENT-MAINTENANCE	-	49,361	81,108
PROCEEDS FROM DEBT -MAINTENANCE	-	-	(81,108)
MACHINERY & EQUIPMENT	-	-	1,954
GRANT FUNDS	-	-	(18,000)
IMPROVEMENT O/T BUILDINGS - MAINTENANCE	-	-	1,092,925
<b>TOTAL OTHER COSTS ASSOCIATED WITH- OPERATIONS OF THE PRO-SHOP</b>	<u><b>18,872</b></u>	<u><b>110,890</b></u>	<u><b>1,162,390</b></u>
<b>NET PROFIT (LOSS)</b>	<u><b>\$ (263,727)</b></u>	<u><b>\$ (390,212)</b></u>	<u><b>\$ (1,517,402)</b></u>

**CITY OF MIAMI SPRINGS, FLORIDA  
GOLF COURSE  
ACTUAL VS ACTUAL- MAINTENANCE EXPENSES  
FOR THE PERIOD ENDING:**

**MAINTENANCE**

	<u>9/30/2012</u>	<u>9/30/2011</u>	<u>9/30/2010</u>
<b>PERSONAL SERVICES</b>			
REGULAR SALARIES	\$ 66,478	\$ 69,432	\$ 122,794
OVERTIME	-	-	514
PAYROLL TAXES	5,085	5,312	9,294
PENSION	9,565	6,978	6,989
MEDICAL INSURANCE	6,247	6,180	12,976
UNEMPLOYMENT COMPENSATION	-	8,495	3,230
WORKER'S COMPENSATION	1,236	935	902
<b>TOTAL PERSONAL SERVICES</b>	<u>88,611</u>	<u>97,332</u>	<u>156,699</u>
<b>OPERATING EXPENSES</b>			
PROFESSIONAL SERVICES	-	82	1,753
CONTRACTUAL SERVICES	368,349	343,275	350,402
REPAIRS AND MAINTENANCE	57,589	50,218	71,025
UTILITY SERVICES-ELECTRICITY	28,612	28,976	34,151
UTILITY SERVICES-WATER	7,605	6,280	11,998
OPERATING SUPPLIES	158,815	174,755	164,202
FUEL, OILS, LUBRICANTS	44,191	47,722	31,691
TOOLS	-	3,998	-
LIABILITY INSURANCE	9,202	10,501	11,736
TELECOMMUNICATIONS	647	637	603
DUES AND SUBSCRIPTIONS	-	-	300
UNIFORMS	911	998	1,246
RENTALS AND LEASES	8,903	10,554	8,223
<b>TOTAL OPERATING EXPENSES :</b>	<u>684,824</u>	<u>677,996</u>	<u>687,320</u>
IMPROVEMENT O/T BUILDINGS	-	-	1,092,925
MACHINERY AND EQUIPMENT	-	49,361	81,108
<b>TOTAL CAPITAL OUTLAY :</b>	<u>-</u>	<u>49,361</u>	<u>1,174,033</u>
PRINCIPAL PAYMENTS	18,872	61,529	85,511
INTEREST	-	-	-
<b>TOTAL DEBT SERVICE</b>	<u>18,872</u>	<u>61,529</u>	<u>85,511</u>
<b>TOTAL MAINTENANCE</b>	<u>\$ 792,307</u>	<u>\$ 886,218</u>	<u>\$ 2,103,563</u>

**CITY OF MIAMI SPRINGS, FLORIDA  
GOLF COURSE  
ACTUAL VS ACTUAL- ADMINISTRATION EXPENSES  
FOR THE PRIOD ENDING:**

**ADMINISTRATION**

	<u>9/30/2012</u>	<u>9/30/2011</u>	<u>9/30/2010</u>
<b>OPERATING EXPENSES</b>			
PROFESSIONAL SERVICES - LEGAL	-	108	479
CONTRACTUAL SERVICES	-	405	451
UTILITY SERVICES-ELECTRICITY	9,794	9,512	9,402
UTILITY SERVICES-WATER	-	1,288	
REPAIRS AND MAINTENANCE	-	943	1,949
RISK MANAGEMENT	12,935	11,813	21,652
<b>TOTAL OPERATING EXPENSES :</b>	<u>22,729</u>	<u>24,069</u>	<u>34,648</u>
<b>TOTAL ADMINISTRATION</b>	<u>\$ 22,729</u>	<u>\$ 24,069</u>	<u>\$ 34,648</u>

