



City of Miami Springs, Florida

The Miami Springs City Council held a **SPECIAL MEETING** in the Council Chambers at City Hall on Monday, July 8, 2013, at 5:01 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 5:02 p.m.

The following were present: Mayor Xavier M. Garcia
Vice Mayor Michael Windrem
Councilman Billy Bain
Councilman Jaime A. Petralanda

Absent: Councilman George V. Lob

Also Present: City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Professional Services Supervisor Tammy L. Romero
Clerical Assistant Elora R. Sakal

2. Invocation: Mayor Garcia offered the invocation.

3. Recommendation that Council Approve an Expenditure of \$130,000.00 to Musco Lighting for Replacing the Fixtures on all Existing Poles at Prince Field, as a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code

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

"The hurricane season of 2005, with its devastating dual impacts of Katrina and Wilma, resulted in severe damage to the lighting fixtures on Prince Field. The existing fixtures, originally installed in 1991 on poles dating from the 1970's, were already obsolete technology. During repairs it was discovered that the fixtures had been bent by wind damage and some had broken off and could not be replaced. The lights are unable to sustain adequate lighting over the life of the bulbs, resulting in poor and deteriorating illumination. Additionally, the fixtures are no longer able to be aimed at the areas they need to illuminate for general safety and visibility.

On July 2, 2013, the City was notified in writing (Attachment A) of the award of a grant in the amount of \$130,000.00 we applied for on June 12, 2013 with the Florida Department of Agriculture and Consumer Services - Office of Energy. This grant-funded project promotes and increases the energy efficiency, safety, playability of the fields and public enjoyment of the park by replacing the fixtures on all 12 existing poles with 32 brighter, more efficient, durable and reliable Sportscluster energy-saving "green" pole top luminaire assemblies. Musco Lighting's quote (Attachment B) is considered a sole source (refer to Attachment C). The cost is \$130,000. Funding is the grant source, Florida Department of Agriculture and Consumer Services - Office of Energy. The grant number is ARE070."

City Attorney Seiden stated that the first item for Council approval is the purchase to the sole source provider. Professional Services Supervisor Tammy Romero has met with representatives from Musco Lighting and from the State. This is a reimbursement grant so the City is required to spend the funds first and then the State is billed for reimbursement. These types of grants are all subject to two limitations and apparently one of the reasons that the City received the grant is because the State is at the end of their funding cycle.

City Attorney Seiden said that the award letter states that *"this is not a guarantee of funding, as Department staff will need to verify the information in your application prior to final determination of eligibility."*

Professional Services Supervisor Tammy Romero commented that she received clarification from Mr. Michael Mitchells who will be meeting with her on Wednesday to sum up and finalize the eligibility for the City of Miami Springs. To become eligible, the City had to qualify and it did. Secondly, representatives have to come out to make sure that the light fixtures are not on a golf course or in a pool facility, and that there is a need for the fixtures on existing poles.

To answer Mayor Garcia's question, Ms. Romero responded that if the City does not qualify or meet the inspection on Wednesday, there is no obligation for the purchase.

City Attorney Seiden clarified that the City is under a very strict deadline. The only reason why the City received the grant is because they promised that this project would be completed by August 31, 2013.

Ms. Romero stated that she is working on the draft contract with Musco Lighting and she will stipulate in the contract that it must be completed by August 16th or sooner. This way it is ensured that the project is completed and the required paperwork has been done, including proof of payment.

Councilman Bain moved the item. Vice Mayor Windrem seconded the motion, which was carried 4-0 on roll call vote.

4. Acceptance of Grant for the Renovation and Replacement of Lighting at Prince Field in the Amount of \$130,000, and Authorization to Execute Grant Agreement ARE070

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

"On July 2, 2013, the City was notified of the award of a grant in the amount of \$130,000.00 we applied for on June 12, 2013 with the Florida Department of Agriculture and Consumer Services - Office of Energy. We are requesting authorization to execute Grant Agreement ARE070."

City Attorney Seiden said that the only additional limitation for this item is that there is funding, subject to acceptable appropriation by the State. He has no reason to believe that they would not appropriate the funds and he believes that there will be no problem.

Vice Mayor Windrem moved the item. Councilman Petralanda seconded the motion.

To answer Councilman Bain's question, City Attorney Seiden replied that the City would not be qualified to execute the contract if the City does not become eligible for the grant.

Ms. Romero clarified that there has been no contract with the vendor at this time. She must provide proof of approval from Council and then the Office of Energy has to see the contract language and they must approve it. Once it is approved, a pre-construction meeting can be held with the contractor and all of the appropriate insurances and requirements can be obtained from them.

