



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, October 14, 2013, at 7:00 p.m.

1. Call to Order/Roll Call

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

The following were present:

Mayor Xavier M. Garcia
Vice Mayor Billy Bain
Councilman Michael Windrem
Councilman George V. Lob
Councilman Jaime A. Petralanda

Also Present:

City Manager Ronald K. Gorland
Assistant City Manager/Finance Director William Alonso
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Planning and Zoning Director James H. Holland
Recreation Director Omar L. Luna
Building & Code Compliance Director H. "Tex" Ziadie
Public Works Director Thomas Nash
Acting City Clerk Suzanne S. Hitaffer

2. Invocation: Councilman Petralanda

Salute to the Flag: Students from Blessed Trinity School will lead the audience in the Pledge of Allegiance and Salute to the Flag

Councilman Petralanda invited students from Hialeah Gardens Middle School and they led the audience in the Pledge of Allegiance and salute to the flag.

The Mayor presented baseball caps to the students who participated in the salute to the flag.

3. Awards & Presentations:

3A) Proclamation – “Long Term Care Residents’ Rights Month”

Mayor Garcia read the proclamation in its entirety.

A representative from the Long Term Care thanked the Mayor and Council on behalf of the residents in long term care facilities.

Mayor Garcia thanked Fair Havens for all of the services that they provide.

3B) Yard of the Month – October 2013 – Julio Trujillo – 350 Navarre Drive

Julio Trujillo was not present to accept the award.

4. Open Forum: No Speakers

5. Approval of Council Minutes: (Agenda Items 5A-5E were approved simultaneously)

5A) 08-26-2013 – Regular Meeting

Minutes of the August 26, 2013 City Council Regular meeting were approved as written.

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

5B) 09-09-2013 – Regular Meeting

Minutes of the September 9, 2013 City Council Regular meeting were approved as written.

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

5C) 09-16-2013 – Special Meeting

Minutes of the September 16, 2013 City Council Special meeting were approved as written.

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

5D) 09-23-2013 – Regular Meeting

Minutes of the September 23, 2013 Regular meeting were approved as written.

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

5E) 10-03-2013 – Special Meeting

Minutes of the October 3, 2013 City Council Special meeting were approved as written.

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

6. Reports from Boards & Commissions:

6A) 07-12-2013 – General Employees Retirement System – Minutes

Minutes of the July 12, 2013 General Employees Retirement System meeting were received for information without comment.

6B) 07-12-2013 – Police and Firefighters Retirement System – Minutes

Minutes of the July 12, 2013 Police and Firefighters Retirement System meeting were received for information without comment.

6C) 09-26-2013 – Code Review Board – Cancellation Notice

Cancellation Notice of the September 26, 2013 Code Review Board meeting was received for information without comment.

6D) 10-01-2013 – Code Enforcement Board – Cancellation Notice

Cancellation Notice of the October 1, 2013 Code Enforcement Board meeting was received for information without comment.

6E) 10-03-2013 – Board of Parks and Parkways - Minutes

Minutes of the October 3, 2013 Board of Parks and Parkways meeting were received for information without comment.

6F) 10-07-2013 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the October 7, 2013 Zoning and Planning Board meeting was received for information without comment.

6G) 10-08-2013 – Recreation Commission – Cancellation Notice

Cancellation Notice of the October 8, 2013 Recreation Commission meeting was received for information without comment.

6H) 10-09-2013 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the October 9, 2013 Golf and Country Club Advisory Board meeting was received for information without comment.

6I) 10-07-2013 – Board of Adjustment – Approval of Actions Taken at their Meeting of October 7, 2013, Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of October 7, 2013 were approved subject to the 10-day appeal period.

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

(Agenda Item 11C was considered at this time)

7. Public Hearings: None

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for September 2013 in the Amount of \$13,405.50.

There was no discussion regarding this item.