CITY OF MIAMI SPRINGS, FLORIDA  
 GOLF & COUNTRY CLUB  
 ACTUAL VERSUS BUDGET  
 FOR THE PERIOD ENDING 9/30/12

	<u>YTD Actual</u>	<u>YTD Budget</u>	<u>Variance Positive (Negative)</u>
TOTAL PRO-SHOP- REVENUES	<u>1,074,921</u>	<u>1,193,078</u>	<u>(118,157)</u>
TOTAL OPERATING EXPENDITURES	<u>1,319,776</u>	<u>1,326,601</u>	<u>6,825</u>
OPERATING PROFIT (LOSS) BEFORE CAPITAL EXPENDITURES AND DEBT SERVICE PAYMENTS	<u>(244,855)</u>	<u>(133,523)</u>	<u>(111,332)</u>
<u>OTHER REVENUES, TRANSFERS, AND EXPENDITURES:</u>			
DEBT SERVICE PAYMENT-MAINTENANCE	<u>18,872</u>	<u>18,872</u>	<u>-</u>
TOTAL CAPITAL EXPENDITURES AND DEBT SERVICE PAYMENTS	<u>18,872</u>	<u>18,872</u>	<u>-</u>
OPERATING PROFIT (LOSS) BEFORE NON-OPERATING COSTS	<u>(263,727)</u>	<u>(152,395)</u>	<u>(111,332)</u>
<u>NON-OPERATING COSTS:</u>			
CITY ADMINISTRATIVE EXPENSES	<u>22,729</u>	<u>22,596</u>	<u>(133)</u>
TOTAL OTHER NON-OPERATING COSTS	<u>22,729</u>	<u>22,596</u>	<u>(133)</u>
OPERATING PROFIT (LOSS)	<u>\$ (286,456)</u>	<u>\$ (174,991)</u>	<u>\$ (111,465)</u>



**CITY OF MIAMI SPRINGS, FLORIDA  
ACTUAL VS BUDGET-PRO SHOP OPERATIONS  
FOR THE PERIOD ENDING 9/30/12**

	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>Variance Positive (Negative)</u>
<b>REVENUES</b>			
GREEN FEES	\$ 745,253	\$ 854,728	\$ (109,475)
MEMBERSHIPS	52,824	83,438	(30,614)
CART REVENUES	113,563	86,247	27,316
RANGE FEES	98,907	99,615	(708)
GOLF - OTHER REVENUES	10,885	11,273	(388)
MERCHANDISE SALES	53,489	57,777	(4,288)
<b>TOTAL PRO SHOP REVENUES</b>	<u>1,074,921</u>	<u>1,193,078</u>	<u>(118,157)</u>
<b>PERSONNEL EXPENSES</b>			
REGULAR SALARIES	115,107	117,915	2,808
PART TIME SALARIES	115,814	111,755	(4,059)
FICA TAXES	17,666	16,660	(1,006)
PENSION	16,546	12,652	(3,894)
MEDICAL INSURANCE	12,414	12,735	321
WORKER'S COMPENSATION	2,069	1,723	(346)
UNEMPLOYMENT COMPENSATION	-	-	-
<b>TOTAL PERSONNEL SERVICES</b>	<u>279,616</u>	<u>273,440</u>	<u>(6,176)</u>
<b>OPERATING EXPENSES</b>			
CONTRACTUAL & PROFESSIONAL SERVICES	8,216	11,200	2,984
RENTALS AND LEASES	63,961	62,160	(1,801)
REPAIRS AND MAINTENANCE	4,281	4,700	419
PRINTING AND BINDING	2,962	5,250	2,288
PROMOTIONS & ADVERTISING	35,634	34,650	(984)
OTHER CHARGES - BANK & CREDIT CARD CHARGES	39,993	29,700	(10,293)
OPERATING SUPPLIES	8,398	9,500	1,102
UTILITY SERVICES-ELECTRICITY	28,783	25,117	(3,666)
UTILITY SERVICES-WATER	470	415	(55)
LIABILITY INSURANCE	12,778	11,493	(1,285)
TELECOMMUNICATIONS	14,049	10,916	(3,133)
MERCHANDISE	33,811	34,800	989
DRIVING RANGE	9,914	12,000	2,086
OFFICE SUPPLIES	2,518	2,000	(518)
DUES AND MEMBERSHIPS	957	507	(450)
<b>MAINTENANCE (Department Total)</b>	<u>773,435</u>	<u>798,753</u>	<u>25,318</u>
<b>TOTAL OPERATING EXPENDITURES</b>	<u>1,040,160</u>	<u>1,053,161</u>	<u>13,001</u>
<b>TOTAL PRO SHOP OPERATION EXPENDITURES</b>	<u>1,319,776</u>	<u>1,326,601</u>	<u>6,825</u>
<b>OPERATING PROFIT (LOSS) BEFORE OTHER COSTS</b>	<u>(244,855)</u>	<u>(133,523)</u>	<u>(111,332)</u>
<b>OTHER (REVENUES) COSTS ASSOCIATED WITH OPERATIONS OF THE PRO-SHOP</b>			
TRANSFERS TO DEBT SERVICE FUND	18,872	18,872	-
IMPROVEMENT O/T BUILDINGS	-	-	-
<b>TOTAL OTHER (REVENUES) COSTS ASSOCIATED WITH- OPERATIONS OF THE PRO-SHOP</b>	<u>18,872</u>	<u>18,872</u>	<u>-</u>
<b>NET PROFIT (LOSS)</b>	<u>\$ (263,727)</u>	<u>\$ (152,395)</u>	<u>\$ (111,332)</u>

