



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Xavier M. Garcia

**Vice Mayor George V. Lob
Councilman Billy Bain**

**Councilman Michael Windrem
Councilman Jaime A. Petralanda**

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."

**CITY COUNCIL WORKSHOP MEETING AGENDA
Tuesday, September 2, 2014 – 6:30 p.m.
City Hall, Council Chambers, 201 Westward Drive**

- 1. Call to Order/Roll Call**
- 2. Invocation: Councilman Petralanda**
Salute to the Flag: Audience participation
- 3. Workshop on Proposed Fiscal Year 2014-2015 Budget (continued from 8/18/14)**
 - A) Proposed Changes for the Fiscal Year 2014-2015 Budget
 - B) Determining the Operation of Golf Carts on City Streets
- 4. Adjourn**

Please visit www.miamisprings-fl.gov for current meeting schedule or follow us on  Twitter @MIAMISPRINGSFL

Live streaming video of this meeting is available at <http://www.miamisprings-fl.gov/webcast>.

Anyone wishing to obtain a copy of an agenda item may contact the City Clerk at (305) 805-5006, download the complete agenda packet from www.miamisprings-fl.gov or view the materials at City Hall during regular business hours.

Pursuant to Florida Statute 286.0114, the City Council provides the public with a reasonable opportunity to be heard on all matters.

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.

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.

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.



AGENDA MEMORANDUM

Meeting Date: 9/2/2014
To: Ron Gorland, City Manager *RG*
From: William Alonso, Assistant City Manager/ Finance Director *WA*
Subject: FY2014-15 Budget Workshop Update

The following is an update of the FY2014-15 budget after completion of our workshops.

The updated budget shows a surplus of \$192,861 at the same millage as the current year of 7.6710 as can be seen in Attachment A.

Attachment A is the budget worksheet which is based on the following changes proposed by Council and the Administration during the workshops:

1. Reduction of \$55,000 from the first year debt service on the new aquatic facility.
2. Increase of \$40,000 in workmen's compensation insurance premiums as advised by the Florida League of Cities.
3. Reduction in Police budget of \$22,000 in fuel line item.
4. Increase in City Council budget of \$6,000 for the assistance to the Historical Museum.
5. Eliminate \$9,375 for the proposed renovation of the boat ramp.
6. Decrease in City Council budget of \$5,000 for the two Optimist events and misc. events that were originally budgeted.

Attachment B is a balanced budget at a millage of 7.4566 but does not provide for an increase in reserves.

Attachment C is a budget at the rollback rate of 7.2331 and shows a deficit of \$200,890. This scenario would require significant cuts.

Attachment D is an updated listing of possible cuts, we have updated the listing to show the items that have already been accepted.

ATTACHMENT A

CITY OF MIAMI SPRINGS
BUDGET WORKSHEET
FY2014-15 PROPOSED BUDGET

FUND:	Proposed Budget Based on Current Millage FY14-15	
General Fund:	Current Millage	7.6710
	REVENUES	15,498,547
Mayor & City Council	130,945	130,945
Office of the City Manager	354,302	354,302
Office of the City Clerk		
Operations	303,902	
Capital Outlay	<u>6,100</u>	310,002
Office of the City Attorney	171,000	171,000
Human Resource Department	209,530	209,530
Finance Department	482,914	482,914
Finance-Professional Services		
Operating Expenses	272,351	
Capital Outlay	<u>-</u>	272,351
IT Department		
Operating Expenses	335,016	
Capital Outlay	<u>-</u>	335,016
Planning Department		
Operating Expenses	102,133	
Capital Outlay	<u>-</u>	102,133
Police:		
Police-Operations	5,864,837	
Police-Capital Outlay	<u>116,280</u>	5,981,117
Police-Crossing Guards	23,771	23,771
Building & Code Enforcement		
Operating Expenses	633,276	
Capital Outlay	<u>2,000</u>	635,276
Public Works - Administration		
Operating Expenses	369,488	
Capital Outlay	<u>-</u>	369,488
Public Works - Streets		
Operating Expenses	356,345	
Capital Outlay	<u>34,334</u>	390,679
Public Works - Properties		
Operating Expenses	576,289	
Capital Outlay	<u>-</u>	576,289
Public Works - Building Maintenance		
Operating Expenses	166,034	
Capital Outlay	<u>90,000</u>	256,034
Public Works - Fleet Maintenance	42,320	42,320
Recreation	2,043,564	2,043,564
Aquatics	107,530	107,530
Tennis	19,851	19,851
Park Maintenance		
Maintenance Operations	204,920	
Maintenance Capital Outlay	<u>-</u>	204,920
Golf- Admin	20,062	20,062
Golf-Pro Shop	528,178	528,178
Golf-Maintenance		
Maintenance Operations	1,170,974	
Maintenance Capital Outlay	<u>-</u>	1,170,974
Transfers to other funds:		
Senior Center Fund	135,988	135,988
Debt Service Fund	431,449	431,449
TOTAL GENERAL FUND EXPENDITURES		15,305,686
SURPLUS AT CURRENT MILLAGE		192,861