City Attorney Seiden said that Ms. Romero had already done a lot of work in advance. Musco Lighting is working with the City because of the short timeframe and by the time the grant is approved, everything will be ready.

Mayor Garcia commented that this is not being done just because the City received a grant; it is a project that has been necessary for a long time and the City could not afford it.

City Attorney Seiden stated that it is likely that someone else was unable to complete their grant in time or under the conditions of the grant and this is why the grant was offered to the City.

The City Attorney agreed with the Mayor that the City would be getting \$130,000 for new lights at the baseball field for only \$4,000.00.

The motion was carried 4-0 on roll call vote.

5. Approval of the City Attorney's Invoice for June 2013 in the Amount of \$13,365.00

There was no discussion regarding this item.

Councilman Bain moved the item. Councilman Petralanda seconded the motion, which was carried 4-0 on roll call vote.

6. Request for Funding for MSSH Mu Alpha Theta

City Manager Gorland read the memo which stated that the Mu Alpha Theta team from Miami Springs Senior High School will be competing at the National Convention in San Diego at the end of this month. Unfortunately, at the last minute, two sources of funding totaling \$1,500 have not been funded to the Club. This is leaving them with a \$1,500 invoice to be paid for the bus company transporting them within California.

City Manager Gorland stated that the students have individually tried to solicit funds to help pay this \$1,500 shortfall, but because of school board regulations, they have been unable to arrange a significant fundraiser in this short time. They are asking that the City consider this request to fund \$1,500 for the Miami Springs High Mu Alpha Theta team. The funding is proposed to come from the Mayor and Council/Promotions account.

To answer Mayor Garcia's question, Ms. Cari Martinez replied that the trip is scheduled for July 19th. She commented that she is coming before Council as a private citizen and a parent within the Club and not from the Club itself because of School Board regulations. She distributed a copy of the invoice that is in question. The funds would have to be paid through the school in order for it to fall under the School Board rules and to be protected by the insurance of the School Board while the students are on the trip.

Ms. Martinez added that the funding that fell through was a Scholar Athlete Award that had been given to her daughter that was supposed to go to the school. The check was earmarked directly to the Athletic Department and so the school is bound by the law and School Board rules to leave it in that account.

Mayor Garcia stated that Council does not have the funds in their budget for this request. Since he has been sitting as Mayor, Council has not had funds for these types of requests because they have chosen not to raise taxes and to ensure that the residents receive the core municipal services. He encouraged Ms. Martinez to have her daughter draft a letter to Council requesting that they reach out to their commercial and corporate contacts with an explanation like the one that was given tonight. Council can then forward the request on to their contacts in a matter of a couple of days.

Mayor Garcia commented that he cannot promise anything, but it has happened already with numerous clubs that have come before Council and they have been able to get help. He used the young ladies from All Angels as an example and said that they close to doubled what they needed by the help of Council forwarding the letter to their contacts. He does not want to set a precedent by approving this request.

Vice Mayor Windrem commented that he was in Mu Alpha Theta in Junior High School and High School at MAST Academy. He believes that it is important and worthwhile. He said that Miami Springs Realty can write them a check as a donation. He asked Ms. Martinez to have her daughter forward the letter to Council and he will find other businesses as well.

Ms. Martinez thanked Vice Mayor Windrem and said that she truly appreciates his help.

Councilman Petralanda asked what would happen if the Club was not able to collect the funds and Ms. Martinez replied that the students would be asked to provide more money, which some cannot afford.

Mayor Garcia noted that Ms. Martinez should include a deadline for the receipt of the funds, who the check should be made payable to in bold letters and her contact information.

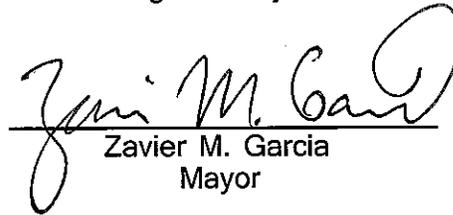
Councilman Bain suggested that there be a provision that if the Club does not raise the funds by the specific date then the City Manager would have the opportunity to cover the expense, under his purchasing discretion, with the commitment that the Club would pay back the funds.

Mayor Garcia stated that that is something he is trying to avoid because by allowing this provision, every Club could ask for funds and promise to pay them back. The funds are not included in the budget since economic times are difficult and this is why he would not want to do something like Councilman Bain suggested, even though he appreciates his recommendation.

Ms. Martinez thanked the Mayor and Council.

7. Adjournment

There being no further business to be discussed the meeting was adjourned at 5:26 p.m.


Zavier M. Garcia
Mayor

ATTEST:


Flora R. Sakal
Clerical Assistant



Approved as written during meeting of: 08-12-2013

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