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

The following are Building Department related items: (Agenda Items 8B-8D approved with one motion)

8B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount Not to Exceed \$55,000, on an "As Needed Basis", to Angel M. Alvarez for the Annual Costs of Conducting Roofing Plan Reviews and Inspections and Building Inspections for Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(6)(g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8C) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount Not to Exceed \$14,000, on an "As Needed Basis", to M. Jurado and Associates for the Annual Costs of Conducting Mechanical Plan Reviews and Inspections for Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(6)(g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8D) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount Not to Exceed \$5,000, on an "As Needed Basis", to Orlando L. Blanco for the Annual Costs of Conducting Structural and Engineering Plan Reviews for Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(6)(g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

The following are City-wide related Items: (Agenda Items 8E and 8F approved with one motion)

8E) Recommendation that Council Approve an Expenditure of \$10,000.00, on an "As Needed Basis" to The Miami Herald, for Larger Circulation Notifications of Advertising and Legal Notices for Fiscal Year 2013-2014, as a Sole Source Provider, Pursuant to Section §31.11 (E) (6) (c) of the City Code.

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8F) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$11,700.00, on an "As Needed Basis" to River Cities Gazette, for Greater Local Access and More Informative Notification of Advertising and Legal Notices to the Residents of Public Ordinances and State and Federal Grant Awards of the City for Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(6)(g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

The following are City Clerk's Department related items: (Agenda Items 8G-8L approved with one motion)

8G) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$11,000.00, to the Miami Springs Historical Society, for Rent Subsidy to Cover Payment of the Miami Springs Historical Museum for Three Months at the Current Location (\$3,000) and the Remaining \$8,000 to be Utilized for Expenses Relating to the Relocation to the New Location, for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (6) (g) of the City Code

To answer Vice Mayor Bain's question, Mr. Alonso stated that the \$11,000 is coming from the City Council's budget. This amount is separate from the \$25,000 in the Promotions budget.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8H) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount Not to Exceed \$18,000.00 on an "As Needed Basis", to International Data Depository (IDD), for Storage of Documents Required to be Kept by Florida Records Retention Laws and Schedules, for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (6) (g) of the City Code and Pursuant to the Contract Renewal Option Provided by the City's Existing Contract/Contract Vendor for an Additional One-Year Period

Councilman Lob asked the Acting City Clerk to compare the cost of scanning the documents in storage with the cost of storing the records.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8I) Recommendation that Council Approve an Expenditure to Catering by Joel's Place, Inc., the Lowest Responsible Quote in the Amount of \$1,923.20 for the City's Holiday Lunch for Fiscal Year 2013-2014, Pursuant to Section §31.11 (C)(2) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

The following are Police related items:

8J) Recommendation that Council Approve an Expenditure of \$17,423.45 to USA Software, Inc. for Annual Software Support and Maintenance Contract Renewal, as a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8K) Recommendation that Council Approve an Expenditure to AT&T Mobility, Utilizing Western States Contracting Alliance NV w4-2001 (Piggyback Government Contract; Current Expiration 10/31/16), in an Amount Not to Exceed \$12,000.00, for Wireless Connectivity/Modem Card Connections for Mobile Data Terminals (laptops in police vehicles), Pursuant to Section §31.11(E) (5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8L) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure Not to Exceed \$6,800.00 to Miami Lakes Veterinary Clinic, for Veterinary Services for the Two Police Canines, Pursuant to Section 31.11 (E) (6) (g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

The following are City Manager related items:

8M) Recommendation that Council Approve an Expenditure of \$45,000.00 Paid in Three Equal Payments, to The Fuentes & Rodriguez Consulting Group (Becker & Poliakoff, P. A.), for Consulting and Lobbying Services for Fiscal Year 2013-2014, as a Sole Source Provider, Pursuant to Section §31.11 (E)(6)(c) of the City Code

Vice Mayor Bain suggested that the City should consider reducing the use of the lobbyist services.

Mayor Garcia noted that Council is simply opening the purchase orders.

Vice Mayor Bain thinks that this item should be pulled from the consent agenda because it is a negotiated contract.

Councilman Petralanda commented that Council should revisit the annexation topic.

Mayor Garcia said that it was not an advertised agenda item and what has occurred with annexation will come up at the end of the meeting in his report. Annexation is not dead and those who participated in the process during the meeting received this information. He would strongly recommend against reducing the funds for the lobbyist because there is still plenty of hope for annexation.