ATTACHMENT

CITY OF MIAMI SPRINGS BUDGET WORKSHEET FY2014-15 PROPOSED BUDGET

FUND:	Proposed Budget Based on Current Millage FY14-15	
General Fund:		<u>7.4566</u>
		REVENUES
		15,305,763
Mayor & City Council	130,945	130,945
Office of the City Manager	354,302	354,302
Office of the City Clerk		
Operations	303,902	
Capital Outlay	<u>6,100</u>	310,002
Office of the City Attorney	171,000	171,000
Human Resource Department	209,530	209,530
Finance Department	482,914	482,914
Finance-Professional Services		
Operating Expenses	272,351	
Capital Outlay	<u>-</u>	272,351
IT Department		
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Capital Outlay	<u>-</u>	335,016
Planning Department		
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Police:		
Police-Operations	5,864,837	
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Police-Crossing Guards	23,771	23,771
Building & Code Enforcement		
Operating Expenses	633,276	
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Public Works - Administration		
Operating Expenses	369,488	
Capital Outlay	<u>-</u>	369,488
Public Works - Streets		
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Senior Center Fund	135,988	135,988
Debt Service Fund	431,449	431,449
TOTAL GENERAL FUND EXPENDITURES		<u>15,305,686</u>
SURPLUS (DEFICIT) AT CURRENT MILLAGE		<u>77</u>

ATTACHMENT 

**CITY OF MIAMI SPRINGS
BUDGET WORKSHEET
FY2014-15 PROPOSED BUDGET**

FUND:		Proposed Budget Based on Current Millage FY14-15	
General Fund:		Current Millage	7.2331
		REVENUES	15,104,796
Mayor & City Council	130,945	130,945	-
Office of the City Manager	354,302	354,302	
Office of the City Clerk			
Operations	303,902		
Capital Outlay	6,100	310,002	
Office of the City Attorney	171,000	171,000	
Human Resource Department	209,530	209,530	
Finance Department	482,914	482,914	
Finance-Professional Services			
Operating Expenses	272,351		
Capital Outlay	-	272,351	
IT Department			
Operating Expenses	335,016		
Capital Outlay	-	335,016	-
Planning Department			
Operating Expenses	102,133		
Capital Outlay	-	102,133	
Police:			
Police-Operations	5,864,837		
Police-Capital Outlay	116,280	5,981,117	-
Police-Crossing Guards	23,771	23,771	
Building & Code Enforcement			
Operating Expenses	633,276		
Capital Outlay	2,000	635,276	
Public Works - Administration			
Operating Expenses	369,488		
Capital Outlay	-	369,488	
Public Works - Streets			
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Golf-Pro Shop	528,178	528,178	
Golf-Maintenance			
Maintenance Operations	1,170,974		
Maintenance Capital Outlay	-	1,170,974	
Transfers to other funds:			
Senior Center Fund	135,988	135,988	
Debt Service Fund	431,449	431,449	-
TOTAL GENERAL FUND EXPENDITURES			15,305,686
SURPLUS (DEFICIT) AT CURRENT MILLAGE			(200,890)

CITY OF MIAMI SPRINGS
FY2014-15 PROPOSED BUDGET ANALYSIS

The original City Manager's Proposed Budget for FY2015 was based on an operating millage of 7.6710 (current year millage) and has a surplus of \$192,861.

The current status of the budget at a 7.6710 millage is a surplus of..... **\$ 192,861** Millage Impact
add (reduce)

1) Annual event subsidies:

City Events	\$ 27,250		(0.0303)
Stafford Golf Tournament (\$2000)	Included above		
Police Appreciation Dinner (\$2000)	"		
River Cities Festival (\$5000)	"		
FLA League ad (\$1000)	"		
Employee Luncheon (\$2000)	"		
Two annual car shows (\$3000)	"		
CMI Subsidy	\$ 35,000		(0.0389)
Historical Museum	\$ 6,000		(0.0067)
Tennis program	\$ 15,000		(0.0167)
Pelican Playhouse	\$ 18,000		(0.0200)
Total all annual events		\$ 101,250	

2) Eliminate all capital expenditures:
(see attachment C for details)

City hall roof	90,000		(0.1000)
Stafford Pavillion	45,000	N/A	
PW pump system replacement	19,319		(0.0215)
Instalation of additional electrical service points-1st block Curtiss Pkwy	4,963		(0.0055)
Instalation of additional electrical service points-2nd block Curtiss Pkwy	9,871		(0.0110)
Re-location of 3 light poles on NRP and Rio Vista Dr required by SFWM	16,500		(0.0183)
Lazerfiche software	6,100		(0.0068)
Perforator machine	2,000		(0.0022)
Range picker	3,000		(0.0033)
HP Computer-Elderly services	1,768		(0.0020)
Vehicles-Police	111,280		(0.1236)
Computers-Police	5,000		(0.0056)
Total all cap ex reductions		\$ 311,801	

3) Personnel Related reductions:

One year elimination of longevity payments to all General Employees(excluding PBA)	\$ 39,500	\$ 39,500	(0.0439)
Eliminate the City's contribution to dependent health care coverage for General Employees (excluding PBA)	\$ 63,228	\$ 63,228	(0.0703)
Eliminate additional Building Dept. position	\$ 42,000	\$ 42,000	(0.0467)
Closing down pool for the entire year (May thru Sept 2015)	\$ 90,611	\$ 90,611	(0.1007)
Eliminate 4% one-time COLA for employees earning under \$50K	\$ 51,670	\$ 51,670	(0.0574)

4) Other reductions

Debt service new aquatic facility/Stafford park Renovation/Consultants	445,000	445,000	(0.4944)
PW contingency	45,000	45,000	(0.0500)
City-wide tree planting	20,000	20,000	(0.0222)
Eliminate lobbyist	\$ 45,000	45,000	(0.0500)

ADDITIONAL INFORMATION:

Each 0.1 increase in Millage is equivalent to **\$ 90,000**

The Golf Course operation will require a subsidy of approx. \$333,000 for next year



AGENDA MEMORANDUM

Meeting Date: 09/02/2014

To: Mayor and Council

Via: Ron Gorland, City Manager

From: William Alonso, Assistant City Manager/ Finance Director

Subject: Operation of Golf Carts on City Streets

As requested by Council, we have confirmed the feasibility of operating golf carts on city streets and have provided the attached summary worksheet (Attachment A).

