



City of Miami Springs, Florida
City Council Meeting

Regular Meeting Minutes
Monday, October 13, 2014, 7:00 p.m.

Council Chambers at City Hall
201 Westward Drive, Miami Springs, Florida

1. **Call to Order/Roll Call:** The meeting was called to order by the Mayor at 7:06 p.m.

Present were the following:

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

City Manager Ronald K. Gorland
Assistant City Manager/Finance Director William Alonso
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
City Clerk Erika Gonzalez-Santamaria

2. **Invocation:** Offered by Vice Mayor Petralanda

Salute to the Flag: Students from Springview Elementary led the audience in the Pledge of Allegiance and Salute to the Flag

3. **Awards & Presentations:**

A) Yard of the Month – October 2014 – Rogelio and Terry del Rio – 225 Reinet Drive

Rogelio and Terry del Rio were not present to receive the award.

4. **Open Forum:**

The following members of the public addressed the City Council: Alain Acanda of 297 Hammond Drive and Alfredo Jaime of 249 Minola Drive.

5. **Approval of Council Minutes:**

A) September 22, 2014 – Regular Meeting
B) October 1, 2014 – Special Meeting

Councilman Windrem moved to approve the minutes of the September 22, 2014 Regular meeting and the October 1, 2014 Special meeting. Councilman Lob seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

6. Reports from Boards & Commissions: None

7. Public Hearings:

A) Ordinance – 2nd Reading – An Ordinance Of The City Council Of The City Of Miami Springs Amending Code Of Ordinance Section 35.52, Membership; To Provide Any Chief Of Police The Option Of Joining The City's Police And Fireman Pension Plan; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

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

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

Councilman Lob moved to approve. Vice Mayor Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

B) Ordinance – 2nd Reading – An Ordinance Of The City Council Of The City Of Miami Springs, Amending The Miami Springs Police And Firefighters' Retirement System; Implementing The Pension Plan Changes Contained In The 2014 – 2017 Collective Bargaining Agreement Between The City And Fraternal Order Of Police; Amending Code Of Ordinance Section 35-51, Definitions; Amending Code Of Ordinance Section 35-53, Benefit Amounts And Eligibility; Amending Code Of Ordinance Section 35-55, Contributions; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Providing An Effective Date

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

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

Councilman Lob moved to approve. Vice Mayor Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

8. Consent Agenda: (Funded and/or Budgeted)

A) Approval of the City Attorney's Invoice for September 2014 in the Amount of \$13,540.50

The following are Building Department related items:

B) Recommendation by Bldg. & Code Compliance that Council waive the competitive bid process and approve an expenditure to Angel M. Alvarez, in an amount not to exceed \$58,000.00, on an as needed basis for Roofing Plan Reviews and Roofing/Building Inspections as funds were approved in the FY 14/15 Budget, pursuant to Section §31.11 (E)(6)(g) of the City Code

C) Recommendation by Bldg. & Code Compliance that Council waive the competitive bid process and approve an expenditure to M. Jurado and Associates, in an amount not to exceed \$10,000.00, on an as needed basis for Mechanical Plan Reviews and Inspections as funds were approved in the FY 14/15 Budget, pursuant to Section §31.11 (E)(6)(g) of the City Code

D) Recommendation by Bldg. & Code Compliance that Council waive the competitive bid process and approve an expenditure to Orlando L. Blanco, in an amount not to exceed \$7,500.00, on an as needed basis for Structural and Engineering Plan Reviews as funds were approved in the FY 14/15 Budget, pursuant to Section §31.11 (E)(6)(g) of the City Code

The following are City-wide related Items:

E) Recommendation by Public Works that Council approve an expenditure to Southern Waste Systems, in an amount not to exceed \$13,136.28, for citywide garbage and recycling container pickup services, as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

F) Recommendation by Public Works that Council approve an expenditure to Kelly Janitorial, in an amount not to exceed \$31,672.00 for four months of janitorial cleaning services citywide as the contract is up for renewal in January 2015, as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

G) Recommendation by Finance-Professional Services department that Council approve an expenditure to Toshiba, in an amount not to exceed \$16,635.00 for copier lease services citywide and a printer program services that includes maintenance service and cartridges for certain desktop printers citywide, as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

H) Recommendation by City Clerk that Council approve an expenditure to Miami Herald, as a sole source provider, on an "as needed basis" in the amount of \$10,000.00, for larger circulations of notifications as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

I) Recommendation by staff that Council approve an expenditure to River Cities Gazette, as a sole source provider, in an amount not to exceed \$17,000.00, 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 and for the annual directory, as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

J) Recommendation by staff that Council approve an expenditure to Daily Business Review, as a sole source provider, in an amount not to exceed \$13,400.00, for providing greater coverage and more informative notification of advertising and legal notices to the residents of public ordinances and state and federal grant awards of the City, as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

