



City of Miami Springs, Florida
City Council Meeting

Regular Meeting Minutes
Monday, February 23, 2015 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 7:03 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 Armando A. Guzman
Recreation Director Omar L. Luna
Professional Services Supervisor Tammy L. Romero
City Clerk Erika Gonzalez-Santamaria

2. **Invocation:** Councilman Windrem

Salute to the Flag: Students from All Angels Academy led the audience in the Pledge of Allegiance and Salute to the Flag

3. **Awards & Presentations:**

A) Presentation by Grace Loeb for the Guardian Hands Foundation 2nd Annual Walk Against Rare Diseases on February 28th

Grace Loeb of 250 East 2nd Avenue, Hialeah, displayed a video presentation from the Guardian Hands Foundation with information about 7,000 rare diseases that affect more than thirty million Americans. She announced that the Guardian Hands Foundation invites everyone to participate in the 2nd Annual Walk Against Rare Diseases on Saturday, February 28, 2015, to raise funds and create awareness for people with rare diseases. She said that 1 out of 10 Americans suffers from a rare disease and 30% are children who will not live until five years of age.

Ms. Loeb asked the Mayor to participate with community leaders by joining the Mayor's Club. She urged everyone to make a donation and join in the walk that will be held at 8:00 a.m. at Westland Gardens Park, 13501 N.W. 107th Avenue in Hialeah Gardens.

4. **Open Forum:** There were no members of the public who signed up to speak.
5. **Approval of Council Minutes:**

A) February 9, 2015 – Regular Meeting

Councilman Lob moved to approve the minutes of the February 9, 2015 Regular Meeting. 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.

6. **Reports from Boards & Commissions:** None
7. **Public Hearings:** None
8. **Consent Agenda: (Funded and/or Budgeted)**

A) Recommendation by Golf that Council waive the competitive bid process and approve an expenditure to Yamaha Motor Corporation, in the amount of \$8,160 (\$170.00 per month) for the leasing of a gas powered range picker over a four year period (by adding to the remainder our current master lease agreement of our golf carts with Yamaha), as funds are available in the FY14/15 budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

B) Recommendation by Public Works that Council allow the issuance of a Purchase Order Change Order to Nextran Truck Center, utilizing Miami Dade County contract #5380-6/14-6, in an amount not to exceed \$23,500 for truck parts and repairs, pursuant to Section §31.11 (E)(5) of the City Code

Councilman Bain moved to approve the consent agenda. 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.

9. **Old Business:**

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

There were no appointments to the advisory boards at this time.

B) Update to Proposed Fund Balance Designation

Assistant City Manager/Finance Director referred to his memorandum that was presented at the February 9th Council meeting listing the proposed designations and the revised worksheet based on Council's requests. He prioritized the items based on a necessity timeline and added the designations proposed by Council and various city departments for a total of approximately \$622,500.

Discussion ensued regarding the allocation of funds for the five-year capital improvement plan for the Golf Course addressing DERM compliance items, including the chemical and golf cart wash down areas, maintenance yard paving, sewer line connections and paving of

the cart barn area. Council also considered increasing certain line items from \$10,000 to \$12,000, funds for the senior center replacement, the future approval of an additional senior citizen homestead exemption, Curtiss Parkway landscape and irrigation and additional funding for senior programs.

Additional discussion ensued regarding the required funding in order to establish a "Quiet Zone" at the FEC Railroad crossing and Prince Field playground improvements.

Mr. Alonso clarified that Council would be approving the designations on the original list, plus \$9,000 for Senior Programs and \$23,500 for the 1% police pension contribution reduction, which leaves \$91,646 for the Tot-Lot playground. The Golf Course DERM issues and the new Senior Center Building designations were eliminated. In addition, the \$10,000 line items were increased to \$12,000.

Councilman Lob moved to approve the designations as stated. 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.

Assistant City Manager/Finance Director Alonso explained that the proposed 1% pension contribution would require an impact study and he asked for Council approval to begin the process.