To answer Mayor Garcia's question, City Attorney Seiden stated that the consideration can constitute the approval of the opening of the purchase order at the next meeting.

Council agreed to pull this item.

Councilman Lob and Councilman Windrem amended their motions. The amended motion passed 4-1 with Vice Mayor Bain casting the dissenting vote.

The following are I. T. Department related items:

8N) Recommendation that Council Authorize the Execution of a Service Agreement for a Period of 60 Months and Approve an Expenditure of \$608,880.00 (\$121,776.00 annually) to Sungard H.T.E, Inc. for Application Service Provider (ASP) Services, as a Sole Source Provider for Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(6)(c) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

The following are Public Works Department related items: (Agenda Items 80-8V approved with one motion)

8O) Recommendation that Council Award a Bid to Miami Tiresoles, Utilizing Miami Dade Bid # 14/15-06-031 in an Amount Not to Exceed \$40,000.00, on an "As Needed Basis" for Vehicle and Equipment Tires for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8P) Recommendation that Council Award a Bid to Micar Trucking, Utilizing Miami Dade Bid # 4056-0/16 in an Amount Not to Exceed \$20,000.00, on an "As Needed Basis" for Ballast Rock and Crushed Lime Rock Utilized for Pot Holes, Alley Grading and Swale Repairs due to Bulk Trash Collection for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8Q) Recommendation that Council Award a Bid to Grainger Industrial Supplies, Utilizing Miami Dade Bid # 7963-1/22 in an Amount Not to Exceed \$20,000.00, on an "As Needed Basis" for Non-stock Items which are Needed for Building Maintenance Emergency and Planned Repairs, and for the Purchase of Stock Items which Includes Rakes, Shovels, Marking Paint, Work Gloves, and Lighting Materials for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8R) Recommendation that Council Award a Bid to Auto Zone, Utilizing TCPN Contract R5165 in an Amount Not to Exceed \$10,000.00, on an "As Needed Basis" for Vehicle Equipment Repairs which Include Stock and Non-stock Items such as Brakes, Pumps, Batteries, Oil, Fuel and Air Filters, Wipers, Antifreeze, Windshield Cleaners and Bulbs for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8S) Recommendation that Council Award a Bid to Lowes Home Center, Utilizing TCPN Contract R4954 in an Amount Not to Exceed \$20,000.00, on an "As Needed Basis" for Building Maintenance Emergency and Planned Repairs, Including Locks, Roofing and Plumbing Repair Materials, Nuts and Bolts, Spindles, Handrails, PVC Cement, Concrete, for Fiscal Year 2013-2014, Pursuant to Section 31.11 (E) (5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8T) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$187,057.00 to Vector Fleet Management for Fleet Maintenance Services, Pursuant to Section 31.11 (E) (6) (g) of the City Code and Pursuant to the Contract Renewal Option Provided by the City's Existing Contract/Contract Vendor for an Additional One Year Period

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8U) Recommendation that Council authorize the Execution of a Contract Under the Original Terms of City ITB # 05-11/12 (1 year remaining with an option to renew 2 additional 1 year terms) and Approve an Expenditure of \$124,800.00 with Florida Turf & Landscape, the Next Lowest Responsible Bidder for Tree Trimming Removal and Disposal Services Citywide for Fiscal Year 2013-2014 after Raydel Landscaping Requested to Withdraw from the Original Contract, Pursuant to Section §31.11 (E)(1) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8V) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$63,000.00 to Raydel Landscape for Landscaping Services Pursuant to Section §31.11 (E)(6)(g) of the City Code and Pursuant to the Contract Renewal Option Provided by the City's Existing Contract Bid #04-11/12 for an Additional One-year period

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

The following are Golf Department related items: (Agenda Items 8W-8FF approved with one motion)