The following are City Clerk's Department related items:

K) Recommendation by City Clerk that Council authorize the execution of a contract to Advance Data Solutions, utilizing State of contract # 973-561-010-1, in the amount of \$6,100.00, for Laserfiche Document Imaging System, including software (\$3,500.00), annual maintenance (\$800.00), installation and training (\$1,200.00), and six hours additional training (\$600.00), as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

L) Recommendation by City Clerk that Council approve an expenditure to International Data Depository (IDD), in an amount not to exceed \$10,000.00, for document storage and management services, as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

The following are Police related items:

M) Recommendation by the Police Department 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), as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E) (5) of the City Code

N) Recommendation by the Police Dept. that Council waive the competitive bid process and approve an expenditure to Miami Lakes Veterinary Clinic, in an amount not to exceed \$7,000.00, for veterinary services for the two police canines, as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E) (6) (g) of the City Code

O) Recommendation by the Police Department that Council approve an expenditure to USA Software, Inc., in the amount of \$17,423.45, for annual software support and maintenance contract renewal, as funds were approved in the FY 14/15 Budget, pursuant to Section §31.11 (E) (6) (c) of the City Code

The following are City Manager related items:

P) Recommendation by City Manager that Council approve an expenditure to Becker & Poliakoff, P.A. (Formerly The Fuentes & Rodriguez Consulting Group), paid in three equal payments in an amount not to exceed \$45,000.00, for consulting and lobbying services, as funds were approved in the FY14/15 Budget, and pursuant to the contract renewal option provided by the city's existing contract/contract vendor for an additional one year period

The following are I. T. Department related items:

Q) Recommendation by Information Technology that Council approve an expenditure to Sungard Public Sector, Inc. in an amount not to exceed \$121,776.00 for offsite ASP hosting for Sungard, as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

The following are Golf Department related items:

R) Recommendation by Golf that Council approve an expenditure to Greens Grade Inc., on an "as needed basis" in the amount of \$432,000.00, for golf course labor services as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

S) Recommendation by Golf that Council authorize the issuance of a Purchase Order to Neff Rentals, utilizing Miami Dade County contract # 84465/17-1, on an "as needed basis" in the amount of \$20,000.00, for rental of a tractor and lift equipment as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

T) Recommendation by Golf that Council authorize the issuance of a Purchase Order to Harrell's LLC, utilizing Miami Dade County contract # 9020-1/19 and 9020-1/19-1, on an "as needed basis" in the amount of \$30,000.00, for soluble fertilizers as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

U) Recommendation by Golf that Council authorize the issuance of a Purchase Order to Howard's Fertilizer, utilizing Miami Dade County contract # 9020-1/19 and 9020-1/19-1, on an "as needed basis" in the amount of \$90,000.00, for pre-emergent fertilizers as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

V) Recommendation by Golf that Council approve an expenditure to US Lubricants, the lowest responsible quote, on an "as needed basis" in the amount of \$60,740.00, for fuel for the golf equipment and golf carts as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (C)(2) of the City Code

W) Recommendation by Golf that Council approve an expenditure to Hector Turf, as a sole source provider, on an "as needed basis" in the amount of \$25,000.00, for golf course equipment repairs and parts as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

X) Recommendation by Golf that Council approve an expenditure to Foot Joy, as a sole source provider, on an "as needed basis" in the amount of \$12,000.00, for golf apparel, gloves and shoes for resale at the golf shop as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

Y) Recommendation by Golf that Council approve an expenditure to Titleist, as a sole source provider, on an "as needed basis" in the amount of \$15,000.00, for golf

merchandise, golf balls, driving range balls, caps and gloves for resale at the golf shop as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

Z) Recommendation by Golf that Council approve an expenditure to Miami Herald, as a sole source provider, on an "as needed basis" in the amount of \$10,000.00, for marketing and advertising the golf course as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

AA) Recommendation by Golf that Council approve an expenditure to Ultimate Corp, as a sole source provider, on an "as needed basis" in the amount of \$15,000.00, for seasonal advertising of the golf course with the University of Miami, Miami Dolphins and the Miami Heat as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

BB) Recommendation by Golf that Council authorize the issuance of a Purchase Order to Florida Superior Sand, utilizing Miami Dade County Bid # 9408-1/14-1, on an "as needed basis" in the amount of \$50,000.00, for medium grade sand as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

The following are Public Works Department related items:

CC) Recommendation by Public Works that Council authorize the issuance of a Purchase Order to Lowes, utilizing a cooperative purchase with GSA contract # GS-21F-0039X, on an "as needed basis" in the amount of \$20,000.00, for building maintenance supplies, as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