- Column A shows what may currently be done under the law without requiring any action on our part.
- Column B will require the City to expend approx. \$20,000 for a traffic study as well as approx. \$35,000 for signage. The City will also need to set up an inspection process (which results in additional costs that can be offset by inspection revenues) and establish fees for inspections and annual renewals.
- Column C is will require the expenditures stated above in second bullet point, but will be of significant risk to the City since plain golf carts will be allowed without extra equipment. The Florida League will not provide coverage to the City under this scenario.

I am also enclosing attachment B which is a memorandum from Chief Baan and his concerns and recommendations regarding this subject. Attachment C is a memorandum from City Attorney Jan Seiden dated back in November of 2011 when this issue was first considered.

GOLF CART USAGE ALTERNATIVES

	A	B	C
	NO ACTION NEEDED-CURRENT LAW	OPTION #1	OPTION #2
VEHICLE TYPE	LOW SPEED VEHICLE-STREET LEGAL	SAFETY EQUIPPED "GOLF CART"	PLAIN "GOLF CART" NO EXTRA EQUIPMENT
ORDINANCE NECESSARY	NO	YES	YES
REGISTRATION/INSURANCE REQUIRED	YES	NO	NO
LOCAL SAFETY INSPECTION	NO	YES	NO
COST TO CITY	NO COST TO CITY	* \$35,000 IN STREET SIGNAGE REQUIRED *\$20K FOR TRAFFIC STUDY TO DETERMINE SAFE ROADWAYS * COST OF INSPECTION PROGRAM	* \$35,000 IN STREET SIGNAGE REQUIRED *\$20K FOR TRAFFIC STUDY TO DETERMINE SAFE ROADWAYS
COST TO CART OWNER	* RESIDENT WOULD NEED TO PURCHASE INSURANCE *VEHICLE WOULD NEED TO BE REGISTERED *SPEND \$300 TO \$600 FOR A SAFETY EQUIPMENT *CAN BE PURCHASED FULLY EQUIPPED	* SPEND \$300 TO \$600 FOR SAFETY EQUIPMENT * INITIAL INSPECTION FEE AND ANNUAL RENEWALS *CAN BE PURCHASED FULLY EQUIPPED	NO ADDITIONAL COST TO RESIDENT
LIABILITY RISK TO CITY	MINIMAL RISK	SOME RISK	SIGNIFICANT RISK-NO COVERAGE FROM LEAGUE

Attachment A

Attachment B



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: Golf Carts on City Streets

Date: 04/21/2014

At the 01/27/2014 Council Meeting, the City Council discussed the feasibility of allowing golf carts to be operated on the streets of Miami Springs. Florida State Statute 316.212 gives municipalities the authority to allow the operation of non-licensed golf carts on certain roadways within their jurisdiction by enacting a local ordinance. However, per FSS 316.212, before enacting such legislation, the municipality must make a determination that golf carts can be safely operated on the designated streets, and signs must be posted to designate where such operation is allowed.

Because of the high traffic volume and speed limits, certain streets within the city would not be appropriate for the safe operation of golf carts. In addition, the layout of the roadways is such that it would be particularly difficult to designate specific streets where the operation of golf carts is allowed. This would at the very least require a huge number of signs to designate which streets are open to golf carts and which streets are not. In my opinion, the following streets are not safe for golf cart operation:

- NW 36 St.
- Lejeune Rd.
- Coolidge Dr.
- Kenmore Dr.
- Sheridan Dr.
- East Dr.
- S. Royal Poinciana
- Curtiss Parkway
- North Royal Poinciana

In my opinion, for safety and liability reasons, the City should not allow golf carts on the City's roadways, since the operation of "Low-speed Vehicles", which are essentially street legal, licensed golf carts, is provided for in the Florida Statutes. These "Low-speed Vehicles" can be

Attachment B

purchased ready to register with all of the necessary lighting and safety equipment already installed. A standard golf cart can be converted to a "Low-speed Vehicle" by having the required equipment installed and following the required registration and inspection procedure. "Low-speed Vehicles" must be licensed and insured to be legally operated on any Florida roadway. Kits to convert a golf cart to a "Low-speed Vehicle" are available for \$200.00 to \$500.00, plus installation. The one-time inspection fee is approximately \$40.00 and the annual registration fee is approximately \$30.00. Insurance costs will vary widely based on driving record and the specific type and amount of coverage. I have obtained verbal insurance quotes which vary between \$400.00 and \$1,000.00 per year.

If the Council decides to adopt an ordinance to allow non-licensed golf carts on city streets, I recommend the following requirements as a minimum; They should only be driven by a licensed driver, age 16 and over, from dawn to dusk hours only, and should only be allowed on city streets designated for their use. The carts should be equipped with proper safety equipment including headlamps, stop lamps, turn signal lamps, and tail lamps, rear and side reflectors, horn, parking brakes, rearview mirrors, windshield and seat belts.

Prior to enacting such an ordinance, in order to comply with FSS 316.212, I believe the City would have to obtain an expert opinion from a traffic engineer to determine which streets, if any, are suitable for golf cart operation. In addition, the location of regulatory sign placements would have to be researched to ensure that streets that are available for golf cart operation are clearly designated and those where cart operation is not allowed are also clearly marked.