8W) Recommendation that Council Award a Bid to Howard Fertilizer & Chemical Company Inc., Utilizing the Town of Davie Bid # B-12-34-3, in the Amount of \$45,000.00, on an "As Needed Basis" for Custom Blended Fertilizers, for the Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8X) Recommendation that Council Award a Bid to Florida Superior Sand, Utilizing the Miami Dade County Contract 9408-1/14-1 in the Amount of \$30,000.00, on an "As Needed Basis" to Purchase Medium Grade Particle Sand, for the Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8Y) Recommendation that Council Award a Bid to Harrell's LLC, Utilizing Miami Dade County Bid #9020-1/19 in the Amount of \$20,000.00, on an "As Needed Basis", for Customized Chemicals and Liquid Fertilizers for Fiscal Year 2013-2014, pursuant to Section §31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8Z) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$57,000.00, to Greens Grade Services, Inc., for Golf Course Labor Services for the Months of October and November Until an Award is Made under the New RFP Process which is Expected to go Before Council in November for Fiscal year 2013-2014, Pursuant to Section §31.11 (E)(6)(g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8AA) Recommendation that Council approve an Expenditure of \$15,000.00 on an "As Needed Basis" to Foot Joy for Golf Shop Merchandise and Golf Apparel, Golf Gloves, and Golf Shoes for Fiscal Year 2013-2014, as a Sole Source Provider, Pursuant to Section §31.11 (E)(6)(c) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8BB) Recommendation that Council Approve an Expenditure of \$15,000.00 on an "As Needed Basis" to Titleist for Golf Shop Merchandise and Golf Club Rentals, Hats, Golf Balls, for Fiscal Year 2013-2014, as a Sole Source Provider, Pursuant to Section §31.11 (E)(6)(c) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8CC) Recommendation that Award a Bid to Sullivan Electric and Pump, Inc. Utilizing Miami Dade County Bid # 6819-5/17-1 in the Amount of \$25,000 to Rebuild the West Pump Station at the Miami Springs Golf Course for Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(5) of the City Code

To answer Councilman Lob's question, Mr. Alonso said that there was a major failure in the west pump and it will probably not cost the entire \$25,000 but the amount will be in that range. Golf Superintendent Bland needed to fix the pump right away because of work that is being done.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8DD) Recommendation that Council Award a Bid to Show Turf, Utilizing State of Florida Contract #760-000-10-1 in the Amount \$61,100.94, to Purchase Six (6) John Deere TX Turf Gators and One (1) Dakota 410 Top Dresser, for the Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(6)(g) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8EE) Recommendation that Council Award a Bid to Hector Turf, Utilizing National IPA Contract #0830041 in the Amount of \$562,742.08, to Purchase One (1) Toro Grounds Master 4700-D, One (1) Toro Greens Master 3150-Q, One (1) Toro Reel Master 7000-D, One (1) Toro Sand Pro 3040, One (1) Toro Multi Pro 1200, One (1) Toro Multi Pro 5800, One (1) Toro Workman HDX 2 WD, One (1) Toro Rake-O-Vac, One (1) Toro Pro Force, One (1) Toro Debris Blower 600, One (1) Lely Spreader Trailer 11.5 cu. Ft., One (1) Premium 2-Column Space Saving Design 9000 lb. Capacity GL-TA Frame Truck Kit, One (1) Greens Groomer Grooming Brush Tow Type and Two (2) Salsco Roller with Trailer Gas Electric Start 13 HP Honda w/ Light kit for the Fiscal Year 2013-2014, Pursuant to Section §31.11 (E)(5) of the City Code

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

8FF) The Administration Recommends that Council Approve the Execution of a Lease Agreement with SunTrust Bank for Financing of \$ 623,843.02 in Golf Course Equipment as Listed in the Prior Two Agenda Items (See Resolution under Agenda Item 10B)

There was no discussion regarding this item.

Councilman Lob moved the item. Councilman Windrem seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

(Agenda Item 10B considered before 9A)

9. Old Business:

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

There were no appointments to advisory boards.

B) Recommendation to Approve Wall of Fame Plaque/Award (tabled from 9-23-2013 meeting)

This item was tabled for the next meeting.

C) Pool Alternatives

Vice Mayor Bain stated that he was under the impression that this was going to be discussed during a special meeting.

Mayor Garcia said that the main discussion is to see if Council is going to move forward with shoring-up the pool.