**CITY OF MIAMI SPRINGS, FLORIDA  
GOLF COURSE  
ACTUAL VS BUDGET- MAINTENANCE EXPENSES  
FOR THE PERIOD ENDING 9/30/12**

<u>MAINTENANCE</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>Variance Positive (Negative)</u>
<b>PERSONAL SERVICES</b>			
REGULAR SALARIES	\$ 66,478	\$ 68,534	\$ 2,056
PAYROLL TAXES	5,085	4,788	(297)
PENSION	9,565	7,354	(2,211)
MEDICAL INSURANCE	6,247	6,259	12
UNEMPLOYMENT COMPENSATION	-	1,500	1,500
WORKER'S COMPENSATION	1,236	1,028	(208)
<b>TOTAL PERSONAL SERVICES</b>	<u>88,611</u>	<u>89,463</u>	<u>852</u>
<b>OPERATING EXPENSES</b>			
PROFESSIONAL SERVICES	-	3,000	3,000
CONTRACTUAL SERVICES	368,349	368,436	87
REPAIRS AND MAINTENANCE	57,589	66,854	9,265
UTILITY SERVICES-ELECTRICITY	28,612	27,825	(787)
UTILITY SERVICES-WATER	7,605	6,638	(967)
OPERATING SUPPLIES	158,815	170,000	11,185
FUEL, OILS, LUBRICANTS	44,191	44,650	459
TOOLS	-	2,000	2,000
LIABILITY INSURANCE	9,202	8,459	(743)
TELECOMMUNICATIONS	647	606	(41)
EDUCATION AND TRAINING	-	250	250
UNIFORMS	911	1,500	589
RENTALS AND LEASES	8,903	9,072	169
<b>TOTAL OPERATING EXPENSES :</b>	<u>684,824</u>	<u>709,290</u>	<u>24,466</u>
TRANSFERS TO DEBT SERVICE FUND	<u>18,872</u>	<u>18,872</u>	<u>-</u>
<b>TOTAL DEBT SERVICE</b>	<u>18,872</u>	<u>18,872</u>	<u>-</u>
<b>TOTAL MAINTENANCE</b>	<u>\$ 792,307</u>	<u>\$ 817,625</u>	<u>\$ 25,318</u>

CITY OF MIAMI SPRINGS, FLORIDA  
 GOLF COURSE  
 ACTUAL VS BUDGET- ADMINISTRATION EXPENSES  
 FOR THE PERIOD ENDING 9/30/12