Florida Statutes:

316.212

Operation of golf carts on certain roadways.—

The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

- (1) A golf cart may be operated only upon a county road that has been designated by a county, or a municipal street that has been designated by a municipality, for use by golf carts. Prior to making such a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

316.2122

Operation of a low-speed vehicle or mini truck on certain roadways.—

The operation of a low-speed vehicle as defined in s. 320.01 or a mini truck as defined in s. 320.01 on any road is authorized with the following restrictions:

- (1) A low-speed vehicle or mini truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or

mini truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

(2) A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.

(3) A low-speed vehicle or mini truck must be registered and insured in accordance with s. 320.02 and titled pursuant to chapter 319.

(4) Any person operating a low-speed vehicle or mini truck must have in his or her possession a valid driver license.

(5) A county or municipality may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.

(6) The Department of Transportation may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

320.01

Definitions, general.—

As used in the Florida Statutes, except as otherwise provided, the term:

(22) “Golf cart” means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

(41) “Low-speed vehicle” means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122.

Attachments

Florida
Department of Highway Safety
and Motor Vehicles
Division of Motor Vehicles

PROCEDURE TL-63	SUBJECT: LOW-SPEED VEHICLES <u>AND MINI-TRUCKS</u>
DESCRIPTION AND USE: THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES IN IMPLEMENTING REQUIREMENTS TO PROCESS CERTIFICATE OF TITLE APPLICATIONS INVOLVING LOW-SPEED VEHICLES, GOLF CARTS CONVERTED TO LOW-SPEED VEHICLES, <u>OR MINI-TRUCKS</u> .	
<p>I. PROVISIONS OF LAW:</p> <p>Section 316.2122, Florida Statutes, provides that the operation of a low-speed vehicle, as defined in section 320.01(42), on any road as defined in section 334.03(15) or (33), is authorized with the following restrictions:</p> <ol style="list-style-type: none"> a. A low-speed vehicle <u>or mini-truck</u> may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle <u>or mini-truck</u> from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour. b. A low-speed vehicle <u>or mini-truck</u> must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers. c. A low-speed vehicle <u>or mini-truck</u> must be registered and insured in accordance with section 320.02, Florida Statutes <u>and titled pursuant to chapter 319, Florida Statutes</u>. d. Any person operating a low-speed vehicle must have in his or her possession a valid driver license. e. A county or municipality may prohibit the operation of low-speed vehicles <u>or mini-trucks</u> on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety. f. The Department of Transportation may prohibit the operation of low-speed vehicles <u>or mini-trucks</u> on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety. 	
Revision(s) to this procedure: Updated entire procedure with information regarding mini-trucks.	
DIVISION DIRECTOR	EFFECTIVE DATE
	REVISION DATE
	PAGE #
	Immediately
	06/04/09
	TL-63-01

STATE OF FLORIDA
Florida Motor Vehicles

PROCEDURE # TL-63	SUBJECT: LOW-SPEED VEHICLES
<p>Section 320.01 (42), Florida Statutes, defines "Low-speed vehicle" as any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316, Florida Statutes.</p> <p><u>Section 320.01 (45), Florida Statutes, defines "Mini-Truck" as any four-wheeled, reduced-dimension truck that does not have a National Highway Traffic Safety Administration truck classification, with a top speed of 55 miles per hour.</u></p> <p>II. GENERAL INFORMATION:</p> <p>The U. S. Department of Transportation National Highway Safety Administration has included in the definition of "motor vehicle" a new category called "low-speed vehicles (LSV)," which includes the neighborhood electric vehicle. The top speed at which LSV's are allowed to travel is 25 miles per hour. They may not be operated on public roads where the minimum speed for that road exceeds 35 miles per hour and must weigh LESS THAN 2,500 pounds.</p> <p><u>The top speed at which mini-trucks are allowed to travel is 55 miles per hour. Although they are equipped to travel at speeds up to 55 miles per hour, they may NOT be operated on public roads where the maximum speed for that road exceeds 35 miles per hour.</u></p> <p>New "low-speed" vehicles <u>and mini-trucks</u> are issued a Manufacturer's Certificate of Origin (MCO) by the manufacturer with a standard 17 digit vehicle identification number (VIN) and a statement that the vehicle conforms to Federal Regulations under Title 49 CFR Part 571.500. These vehicles are titled and registered in the same manner as any motor vehicle. The body type of the LSV must be either "two passenger (2P)" or "four passenger (4P)." Choosing either of these two selections creates the "low-speed vehicle" brand in FRVIS. <u>The body type of the mini-trucks must be "MT."</u> (See memo "Work Arounds for 2009 Legislative Changes Effective July 1, 2009" dated June 29, 2009 for a workaround until programming is updated in the September 2009 Release.)</p> <p>NOTE: FRVIS currently has only two options for the body type of an LSV (2P or 4P). However, there are some low-speed vehicles that are six (6) and nine (9) passenger vehicles. Therefore, if you receive an MCO that shows 6 or 9 passenger, use the body type of 4P until programming has been completed to add 6P & 9P as an additional body type.</p> <p><u>Most</u> low-speed vehicles <u>are</u> electric; therefore, the use type for electric vehicle must be selected. The title will print with the primary brand of "Low-speed Veh" and the word "electric" will print in the "model" space on the title. <u>Mini-trucks are considered low-speed vehicles (even though they are not branded); however they are generally not electric and should not be marked as such.</u> Any low-speed vehicle with four wheels will be registered as an auto (AU) according to the weight. If the vehicle is "for-hire," the appropriate class code will be assigned according to the vehicle's weight.</p> <p>NOTE: Any LSV which was titled prior to FRVIS was not branded as a "Low-speed Veh," therefore; these vehicles should be branded when the title is submitted for transfer to a new owner.</p>	
PAGE # TL-63-02	REVISION DATE 06/04/09