Councilman Bain moved to approve the study for the 1% police pension contribution reduction. 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) Authorization to Execute AIA Agreement with Lunacon for the Aquatic Center Project

City Manager Gorland stated that the contract negotiating team was comprised of City Attorney Seiden, Assistant City Manager/Finance Director Alonso, Professional Services Supervisor Romero, Recreation Director Luna, and himself, together with B&A Project Manager Jorge Ferrer.

City Attorney Seiden explained that a number of meetings were held with Lunacon representatives in order to negotiate the contract and bring it to its final form. Council is being asked to give their authorization to execute the contract. He referred to Exhibit "D" explaining that is an important document that addresses the design criteria changes suggested by Lunacon during their presentation and negotiations.

Project Manager Jorge Ferrer reviewed the items on Amendment No. 1 to the agreement related to the increase in square footage to the pool, site orientation and the location of the buildings, floor plan components, ventilation, interior roof drains, modification of the finished schedule, the substitution of two firms and restated project numbers for a 20-year roof warranty, removal of pilings and the elimination of project phasing.

Councilman Windrem moved to authorize the execution of the agreement. Councilman Bain seconded the motion.

Discussion ensued regarding the design/build process and the project timeline.

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.

D) Reconsideration of the Cancer Relay Organizer's Request for a "Partial Closing" for the Relay for Life Cancer Fundraiser Event to be held on March 7th

Relay for Life Committee Chairperson Susan Baan addressed the City Council requesting reconsideration of their request for a partial closing of the Circle for the event. She introduced Logistics Chair Tony Carnevale who explained the details of the request.

Ms. Baan said that keeping the outer lanes of the Circle open would benefit the businesses, assist in their fundraising efforts and allow access to the Farmers Market on Curtiss Parkway. She explained the hardships that were a result of holding last year's event on Curtiss Parkway and offered suggestions for making this year's event on the Circle safe for the participants.

Former Chief of Police Pete Baan, Optimist Club President Karl Bithorn, former Event Chairs Christina Espino and Suzanne Conlon Wolar, addressed Council on behalf of the Relay for Life Committee.

Chief of Police Armando Guzman explained that his decision to recommend full closure of the Circle was made after speaking with his Staff to see how events of this nature were held in the past. He went back and researched the incidents that occurred in and around the Circle and came to the conclusion that the safest way is to have full closure in order to prevent any vehicular traffic from going into the Circle itself.

Police Lieutenant John Mulla said that he is in charge of special events and the existing city files indicate that partial closure of the Circle was approved in the past for events that were three or four hours long.

Council asked the Administration and Staff to put together a plan to make the event as safe as possible based on the partial closure of the Circle.

Councilman Bain moved to fulfil the request of the Relay for Life for partial closure. Councilman Lob seconded the motion.

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

Councilman Bain moved to authorize the use of the funds in Council's budget for Circle events to support the change and upgrade in security of the Circle. Councilman Windrem 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 and Lob voting Yes.

Mayor Garcia called for a five-minute recess at 9:03 p.m. The meeting was reconvened at 9:14 p.m.

10. New Business:

A) Ordinance – First Reading – An Ordinance Of The City Council Of The City Of Miami Springs Amending Code Of Ordinance Section 150-013(C)(1), Front Yard Fences – Restricted Area; By Providing An Additional Approved Fencing Material; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

City Attorney Seiden read the title of the ordinance. He explained that the amendment would allow wood pickets as an approved material.

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.

B) Resolution – A Resolution Of The City Council Of The City Of Miami Springs Vacating That Certain Alley That Runs Through The Properties Located At 5001-5055 N.W. 36th St, 641 Deleon Drive, And 640-648 Desoto Drive In Miami Springs; Providing For The Equal Division Of The Alley Area; Directions To The City Clerk; Effective Date

City Attorney Seiden read the title of the resolution.

Attorney Seiden explained that the alley is in a commercial setting and the law is the same for a residential alley in that it allows 8-feet to either side; in this case, the owner owns both sides. He said that the request to vacate the alley was approved by the Zoning and Planning Board for the purpose of building a hotel and it makes it easier to provide parking and ingress and egress to the site. There are no utilities involved and it will help the city from the standpoint of redeveloping the back portion of the property. The City does not own the alley; it simply owns a right to use the alley and there is no current use of the property.