City Manager Gorland said that the Administration needs some guidance as to what kind of information Council would like in addition to what is provided in this agenda packet. This issue is very critical; the pool will either be in process of being shored-up within a month or it will be closed until a decision is made.

City Manager Gorland read the memo in its entirety.

Councilman Lob moved to table the item and schedule a Special Meeting of Wednesday, October 23, 2013 at 7:00 p.m. Vice Mayor Bain seconded the motion.

Michael Gavila of 684 Morningside Drive commented that he is in favor of building a new pool.

Enrique Amor of 540 Raven Avenue thanked Council for keeping the pool open. He said that the pool gives this community safety. He urged that Council would continue to keep the pool open year-round because the residents use it.

Vice Mayor Bain would like to have a representative from Link Construction to express what the structural issues are. He would also like to see an architectural drawing of what the pool can be renovated to look like if possible.

Mayor Garcia asked Council to relay any information to the City Manager or the City Clerk's office so that Council knows the resident's opinions on what they would like to occur in the community. The pool topic will be a difficult process but he has a lot of confidence in the new Council and he knows that the new members are committed to concentrating on the pool.

City Manager Gorland clarified that Council would like to request a representative from Link Construction and someone from the shoring company to attend the meeting. As far as drawings, he is not sure what can be prepared between now and October 23rd.

Mayor Garcia asked if Recreation Director Luna could prepare a list of pools that have recently been constructed in the area and forward it to the City Manager

Councilman Lob thought that there was a drawing that had been done a couple of years ago on the pool and City Manager Gorland replied that there is a drawing from Link that was done a couple of years ago.

The motion carried 5-0 on roll call vote.

(Mayor Garcia called for a 5 minute recess)

10. New Business:

- 10A) Resolution No. 2013-3600 – A Resolution of the City of Miami Springs Providing For the First Amendment to the FY2013-14 General Fund and Special Revenue and Capital Projects Fund Budgets; by Re-appropriating Reserved Fund Balances to Fund Open Encumbrances through September 30, 2013; Effective Date

City Attorney Seiden read the resolution by title.

Councilman Lob moved to adopt Resolution No. 2013-3600. Councilman Petralanda seconded the motion.

To answer Vice Mayor Bain's question, Mr. Alonso said that the total is \$271,000 but the general fund portion is approximately \$91,000.

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

- 10B) Resolution No. 2013-3601 – A Resolution of The City Council of The City of Miami Springs, Florida, Determining The Necessity And Appropriateness of The Acquisition of Equipment Pursuant to a Master Lease With Suntrust Equipment Finance and Leasing Corporation; Authorizing the Execution and Delivery of a Master Lease Agreement, Equipment Schedule No. 05; Authorizing The City Manager and Other Authorized City Officers to Execute The Lease Documentation, Evidence the Validity of The Lease Documents, and Affix the City Seal Where Required; Directing The Execution of Any Additional Lease Documentation By the Proper Officials And Officers of The City In Order to Effectuate the Subject Transaction; Declaration of Transaction Compliance With Internal Revenue Service Regulations; Effective Date

City Attorney Seiden read the resolution by title.

Councilman Lob moved to adopt Resolution No. 2013-3601. Councilman Petralanda seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Bain casting the dissenting vote.

- 10C) Presentation, Review and Discussion of City Authorizing the City's Employees Use of the Loans at Work Program

City Manager Gorland read the memo in its entirety.

Tom McCormick, Chief Operating Officer of BMG Money Inc. presented a PowerPoint presentation. He thanked the Administration, Council and City Attorney for their time and help. "Loans at Work" is the nickname of the program. BMG Money Inc. offers an involuntary employee program which allows employees of their clients to access emergency funds by way of an installment loan program in times of emergencies. The program is principally intended for people that are shut out of the financial mainstream.

Mr. McCormick said that if for some reason a person is not able to go to a bank or credit union to be approved for a loan, these outfits will give employees an emergency cash loan. Florida charges 281% annual interest rates. The issue with those loans is that they are payday loans and are due upon the persons next payday.