STATE OF FLORIDA
Florida Motor Vehicles

PROCEDURE # TL-63	SUBJECT: LOW-SPEED VEHICLES
<p>III. DOCUMENTATION AND SPECIAL INSTRUCTIONS:</p> <p>A. For documentation required, refer to:</p> <ol style="list-style-type: none">1. Procedure TL-10 when the application is for an original certificate of title.2. Procedure TL-11 when the application is for a transfer of a certificate of title.3. Procedure TL-05 when the application is for a duplicate certificate of title.4. Procedure TL-12 when the application is for a duplicate with transfer certificate of title. <p>B. GOLF CARTS CONVERTED TO LOW SPEED VEHICLES</p> <p>Golf carts are NOT allowed to be titled or registered. However, NHTSA allows for a golf cart to be converted to an "electric low speed vehicle." The converted low-speed vehicle must be in its completed state before applying for a certificate of title. The application and all documentation (see list below) must be submitted to a DMV Regional office servicing the area in which the applicant resides. The applicant can locate an address and telephone number for the DMV Regional Office assigned to their county by choosing the appropriate county at the following link:</p> <p>http://www.flhsmv.gov/offices/</p> <p>The compliance examiner will review the paperwork and inspect the vehicle. When the documentation has been reviewed and found to be in order, an FLA number will be assigned to the converted low-speed vehicle. The "year" for the vehicle will be the year it is converted, the make will be "ASPT" and the body type will be 2P, 4P, etc.</p> <p>The following are the required documents:</p> <ol style="list-style-type: none">1. The original MCO completed for transfer to the applicant or a bill of sale to the applicant for the golf cart.2. Form HSMV 82040, Application for Certificate of Title with/without Registration, accurately completed, showing the new "FLA" number.3. Form HSMV 84490, Statement of Builder (Rev. 2/01 or later), accurately completed by the applicant and the DMV Compliance Examiner/Inspector. The customer must specify on the form that the low-speed vehicle conforms to Federal Regulations under Title 49 CFR Part 571.500 and s. 316, Florida Statutes.4. An "Affidavit For Golf Cart Modified To A Low Speed Vehicle" form, accurately completed. This form will be furnished to you by the Regional office at the time of application.5. The original bills of sale or receipts with name, address, and signature of the seller for all parts used to convert the golf cart to a low-speed vehicle. A signature is not required on a business receipt. The receipts/bills of sale must be in the name of the applicant/builder.	
PAGE # TL-63-03	REVISION DATE 06/04/09

STATE OF FLORIDA
Florida Motor Vehicles

PROCEDURE # TL-63	SUBJECT: LOW-SPEED VEHICLES
<p>6. Payment of Florida sales tax or specify the sales tax exemption information on an accurately completed form HSMV 82040, Application for Certificate of Title with/without Registration, or form HSMV 82041, Application for Vehicle/Vessel Certificate of Title and/or Registration.</p> <p>Sales tax must be collected according to the purchase price of the golf cart and the purchase price of all parts where sales tax was not already collected.</p> <p>7. A certified weight slip for the completed vehicle.</p> <p>8. All title fees, including the inspection fee. <u>Refer to the Schedule of Motor Vehicle, Mobile Home and Off-Highway Title and Lien Fees chart for applicable fees.</u></p> <p>IV. MISCELLANEOUS:</p> <p>A. Golf carts are not allowed to be titled or registered. However, low-speed vehicles <u>and mini-trucks</u> MUST be titled and registered.</p> <p>B. Any retailer who sells low-speed vehicles <u>or mini-trucks</u> must have a dealer's license.</p> <p>C. Low-speed electric vehicles are exempt from the odometer disclosure laws.</p>	
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STATEMENT OF BUILDER

REBUILT
 ASPT
 KIT CAR
 OTHER: _____

SECTION I. DESCRIPTION OF MOTOR VEHICLE
 MOTORCYCLE
 MOBILE HOME

1. _____ Year _____ Make _____ Identification Number _____ Color _____ Body _____ Length
2. Title Number: _____ Title State: _____
3. Other/Title Number: _____ Title State: _____
4. Motor Vehicle/Motorcycle is complete and in road operable condition. _____ (Initials)
- Mobile Home is habitable for residential or commercial purposes. _____ (Initials)

SECTION II. MAJOR COMPONENT PARTS USED IN THE BUILDING/REPAIR PROCESS

Note: Major component parts defined as: For motor vehicles other than motorcycles, any fender, hood, bumper, cowl assembly, rear quarter panel, trunk lid, door, deck lid, floor pan, engine, frame, transmission, catalytic converter or airbag.

1. This section is not applicable as the Motor Vehicle Motorcycle or Mobile Home was purchased from _____ on _____ 20_____, in complete rebuilt or ASPT condition.
2. List the major component parts used in the building/repair process (if additional space is needed, please use form HSMV 84491).

Part	New	Used	Repaired	Aftermarket	Homemade	Source/VIN
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. When Section II (1) is not applicable, describe the repairs made in detail. (If additional space is needed, please use form HSMV 84491. Attach the original MSO, bill of sale(s), or receipt(s) for all major component parts (must contain name, address, telephone, and signature of seller). _____

4. Number of Receipts: _____

SECTION III. CUSTOM VEHICLE OR STREET ROD

The following statements are required to be attested to according to section 320.0863, Florida Statutes. Failure to attest to these statements will cause this agency to reject your application.