<u>ADMINISTRATION</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>Variance Positive (Negative)</u>
<b>OPERATING EXPENSES</b>			
PROFESSIONAL SERVICES - LEGAL	-	200	200
CONTRACTUAL SERVICES	-	700	700
UTILITY SERVICES-ELECTRICITY	9,794	8,300	(1,494)
REPAIRS AND MAINTENANCE	-	1,500	1,500
RISK MANAGEMENT	12,935	11,896	(1,039)
<b>TOTAL OPERATING EXPENSES :</b>	<u>22,729</u>	<u>22,596</u>	<u>(133)</u>
<b>TOTAL ADMINISTRATION</b>	<b>\$ 22,729</b>	<b>\$ 22,596</b>	<b>\$ (133)</b>

CHART E

MIAMI SPRINGS GOLF & COUNTRY CLUB  
ANALYSIS OF ROUNDS PLAYED  
FOR THE FISCAL YEARS ENDING:

**GREEN & CART FEES**

TYPE
RACK RATES

	9/30/2012					9/30/2011		
	Number	%	Revenues	%	Avg Per Round	Number	Revenues	Avg Per Round
Weekend Non-Resident	1,532	4.4%	73,768	7.9%	48.15	1,674	80,358	48.00
Weekday Non-Resident	1,070	3.1%	40,323	4.3%	37.69	966	35,673	36.93
Weekend/Holiday Resident	1,520	4.4%	62,891	6.8%	41.38	615	26,146	42.51
Weekday Resident	457	1.3%	11,003	1.2%	24.08	367	12,981	33.54
<b>TOTALS FOR TOP RACK RATES</b>	<b>4,679</b>	<b>13.1%</b>	<b>\$ 187,985</b>	<b>20.2%</b>	<b>\$ 41.05</b>	<b>3,913</b>	<b>\$ 168,975</b>	<b>\$ 43.18</b>
<b>SEASONAL(A); DISCOUNT(B); PROMOTIONAL RATES(C)</b>								
resident Weekend > 11:00 (B)	796	2.3%	28,532	3.1%	35.84	892	31,484	35.30
Non resident Weekend > 11:00 (B)	701	2.0%	27,088	2.9%	38.64	850	32,879	38.68
Twilight-Weekday	1,312	3.8%	39,607	4.3%	30.19	1,654	49,588	29.98
Twilight-Weekend	2,490	7.1%	80,289	8.6%	32.24	2,347	75,636	32.23
Super Twilight (after 4)	608	1.7%	11,363	1.2%	18.69	2,259	42,221	18.69
Tee Time USA	2	0.0%	73	0.0%	36.50	21	738	35.14
Shootout (C)	752	2.2%	18,769	2.0%	24.96	797	20,359	25.54
<b>Seniors Weekday</b>	<b>10,533</b>	<b>30.2%</b>	<b>270,466</b>	<b>29.1%</b>	<b>25.66</b>	<b>8,481</b>	<b>220,730</b>	<b>26.03</b>
Group Rate Weekend (B)	1,061	3.0%	46,303	5.0%	43.64	1,322	55,910	42.29
Spectator	34	0.1%	612	0.1%	18.00	28	504	18.00
Prime Timers (C)	346	1.0%	7,423	0.8%	21.45	339	7,109	20.97
Teacher, Police, Fire	183	0.5%	4,588	0.5%	25.07	189	4,855	25.69
Men's Golf Assoc.(A)	232	0.7%	9,646	1.0%	41.58	284	11,848	41.72
Weekday resident Walking	667	1.9%	3,115	0.3%	4.67	-	-	-
Junior	115	0.3%	859	0.1%	7.47	426	3,182	7.47
Junior with Parent	88	0.3%	1,583	0.2%	17.99	102	1,835	17.99
PGA Member	240	0.7%	4,318	0.5%	17.99	280	5,037	17.99
Can-Am Golf (B)	76	0.2%	2,107	0.2%	27.72	334	9,362	28.03
Tax Exempt Tournament	593	1.7%	15,699	1.7%	26.47	1,140	27,935	24.50
Replay 18 Holes	-	0.0%	-	0.0%	-	4	75	18.75
Replay 9 Holes	17	0.0%	203	0.0%	11.94	17	203	11.94
<b>TOTALS FOR OTHER DISCOUNTED RACK RATES</b>	<b>20,846</b>	<b>59.8%</b>	<b>\$ 572,643</b>	<b>61.6%</b>	<b>\$ 27.47</b>	<b>20,503</b>	<b>\$ 588,041</b>	<b>\$ 28.68</b>
<b>TOTALS FOR ALL RACK RATES</b>	<b>25,425</b>	<b>72.9%</b>	<b>\$ 760,628</b>	<b>81.8%</b>	<b>\$ 29.92</b>	<b>24,416</b>	<b>\$ 757,016</b>	<b>\$ 31.00</b>
<b>Membership Activity:</b>								
Member 18 Hole cart	5,816	16.7%	108,702	11.7%	18.69	2,996	55,995	18.69
Weekday resident Cart Fee	78	0.2%	1,822	0.2%	23.36	-	-	-
9-Hole Member Cart Rate	345	1.0%	4,113	0.4%	11.92	387	4,613	11.92
Trail Fee	2	0.0%	1,550	0.2%	775.00	2	775	-
Membership pro rated income	-	0.0%	52,824	5.7%	-	-	64,034	-
Member walk	3,199	9.2%	-	0.0%	-	4,330	-	0
<b>TOTALS FOR ALL MEMBER ROUNDS</b>	<b>9,440</b>	<b>27.1%</b>	<b>\$ 169,011</b>	<b>18.2%</b>	<b>\$ 17.90</b>	<b>8,972</b>	<b>\$ 156,583</b>	<b>\$ 17.45</b>
<b>TOTALS FOR ALL PAID ROUNDS THRU 9/30/12</b>	<b>34,865</b>	<b>100.0%</b>	<b>\$ 929,639</b>	<b>100.0%</b>	<b>\$ 26.66</b>	<b>33,388</b>	<b>\$ 913,599</b>	<b>\$ 27.36</b>
Employee Rounds	16	-	-	-	-	66	-	-
Comp rounds	20	-	-	-	-	21	-	-