Mr. McCormick stated that the program is at no cost to their clients and there would be no budget impact to the City. The program is at no risk to the City. If and when an employee leaves the employment of the City and has an outstanding loan, the City would not guarantee it and would have no risk. The program can also be terminated at the City's convenience.

Mayor Garcia asked if this is something that needs to go through a request for proposal process or if they are the only company that does this business and City Attorney Seiden replied that he is unsure.

To answer City Attorney Seiden's question, Mr. McCormick said that he does not believe that there are any competitors who have the same interest rate that BMG Money, Inc. has.

City Attorney Seiden stated that it is a matter of whether or not the City would like to get involved in the process by allowing employees to take advantage of the program. It is fully acceptable to him because the changes that he requested were made.

To answer Councilman Petralanda's question, Mr. McCormick responded that the company was incorporated in 2009 and started lending in 2011.

Councilman Windrem moved to authorize the Administration to sign an agreement. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote.

10D) Consideration of the Education Advisory Board's Recommendation Based on Actions Taken at Their Meeting of September 17, 2013, Regarding Non-resident Membership on the Youth Advisory Council

Councilman Petralanda said that if a student attends one of the schools, they should be able to serve on a Board.

City Attorney Seiden commented that the reason the resolution was written is because the Board at the time felt that they wanted to have local representatives, and it can be amended by Council.

City Attorney Seiden will prepare a resolution for the next meeting.

Councilman Petralanda moved to amend Section 2 of Resolution No. 2012-3542 to provide that each of its members do not have to be a resident of the City. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

10E) Consideration of the Following Architectural Review Board Recommendations Based on Actions Taken at their Meeting of October 2, 2013:

- 1. The Implementation of Presto Geosystems Geoblock on Curtiss Parkway Across from Papa John's**

Planning and Zoning Director Jim Holland commented that he was not present at the Architectural Review Board meeting but he is familiar with the Geosystems Geoblock. They are plastic cylinders that are placed in the ground and it gives the impression that it is grass when it is actually a load bearing area. It is very light weight and durable and is easily installed. It is a little more expensive but well worth it in the long run and a very good system.

City Attorney Seiden stated that this is an excellent example of a Board exercising their proper jurisdiction. This is certainly within their framework and they are recommending it to Council for use in the City. Council can accept the project and determine when and if it will go into place.

To answer Mayor Garcia's question, City Manager Gorland said that there are funds in the maintenance budget that are not designated and could be used for things such as this idea. This may be a major project that might not be possible to do this year.

Council would like to know the cost involved in this proposal.

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

To answer Councilman Petralanda's question, Councilman Windrem responded that people will still be able to park in that area. It is a reinforced grid for the grass to grow through and allow people to still park there and not kill the grass.

Mayor Garcia commented that this proposal is what he considers a less expensive delay. Parking needs to be implemented in that area since there are more people patronizing the downtown area.

To answer Councilman Lob's question, City Manager Gorland replied that this proposal is allowed per the Code.

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

2. Address Council at the next Council Meeting to Clarify their Previous Color Palette Recommendation

City Attorney Seiden stated that the color palette was already considered at a previous Council meeting and was denied. The color palette as it exists and the ordinance that created the palettes allow for variations of color.

Vice Mayor Bain moved to deny the recommendation. Councilman Windrem seconded the motion, which carried 5-0 on roll call vote.

(Agenda Item 10H was considered before Agenda Item 10F)

10F) Consideration of the Board of Parks and Parkways Recommendations for the Yard of the Month Awards

City Manager Gorland read the memo in its entirety.

Vice Mayor Bain moved the item. Councilman Lob seconded the motion which carried 5-0 on roll call vote.

10G) Consideration of the Following Board of Parks and Parkways Recommendations Based on Their Actions Taken at their Meeting of October 3, 2013:

1. Request that Council Recognize the Richard Lyons for his Plant Donations and the Anchor Club for their Assistance with the Butterfly Garden at the November 25th Council Meeting

Acting City Clerk Hitaffer noted that the Board wanted to recognize Mr. Lyons and the Anchor Club separately from the presentation of the proclamation to the Anchor Club at the October 28th Council meeting.