- The vehicle will not be used for general daily transportation but will be maintained for occasional transportation, exhibitions, club activities, parades, tours, or other functions of public interest and similar uses.
- The vehicle meets state equipment and safety requirements for motor vehicles that were in effect in this state as a condition of sale in the year listed as the model year on the certificate of title.

By checking the boxes above and by signature below, I acknowledge and attest to the statements above as my written statement relating to a custom vehicle or street rod.

Signature _____ Date _____
 HSMV 84490 (Rev. 08/18/10)

SECTION IV. APPLICANT INFORMATION AND SIGNATURE

Date: _____

The undersigned hereby certifies that the vehicle conforms to Florida and Federal Motor Vehicle Safety Standards. **UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS PROVIDED HEREIN ARE TRUE. NO MATERIAL INFORMATION REGARDING THE MOTOR VEHICLE, MOTORCYCLE, OR MOBILE HOME HAS BEEN OMITTED.**

PRINTED NAME OF APPLICANT/BUSINESS

STREET ADDRESS

CITY STATE ZIP

TELEPHONE NUMBER:

SIGNATURE OF APPLICANT/BUSINESS

PRINTED NAME OF APPLICANT/BUSINESS

STREET ADDRESS

CITY STATE ZIP

TELEPHONE NUMBER:

SIGNATURE OF APPLICANT/BUSINESS

SECTION V. DMV USE ONLY

Signature below only attests to DMV inspection and does not apply to verification of Sections I, II, III or IV completed by applicant.

VIN: _____

D-1: _____

D-2: _____

D-3: _____

D-4: _____

Title Number: _____

Title State: _____ Odometer: _____

Year: _____ Make: _____

Body: _____ Color: _____

Audit #: _____ Region #: _____

Please mark the appropriate answer:

Secondary VIN Verified Yes No

Federal Decal Yes No

Replacement VIN Plate/Decal Yes No

Vehicle Painted Prior to Inspection Yes No

This ASPT/Vehicle resembles a: _____

FRVIS Yes No

Previous Rebuilt Title Yes No

NICB Check Yes No

Tax Due On: _____

Component Parts Marked Yes No

Flood Damaged Yes No

Theft Yes No

Mobile Home Use Only: Mobile Home was measured

With Tongue or Without Tongue

Comments: _____

Under penalties of perjury, I declare that I have made inspection of this motor vehicle, motorcycle, or mobile home and completed Section V based on that inspection.

 Signature of Inspector

 Print Name of Inspector

 Inspector's Badge ID Number

 Date

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF MOTORIST SERVICES
SUBMIT THIS FORM TO YOUR LOCAL TAX COLLECTOR OFFICE
www.flhsmv.gov/offices/

APPLICATION FOR CERTIFICATE OF TITLE WITH/WITHOUT REGISTRATION

CHECK APPLICATION TYPE: ORIGINAL TRANSFER VEHICLE TYPE: MOTOR VEHICLE MOBILE HOME VESSEL OFF-HIGHWAY VEHICLE: ATV ROV MC

1 OWNER / APPLICANT INFORMATION					
Customer Number	Do you want the certificate of title to remain electronic? <input type="checkbox"/> yes <input type="checkbox"/> no	Are you a Florida resident? <input type="checkbox"/> yes <input type="checkbox"/> no	Are you an alien? <input type="checkbox"/> yes <input type="checkbox"/> no	Owner <input type="checkbox"/> Co-Owner <input type="checkbox"/>	Unit Number
				Fleet Number	

OR AND NOTE: When joint ownership, please indicate if "or" or "and" is to be shown on title when issued. If neither box is checked, the title will be issued with "and."
If applicable: Life Estate/Remainder Person Tenancy By the Entirety With Rights of Survivorship Owner's County of Residence: _____

Owner's Name As It Appears on Driver License (First, Full Middle/Maiden, & Last Name)	Owner's Email Address	Date of Birth	Sex	FL Driver License or FEID/Suffix #
Co-Owner/Lessee's Name As It Appears on Driver License (First, Full Middle/Maiden, & Last Name)	Co-Owner's/Lessee's Email Address	Date of Birth	Sex	FL Driver License or FEID/Suffix #
Owner's Mailing Address(Mandatory)	City	State	Zip	
Co-Owner's/Lessee's Mailing Address (Mandatory)	City	State	Zip	
Owner's/Lessee's Physical Street Address in Florida (Mandatory)	City	State	Zip	
Mobile Home Physical Address (if applicable) Check if in a mobile home rental park with 10 or more lots. <input type="checkbox"/>	City	State	Zip	
Mail To Customer Name (If different From Above Owner)	Mail To Customer's Email Address	Date of Birth	Sex	FL Driver License or FEID/Suffix #
Mail To Customer Address (If different From Above Mailing Address)	City	State	Zip	