DD) Recommendation by Public Works that Council authorize the issuance of a Purchase Order to Miami Tiresoles, utilizing Miami Dade County contract # 14/15-06-0131, on an "as needed basis" in the amount of \$35,000.00, for tires, as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

EE) Recommendation by Public Works that Council authorize the issuance of a Purchase Order to Hydraulic Sales and Service, utilizing Miami Dade County contract # 7271-0/18, on an "as needed basis" in the amount of \$15,000.00, for hydraulic parts and repairs, as funds were approved in the FY14/15 Budget, pursuant to Section §31.11 (E)(5) of the City Code

FF) Recommendation by Public Works that Council approve an expenditure to South Florida Maintenance (SFM), in an amount not to exceed \$18,720.00, for street sweeping services as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract/contract vendor for an additional one year period

GG) Recommendation by Public Works that Council approve an expenditure to Raydel Landscaping, in an amount not to exceed \$ 63,000.00, for landscaping maintenance services as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract under ITB #04-11/12 for an additional one year period

HH) Recommendation by Public Works that Council approve an expenditure to

Raydel Landscaping, in an amount not to exceed \$105,000.00, for tree trimming, removal and disposal services as funds were approved in the FY14/15 Budget, pursuant to the contract renewal option provided by the City's existing contract under ITB #04-11/12 for an additional one year period

II) Recommendation by Public Works that Council approve an expenditure to Trak Engineering, as a sole source provider, in the amount of \$18,319.25, for updating our fuel tracking system as funds were approved in the FY 14/15 Budget, pursuant to Section 31.11 (E)(6)(c) of the City Code

The following are Recreation Department related items:

JJ) Recommendation by Recreation Department that Council approve an expenditure to South Florida Maintenance Services (SFM), Inc., the lowest responsible quote of \$79,716.00, for field maintenance to Prince Field, Stafford Park and Peavy Dove Athletic Fields as funds are in the FY 14/15 Budget, pursuant to Section §31.11 (C) (2) of the City Code

Councilman moved Bain moved to approve the consent agenda items, with the exception of 8V. Councilman Lob seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

Vice Mayor Petralanda expressed his objection to utilizing gasoline operated golf carts at the Golf Course.

Councilman Lob moved to approve consent agenda item 8V. Councilman Bain seconded the motion.

Councilman Bain requested a breakdown for the \$60,740.00 allocated for fuel for the golf equipment and golf carts and Assistant City Manager/Finance Director Alonso clarified that \$20,000.00 is for carts and \$40,000.00 is for maintenance equipment.

The motion was carried 4-1 on roll call vote. The vote was as follows: Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes and Vice Mayor Petralanda voting No.

9. Old Business:

A) Discussion of setting a date for a special meeting for the presentation of the Design Criteria Package by Bermello & Ajamil (B&A)

Per the City Manager's recommendation, Council **scheduled** a special meeting for 7:00 p.m. on Wednesday, October 22nd for the presentation of the design criteria package for the proposed aquatic facility by B&A.

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

There were no appointments to the advisory boards.

10. New Business:

A) Resolution – A Resolution of the City of Miami Springs Providing For the First Amendment to the FY2014-15 General Fund and Special Revenue and Capital Projects Fund Budgets; by Re-appropriating Reserved Fund Balances to Fund Open Encumbrances through September 30, 2014; Effective Date

City Attorney Seiden read the title of the resolution.

Councilman Windrem moved to approve. Vice Mayor Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

B) Resolution – A Resolution Of The City Council Of The City Of Miami Springs Providing For The Second Budget Amendment To The FY 2014-2015 Budget; By Transferring Funds From The Finance Department Budget To The Police Department Budget To Cover Legal Costs Associated With The New Police Contract And Budgeting For Phase Two Maintenance Costs For The Stafford Park Rehabilitation Project Within The City General Fund Budget; Providing Intent; Specifying Compliance With Budgetary Processes And Procedures; Effective Date

City Attorney Seiden read the title of the resolution.

Councilman Windrem moved to approve. Councilman Lob seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

C) Approval of New Lease Agreement with the School Board of Miami-Dade County for Stafford Park

City Attorney Seiden stated that technically Council had previously approved the agreement and since there is a new execution copy with a current survey he recommends that Council confirm the ratification of the Lease Agreement.

Councilman Lob moved to approve. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

D) Approval of Sublease Agreement with the Miami Springs Historical Society for facility located at Stafford Park

City Attorney Seiden stated that the School Board required the same protections in the Sublease as the Lease Agreement which were included. The Historical Society had some questions and he did his best to resolve the issues. The School Board representatives are very competent and he does not feel there is anything nefarious in the lease that would negatively impact the Society's plans for the museum.