Note:

Data from GolfTrac application with exception of Membership Pro Rated Income from HTE.

# CITY OF MIAMI SPRINGS



Agenda Item No.

City Council Meeting of:

11-19-2012

Finance Department  
201 Westward Drive  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5014  
Fax: (305) 805-5037

TO: MAYOR ZAVIER GARCIA AND MEMBERS OF THE CITY COUNCIL

VIA: RON GORLAND, CITY MANAGER *RW*

FR: WILLIAM ALONSO, ASSISTANT CITY MANAGER/ FINANCE DIRECTOR *WAL*

DATE: NOVEMBER 7, 2012

SUBJECT: UPDATE TO PROPOSED FUND BALANCE DESIGNATIONS

Since we have now completed closing our books for FY2012, we are providing you with a preliminary "Proposed Fund Balance Designations" (attachment A) in an effort to update these designations for FY2013. Please keep in mind that these are "unaudited numbers" and may change after our external audit is completed, however we feel confident that there will not be any significant changes to these figures.

As you can see from this report, we finished FY2012 with an available fund balance of \$4,433,747. This means that we must reduce our current designations by \$111,011 so that we can maintain our 25% requirement.

The amount available for designation this year is \$847,422, the balance of the \$4,433,747 fund balance is used as follows: \$86,325 in encumbrances that were appropriated in the FY2013 budget, and \$3,500,000 to be retained as unreserved, undesignated according to the GFOA.

The GFOA recommends that a minimum of 15% of annual expenses be maintained as an undesignated, unrestricted fund balance. However, higher percentages should be used in those areas designated high risk to natural disasters, that is why after these designations Miami Springs will have approximately 25% of annual expenditures as undesignated, unrestricted fund balance.

These Council designations may be reduced, increased, transferred, or otherwise cancelled by the Council at anytime. The purpose of the designations is to designate funds for future needs and projects of the City. It also ensures that residents and/or outside third parties understand that the City is planning for the future needs of the community and how to fund for those needs.

In order to assist Council in analyzing future needs of the city, we prepared a listing of projected needs and projects over the next five years (attachment B)

As in the past, we will monitor and report to council on an interim basis as to the status of the designations. Council will approve any usage of funds from these designations before expenditures are incurred.