2 MOTOR VEHICLE, MOBILE HOME OR VESSEL DESCRIPTION								
Vehicle/Vessel Identification Number	Make/Manufacturer	Year	Body	Color	Florida Title Number			
Previous State of Issue	License Plate or Vessel Registration Number	Weight	Length Ft. In.	BHP/CC	GVM/WLOC	VAN USE, IF APPLICABLE <input type="checkbox"/> PASSENGER <input type="checkbox"/> OTHER		
TYPE <input type="checkbox"/> Open Motorboat <input type="checkbox"/> Houseboat <input type="checkbox"/> Personal Watercraft <input type="checkbox"/> Cabin Motorboat <input type="checkbox"/> Pontoon <input type="checkbox"/> Canoe <input type="checkbox"/> Auxiliary Sailboat <input type="checkbox"/> Airboat <input type="checkbox"/> Other _____ <input type="checkbox"/> Inflatable <input type="checkbox"/> Sailboat <input type="checkbox"/> Specify _____		HULL MATERIAL <input type="checkbox"/> Wood <input type="checkbox"/> Aluminum <input type="checkbox"/> Fiberglass <input type="checkbox"/> Steel <input type="checkbox"/> Wood/Fiberglass <input type="checkbox"/> Other _____ <input type="checkbox"/> Specify _____		PROPULSION <input type="checkbox"/> Outboard <input type="checkbox"/> Sail <input type="checkbox"/> Inboard <input type="checkbox"/> Air Propelled <input type="checkbox"/> Inboard/Outboard <input type="checkbox"/> Other _____ <input type="checkbox"/> Specify _____		FUEL <input type="checkbox"/> Gas <input type="checkbox"/> Diesel <input type="checkbox"/> Electric <input type="checkbox"/> Other _____ <input type="checkbox"/> Specify _____		*DRAFT OF VESSEL <i>(The depth of water a vessel draws)</i> FT. _____ IN. _____ <i>*For all vessels 26' or more in length and all sailboats</i>
USE OF VESSEL <input type="checkbox"/> Recreational (Pleasure) <input type="checkbox"/> Commercial Blue Crab <input type="checkbox"/> Commercial Stone Crab <input type="checkbox"/> Government <input type="checkbox"/> Commercial Sponge <input type="checkbox"/> Dealer/Manuf. <input type="checkbox"/> Commercial Fish <input type="checkbox"/> Commercial Live Bait <input type="checkbox"/> Commercial Shrimp Recip. <input type="checkbox"/> Commercial Charter <input type="checkbox"/> Commercial Other _____ <input type="checkbox"/> Exempt <input type="checkbox"/> Hire (Livery) <input type="checkbox"/> Commercial Mackerel <input type="checkbox"/> Commercial Shrimp Non-Recip. <input type="checkbox"/> Commercial Oyster <input type="checkbox"/> Commercial Spiny Lobster							PREVIOUS OUT-OF-STATE REGISTRATION NUMBER: _____	
Previously Federally Documented Vessel, Attach Copy of: <input type="checkbox"/> U.S. Coast Guard Release From Documentation Form; or <input type="checkbox"/> Copy of Canceled Documentation Papers				State of Principal Use				

3 BRANDS, USAGE AND TYPE (Check Applicable Boxes)							
<input type="checkbox"/> SHORT TERM LEASE	<input type="checkbox"/> LONG TERM LEASE	<input type="checkbox"/> REBUILT	<input type="checkbox"/> POLICE VEHICLE	<input type="checkbox"/> PRIVATE USE	<input type="checkbox"/> TAXI CAB	<input type="checkbox"/> FLOOD VEHICLE	<input type="checkbox"/> ILEV VEHICLE
<input type="checkbox"/> ASSEMBLED FROM PARTS	<input type="checkbox"/> REPLICA	<input type="checkbox"/> KIT CAR	<input type="checkbox"/> GLIDER KIT	<input type="checkbox"/> MANUFACTURER'S BUY BACK			<input type="checkbox"/> ELECTRIC VEHICLE

4 LIENHOLDER INFORMATION					
CHECK IF ELT CUSTOMER <input type="checkbox"/>	FEID #	DL # and Sex and Date of Birth	DMV Account #	Date of Lien	Lienholder's Name
Lienholder's Email Address		Lienholder's Address		City	State
				Zip	

If Lienholder authorizes the Department to send the motor vehicle or mobile home title to the owner, check box and countersign: _____
(Does not apply to vessels). If box is not checked, title will be mailed to the first lienholder. (Signature of Lienholder's Representative)

5 TRANSFER TYPE	
IF OWNERSHIP HAS TRANSFERRED, HOW AND WHEN WAS THE VEHICLE, MOBILE HOME, OR VESSEL ACQUIRED?	
<input type="checkbox"/> SALE <input type="checkbox"/> GIFT <input type="checkbox"/> REPOSESSION <input type="checkbox"/> COURT ORDER <input type="checkbox"/> OTHER (SPECIFY) _____	DATE ACQUIRED ____/____/____

6 ODOMETER DECLARATION

WARNING: Federal and State law requires that you state the mileage in connection with an application for a Certificate of Title. Failure to complete or providing a false statement may result in fines or imprisonment.

I/WE STATE THAT THIS 5 OR 6 DIGIT ODOMETER NOW READS , .XX (NO TENTHS) MILES, DATE READ ____/____/____ AND I/WE HEREBY CERTIFY THAT TO THE BEST OF MY/OUR KNOWLEDGE THE ODOMETER READING:

1. REFLECTS ACTUAL MILEAGE.
 2. IS IN EXCESS OF ITS MECHANICAL LIMITS.
 3. IS NOT THE ACTUAL MILEAGE.

7 DEALER SALES TAX REPORT AND VEHICLE TRADE IN INFORMATION (IF APPLICABLE)				
FLORIDA SALES TAX REGISTRATION NUMBER	DATE OF SALE	DEALER LICENSE NUMBER	AMOUNT OF TAX	DEALER/AGENT SIGNATURE
YEAR OF TRADE IN	MAKE OF TRADE IN	TITLE NUMBER OF TRADE IN (IF KNOWN)	VEHICLE IDENTIFICATION NUMBER OF TRADE IN	

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
AFFIDAVIT FOR GOLF CART MODIFIED TO A LOW SPEED VEHICLE

Florida Assigned FLA VIN: _____

The undersigned hereby certifies that the modified golf cart to a low speed vehicle conforms to Federal Regulations under Title CFR Part 571.500 and 316.2126, Florida Statutes, including but not limited to the following:

- Headlamps
- Stop lamps
- Tail lamps
- Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear
- Front and rear turn signal lamps
- Windshield with a AS1 or AS4 composition
- Type 1 or Type 2 seat belt assembly conforming to section 571.209 of this part, Federal Motor Vehicle Safety Standard No. 209, Seat belt assemblies at each designated seating position
- An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror
- Parking Brakes
- Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear
- Windshield cleaning device pursuant to 316.2952(3)(4), Florida Statutes
- Horn pursuant to 316.271(1), Florida Statutes
- Slow Moving Vehicle Emblem (SMV) pursuant to 316.2225(7)(a)(b), Florida Statutes
- Top speed is greater than 20 MPH but not greater than 25 MPH pursuant to 320.01(42), Florida Statutes
- Requirement of a weight slip

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. FURTHER, I AGREE TO DEFEND THE TITLE AGAINST ALL CLAIMS.

SIGNATURE OF APPLICANT (OWNER)

SIGNATURE OF APPLICANT (CO-OWNER)

PRINTED NAME OF APPLICANT (OWNER)

PRINTED NAME OF APPLICANT (CO-OWNER)

DATE: _____

DATE: _____

Attachment C

Orshan, Lithman, Seiden, Ramos, Hatton, Huesmann & Fajardo, LLP
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

150 Alhambra Circle
Suite 1150
Coral Gables, Florida 33134

Tel: (305) 858-0220
Fax: (305) 854-6810

Attorneys at Law

Robert D. Orshan
Robert P. Lithman
Jan K. Seiden
Jorge H. Ramos
David L. Hatton
Nicole J. Huesmann
Ariana Fajardo

Jamie Segal Davis
Rachel Klasterin Samek
Jeffrey M. Seiden
Steven P. Spann

M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL

FROM: CITY ATTORNEY

DATE: NOVEMBER 14, 2011

**RE: FEASIBILITY OF OPERATION OF GOLF CARTS ON
STREETS WITHIN THE CITY**

The basic rule of law is that the operation of golf carts on city and county roadways is prohibited. However, the operation of golf carts can be authorized on city and county roadways if, to-wit:

1. The responsible government entity for the roadway first determines that golf carts may safely travel or cross the roadway, considering factors such as speed, volume and character of the traffic using the roadway ("Traffic Study").
2. Following the determination from the study that golf carts may be safely operated on designated roadways, appropriate signage must be posted to give notice of the authorized golf cart use.

In regard to the operation of golf carts on roadways of the State Highway System, the following conditions must also be met, to-wit:

1. The Florida Department of Transportation (FDOT) must review and approve the location and design of the approved city and county roadways crossing state roadways and any traffic control devices that may be needed for safety purposes (including mid-block crosses serving golf courses).
2. The use of golf carts on state roads that have been designated for transfer to local government control is permitted if the Department determines that the safe and efficient flow of traffic will not be impeded ("Traffic Study").
3. The aforesaid permitted use of golf carts is further conditioned upon a determination that the subject roadway is the only available public road along

November 14, 2011

which carts may travel or cross the road, the roadway provides the safest travel route alternative, and the factors of speed, volume and character of traffic on the roadway have been considered in approving the use for the roadway.

4. Appropriate signage of the authorized use of golf carts must be prominently posted on the roadway.

If golf cart use is approved, the following additional rules, regulations and conditions apply to such use, to-wit:

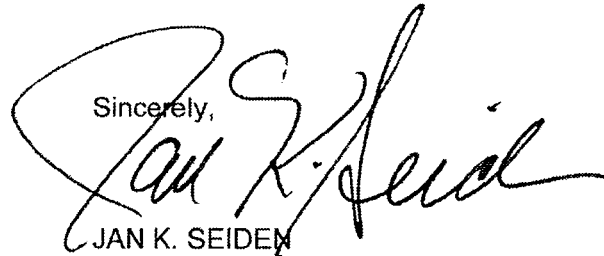
1. Golf carts may only be operated between sunrise and sunset, unless the responsible government entity for the roadway determines that use is also authorized between sunset and sunrise, and the subject carts are equipped with headlights, brake lights, turn signals and a windshield.
2. The golf carts must also be quipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectors warning devices in both front and rear.
3. An operator must be at least 14 years of age to operate the cart on public roadways.
4. Each local government involved in authorizing the operation of golf carts on its roadways may also enact ordinances relating to, to-wit:
 - (A) Golf cart operation and equipment that is more restrictive and demanding than the authorizations and requirements previously set forth herein.
 - (B) Golf cart use of sidewalks adjacent to roadways, pedestrian and cart crossings and bicycle paths. There must be a determination that the use of sidewalks by the carts will not provide safety hazards to others using the sidewalks, the FDOT must be consulted before enacting any such ordinance, the golf cart speed limit may not exceed 15 mph, the sidewalks must be at least 8 feet wide, and the golf cart equipment previously described herein shall be required (although horns or other warning devices are permitted).
 - (C) The local governmental entity must post signs of the existence of the additional local ordinance requirements.

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As an aside to the foregoing, it should be noted that local governments, and their personnel, are authorized to use golf carts, low speed vehicles, utility vehicles, and all-terrain vehicles for the carrying out of the official duties of the government. These vehicles must be appropriately equipped and be operated only by authorized personnel for governmental purposes.

The aforesaid information is being provided so that the City Council may preliminarily evaluate the pros and cons of deciding whether to initiate the procedures required to authorize golf cart use on the roadways in the City of Miami Springs.

Sincerely,



JAN K. SEIDEN

JKS:jll

* *The documentation related to the approved use of golf carts by The Village of Key Biscayne is available for your review upon request.*