City Attorney Seiden explained that the Sublease includes a provision that requires the School Board Building Department to issue permits and perform inspections, depending upon the extent of the building renovations. Another item for discussion relates to a potential parking problem since the lease does not provide parking. There is a question as

to whether or not a joint agreement could be executed for the use of the parking lot across the street between the Middle School and the Charter School. He clarified that these are post-lease matters.

Councilman Bain moved to approve. Vice Mayor Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

E) Approval of Miami Springs Police Agreement

This item was considered earlier in the meeting after Agenda Items 7A and 7B.

Councilman Bain moved to approve. Vice Mayor Petralanda seconded the motion. Nery Owens of 169 Corydon Drive thanked Council for their work in negotiating the contract.

The motion was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

A ceremonial contract signing was held between the City Council and the Fraternal Order of Police. Joe Puleo of the Fraternal Order of Police thanked Council and the negotiating team.

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

Councilman Lob moved to approve. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

G) At the direction of Council, the Administration recommends that the approximate \$41,000 General Fund savings generated by the Aetna health insurance renewal be used to provide almost all full time General employees (excludes Uniformed Police and Assistant Department Heads and above) with a 2% pay raise.

Councilman Windrem moved to approve. Councilman Lob seconded the motion.

After discussion, the motion was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

11. Other Business:

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

Councilman Lob moved to give the City Manager a vote of confidence. Councilman Bain seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Petralanda, Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes.

12. Reports & Recommendations:

A) City Attorney

City Attorney Seiden congratulated City Manager Ron Gorland on his vote of confidence. He said that Ron is a steady influence for him; he is very helpful and does a fabulous job. He is a wonderful administrator who has a good temperament and knows how to get along with people.

B) City Manager

City Manager Gorland reminded everyone of the ceremony at Stafford Park on Monday, October 20th at 6:00 p.m. to celebrate the signing of the agreement with the School Board, the completion of the field renovation project and to recognize the Soccer Club and Little League organizations.

C) City Council

Vice Mayor Petralanda reported that he attended the Florida League of Cities Legislative Policy meeting and there are two items moving forward that will be helpful to Miami Springs. He will report more at the next meeting.

Councilman Lob congratulated the City Manager and wished everyone a good night.

Councilman Windrem reminded everyone of the ongoing Farmers Market every Saturday. The ribbon cutting was held last weekend and was a lot of fun. His picture was in the Miami Herald Neighbors Section holding a large dragon fruit. The Pumpkin Patch fundraiser will kick-off tomorrow. He thanked everyone involved for their persistence in resolving the Police contract. He is glad the contract was signed and feels it is fair for the police and something the City can afford in the long-term.

Councilman Bain said that at several meetings the Council room was filled with many people before an agreement was reached on the Police Contract and Council had to reserve their comments about different criticisms. There was never a counteroffer to allow the negotiations to go forward until Joe Puleo and the Fraternal Order of Police became involved and Council acted promptly to resolve the matter after negotiations took place. It is disconcerting that he did not see more participation from both sides and hopefully within the next three years the Police Department can mend and continue providing great service to the community. He commended the City Manager for getting along with him and he extended his congratulations on his vote of confidence.

Mayor Garcia commented that the budget process is finished and the work on the budget rates high on the list with the work on the Police Contract. It was not easy, but working together with Council they were able to keep their eyes on the prize which is to maintain the quality of services that the residents of Miami Springs require, command and expect. He congratulated Council on their work on both issues. Mayor Garcia said that the grand re-opening of Stafford Park is on Monday, October 20th at 6:00 p.m. It will be a wonderful event with former soccer players that won state championships years ago, along with current players that have also won championships.

Councilman Bain mentioned that the City Clerk researched the minutes on the commercial vehicle ordinance and was under the impression that Council set the vehicle height at 9-feet, but the minutes indicate that the height was set at 8-feet.

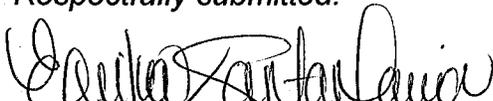
City Attorney Seiden agreed that a provision was included that allows the variance process if a vehicle exceeds 8-feet and the variance fee was reduced to \$50.00.

Mayor Garcia **requested** an excerpt of the minutes be provided to Council and Staff regarding the commercial vehicle discussion.

13. Adjourn

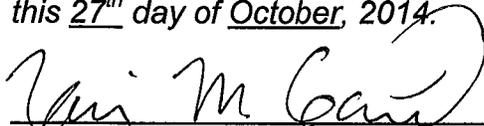
There being no further business to be discussed the meeting was adjourned at 8:20 p.m.

Respectfully submitted:


Erika Gonzalez-Santamaria, MMC
City Clerk



Adopted by the City Council on
this 27th day of October, 2014.


Xavier M. Garcia, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.