**CITY OF MIAMI SPRINGS  
PROPOSED GENERAL FUND BALANCE DESIGNATIONS  
PROJECTED FISCAL YEAR 2012-2013**

<u>DESIGNATION</u>	<u>Balance 9/30/2012</u>	<u>FY2012-13</u>		<u>Balance 9/30/2013</u>
		<u>Additions</u>	<u>Reductions</u>	
<b>Senior Center:</b>				
Senior Center Building	19,945	-	-	19,945
<b>Total Senior Center Designations</b>	<b>19,945</b>	<b>-</b>	<b>-</b>	<b>19,945</b>
<b>Country Club Roof</b>	<b>60,120</b>	<b>-</b>	<b>-</b>	<b>60,120</b>
<b>Storage Tank-DERM project at the golf course</b>	<b>25,760</b>			<b>25,760</b>
<b>Downtown Revitalization</b>	<b>89,475</b>	<b>-</b>	<b>-</b>	<b>89,475</b>
<b>Westward Median</b>	<b>3,000</b>	<b>-</b>	<b>-</b>	<b>3,000</b>
<b>Contingency-Hurricane Costs</b>	<b>500,000</b>	<b>-</b>	<b>-</b>	<b>500,000</b>
<b>Pool improvements</b>	<b>260,133</b>	<b>-</b>	<b>-</b>	<b>260,133</b>
Total proposed designations	\$ 958,433	\$ -	\$ -	\$ 958,433
Encumbrances appropriated FY2013	\$ 86,325	\$ -		\$ 86,325
Total Available Fund Balance	<u>4,433,747</u>	<u>-</u>	<u>-</u>	<u>4,433,747</u>
Unrestricted, Undesignated fund Balance	<u>3,388,989</u>			<u>3,388,989</u>
25% of FY12-13 Budgeted expenditures.....				<u>\$ 3,500,000</u>
<b>Excess(deficit) funds available for designation</b>				<u>\$ (111,011)</u> ✖

## Attachment B


### CITY OF MIAMI SPRINGS CAPITAL IMPROVEMENT PLAN (5 YEARS)

	Totals
<b>GOLF COURSE</b>	
Cart Barn	300,000
T-Boxes	180,000
Renovate sand bunkers	30,000
Renovate restrooms	80,000
<b>General Projects</b>	
Tennis Courts at the Golf Course	550,000
New Water Park	3,500,000
<b>RECREATION</b>	
Prince Field Lighting Project	130,000
New truck	20,000
Perimeter Fence at Prince Field	30,000
Replace Playground Surface at Prince/Pdove	10,000
Replace Bleacher at Prince with Shade Structure	80,000
Replace Mounds at Prince Field	3,400
Shade Structures at Stafford for new and existing	80,000
Replace Vita Course at Stafford Park	75,000
Repave Vita Course Track	30,000
Vita Course Lights	165,000
5 Tier bleachers for Community Center	16,000
Laser Grade and Clay to Ballfields	30,000
New Park Benches, Trash Receptacles and Picnic	40,000
Community Center paint	50,000
Re-sod Prince and Stafford Fields	300,000
Re-Paint Concession Stands at Stafford and PD	30,000
Replace Playground at Prince Field	100,000
Resurface and Repaint Gym Floor w/ City Logo	20,000
Resurface Gym Floor	15,000
Replace Playground at Peavy Dove	50,000
Replace Sand Pro	10,000
Tables/Trash Receptacles at Dog Park and Tennis	35,000
<b>PUBLIC WORKS</b>	
Replace 10 Interior Lamps On Main Circle	15,900
Re-piping of galvanizes water lines at City hall	75,000
Re-building the gazebo on the Circle possibly in concrete	15,000
Curbing around the Circle	35,000
Re-roofing main Building at Public Works	25,000
Re-roof City Hall	40,000
Replace three A/C units at the Country Club	15,000
<b>ELDERLY SERVICES</b>	
Bldg Addition & Replacement of Sliding Glass Walls	400,000
<b>TOTAL</b>	<b>6,580,300</b>




Agenda Item No.

City Council Meeting of:

11-19-2012 

City Manager Department  
201 Westward Drive  
Miami Springs FL 33166  
305-805-5010

TO: Honorable Mayor Garcia and Members of the City Council

FROM: Ron Gorland, City Manager 

DATE: November 15, 2012

SUBJECT: Consideration regarding cancellation of the second Council meeting in December

As has been the practice of past Councils, the City Administration request Council consider cancelling subject meeting currently scheduled for December 24<sup>th</sup>.