Mayor Garcia asked to recognize Richard Lyons and the Anchor Club at the October 28th meeting.

2. Request Information Regarding the Status of the Coral Rock Walls on Morningside Drive

Mayor Garcia asked that the Administration provide the Board with the updated information.

10H) Evaluation of a New Type of Recreational Vehicle

City Attorney Seiden stated that a gentleman who is considering buying a unit came to the Building Department and advised them that he was interested in purchasing a unit but that he would probably be dealing with recreational vehicle issues. There is currently nothing in code that would prohibit the vehicle, but it is rather different than anything that the City has ever dealt with as a recreational vehicle. In an abundance of caution, the Administration would like to have Council's approval or denial before the gentleman purchases the vehicle.

To answer Vice Mayor Bain's question, Director of Building and Code Compliance Harold "Tex" Ziadie replied that the gentleman would like to park the vehicle in his backyard and use it for tailgating parties.

Mr. Ziadie commented that the length from the rear to the tip of the trailer is 22 ft. and 10 inches.

Councilman Windrem moved to include the recreational vehicle in the Code as a permitted use. Vice Mayor Bain seconded the motion.

Councilman Windrem said that his only concern is that the vehicle is not going to be used as a recreational vehicle and it could become used as a living space.

City Attorney Seiden stated that as long as it is mobile and it is not permanently affixed to the rear property then it meets the definition of a recreational vehicle.

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

10I) Consideration of Scheduling a Workshop or Special Meeting to Address Proposed Changes to the City Code of Ordinances

City Manager Gorland read the memo in its entirety.

Vice Mayor Bain moved to schedule a Code Workshop meeting after the first regular meeting in January 2014. Councilman Lob seconded the motion.

Mayor Garcia requested that City Manager Gorland provide a list to Council of his recommended changes.

The Administration will bring back an updated list of codes to be revised prior to the meeting.

Mr. Ziadie commented that the most critical of the codes is commercial vehicles.

Discussion ensued regarding an issue with someone leaving trash in the swale area of the tennis court. Mayor Garcia asked the Administration to install a sign in that area advising the residents to not put trash in the swale.

City Attorney Seiden commented that Council needs to have a discussion on whether they believe there is an issue with signage and what they would be willing to allow and not allow.

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

10J) Review of the Proposed Airport/Golf District Regulations

City Manager Gorland read the memo in its entirety.

Planning and Zoning Director Holland commented that this has been in the works for quite some time but was being held back until the Department of Economic Opportunity (DEO) took their action. There were some issues with the Florida Department of Transportation (FDOT) that have been resolved. The density bonus program is the construction of a turnout lane that would give a full 1.0 additional Floor Area Ratio (FAR).

Mr. Holland stated that the intent of the district is to provide for a large scale mixed-use development with a transit and pedestrian orientation. The permitted uses are somewhat different than the ones in the old Airport/Golf Sub District to the extent that hotels are now included as a permitted use as are multi-family residential dwellings.

Mr. Holland said that subject to the height limitations imposed by the Charter on the multi-family residential which is three stories or forty feet in height, the height limit for other uses in the district is five stories or up to seventy feet in height. The FAR can be increased to a maximum of 2.0 for certain aspects such as construction hotels at a rate of .10 per room which equates to an FAR of 1.0 for a 100 room hotel. Parking garages are excluded from the floor area calculations.

Mr. Holland stated that the requirements of the City Code for a multi-family residential are 2.5 spaces per unit. The parking ratio that is specified by this district is based on the number of bedrooms ranging from studios to three bedrooms and is the general way of doing things now.

City Attorney Seiden clarified that he would put the ordinance in proper form and present it to Council for first reading. He explained the attempt in getting 1.0 FAR as of right up to 3.0, but the FDOT objected because this district will be the more residential natured part of the community. The Charter revision is something that Council should look at and consider as part of their review of the district boundary regulations that are being proposed.

By consensus, Council agreed to allow City Attorney Seiden to move forward with drafting an ordinance.

11. Other Business:

11A) Vote of Confidence for the City Manager as Required by Section 4.02 (2) of the City Charter

City Attorney Seiden explained the procedures of the vote of confidence to the new Council members.

Councilman Lob commented that he has discussed his issue with City Manager Gorland and believes that it will be addressed and he will be giving him a vote of confidence.

Vice Mayor Bain said that he had a meeting with City Manager Gorland and he is not going to be like some of his predecessors. He will not be giving the City Manager a vote of confidence at this time.

Councilman Windrem stated that he has known City Manager Gorland for many years and he has had a good personal relationship, rapport, and communication with him and looks forward to continuing to work with him. He will be giving him a vote of confidence.

Mayor Garcia stated that City Manager Gorland has his vote of confidence. City Manager Gorland has been involved in business and in government for a number of years and he does not know everything, but he accepts that and has grown with it. He appreciated the communication and hopes that City Manager Gorland keeps it up.

Councilman Lob moved to give the City Manager a vote of confidence. Councilman Windrem seconded the motion which was carried 4-1 with Vice Mayor Bain casting the dissenting vote.

11B) Consideration of Rescheduling of the November 11, 2013 Regular Council Meeting to Tuesday, November 12, 2013, Due to the Veterans Day Holiday

By consensus, Council agreed to reschedule the November 11, 2013 Regular Council meeting to Tuesday, November 12, 2013 at 7:00 p.m.

11C) Scheduling of Board of Appeals Meeting to Hear the Appeal of Variance Case No. 07-V-13, Alex Guillamont – 1095 Raven Avenue

Council scheduled a Board of Appeals meeting for Monday, October 28, 2013 during the Regular Council meeting.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Assistant I.T. Manager

City Manager Gorland commented that a new Assistant I.T. Manager has been hired today who has great credentials and is scheduled to start on October 28th.

Vote of Confidence

City Manager Gorland thanked Council for their vote of confidence and said that he is open to change and that Council should let him know if there is something that needs to change.

12C) City Council

Farmers Market

Vice Mayor Bain enjoyed the Farmers Market.

Vote of Confidence

Vice Mayor Bain stated that the vote of confidence should not only be once a year. If there is an evaluation that any Council member wants to mention within any period of time then it should be mentioned earlier.

Farmers Market

Councilman Windrem enjoyed the ribbon cutting event at the Farmers Market and there was a good turnout.

Budget Process

Councilman Windrem is glad to be finished with the budget process. It is one of the two most important items that he will be a part of as a Councilman.

Golf Course Reviews

Vice Mayor Bain reported that there have been good reviews on the golf course greens and the improvements.

To answer Vice Mayor Bain's question, City Manager Gorland stated that every year the golf course is shut down for a few days to prepare for the fall and winter months. He will publish the dates for when it will be closed.

Farmers Market

Councilman Petralanda enjoyed the ribbon cutting event at the Farmers Market.

Farmers Market

Mayor Garcia reported that the Farmers Market will be open until March and encouraged everyone to attend the event on Saturdays.

Annexation

Mayor Garcia wanted to clarify that annexation is not dead. The City is in the process of getting the signatures required from the County Commission to have it brought before the body again. Becker & Poliakoff have done a very good job getting the City to where it is currently at and he feels that the City should continue advancing.

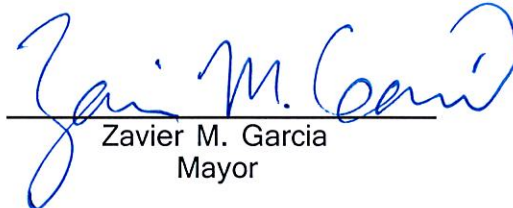
Congratulations

Mayor Garcia congratulated his daughter for finding her passion in soccer.

Discussion ensued with regards to wanting the City to become more proactive and be the best City to live, work, and play in.

13. Adjournment

There being no further business to be discussed the meeting was adjourned at 9:30 p.m.


Zavier M. Garcia
Mayor

ATTEST:


Suzanne S. Hitaffer, OMC
Acting City Clerk



Approved as written during meeting of: 10-28-2013

Transcription assistance provided by Elora R. Sakal.

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