Nery Owens of Corydon Drive addressed Council regarding this item.

Councilman Windrem moved to approve the resolution. Councilman Lob seconded the motion which was carried 4-1 on roll call vote. The vote was as follows: Councilmen Windrem, Bain, Lob and Mayor Garcia voting Yes. Vice Mayor Petralanda voting No.

C) Recommendation by Public Works that Council authorize the issuance of a Purchase Order to Trane, utilizing Miami-Dade County Bid #6046-2/12/2, in the amount of \$10,420.00 annually (to be paid in quarterly payments of \$2,605.00), for inspection and maintenance services to the City Hall Trane A/C unit as described in the scope of services agreement, pursuant to Section §31.11 (E)(5) of the City Code

City Manager Gorland read the title of the recommendation.

Councilman Bain moved to approve the recommendation. Vice Mayor Petralanda seconded the motion, which 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 a Contract with the Corradino Group to conduct the Twenty-Year Water Supply Facilities Work Plan

City Manager Gorland read the recommendation memo requesting approval of a contract, in the amount of \$6,000, with the Corradino Group to conduct a 20-year Water Supply Facilities Work Plan, as mandated by the State of Florida. The update will include associated amendments to the future land use, infrastructure, conservation and inter-governmental coordination and capital improvement elements to the City's Comprehensive Land Use Plan. The City will piggy-back on a contract that the Corradino Group has with the Village of Virginia Gardens.

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

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

E) Discussion regarding "Quiet Zone" Train Crossings

Mayor Garcia asked for Council approval to direct Staff to continue with the research on the "Quiet Zone" in order to determine the process, approximate cost and to draft a resolution urging the County Commission to request that the Metropolitan Planning Organization (MPO) provide funding for the required engineering study.

Councilman Lob moved to approve. Councilman Windrem 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.

F) Consideration of window wrapping as window signage

The item was deferred to the next meeting.

G) Approval of Free Movie Night Ad in the Gazette, and other Miscellaneous Cost

City Manager Gorland clarified that a ½ page ad in the River Cities Gazette is \$350.00; miscellaneous costs include approximately \$150.00 for public works services, \$200.00 for portable toilets, \$250.00 for police services and \$250 to \$300 each for bounce houses.

Councilman Bain moved to approve. Councilman Windrem 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:** None

12. **Reports & Recommendations:**

A) City Attorney

The City Attorney had no report at this time.

B) City Manager

City Manager Gorland thanked the City Attorney for leading the charge on the Lunacon contract for the aquatic facility. City Attorney Seiden gave credit to City Staff, the B&A consultant and outside counsel for their assistance during the contract negotiations.

City Manager Gorland reminded everyone to check their email and the City website for the upcoming activities this time of the year.

C) City Council

Vice Mayor Petralanda did not have a report at this time.

Councilman Windrem thanked Council and Staff for their patience and not taking the decisions that are made lightly, especially the decision that was associated with the support of the Relay for Life request. Council supports the Chief of Police and will still maintain the use of the Circle that the community is accustomed to during the relay event. He reminded everyone to support the Farmers Market held every Saturday where he plays his guitar. He mentioned that the upcoming Movie Night will be held on the same day as the Get-Fit Health Fair, and staying fit is important in light of his Type 2 Diabetes diagnosis.

Councilman Lob reported that the Optimist Archery Club hosted one of the 2015 Florida venues and attracted almost 200 shooters with people coming from as far as Illinois, Alabama and Georgia who patronized City businesses. It was a great event; everyone had a great time and they are looking forward to next year. Since he was involved in the archery event he could not attend the Pelican Playhouse event, but he congratulated Ralph Wakefield for his success and hard work over the years.

Councilman Bain commented that there were many activities last Saturday, including the Father/Daughter Dance and the jazz event at the Curtiss Mansion. He also mentioned that he attended the Lions Club night golf event.

Mayor Garcia mentioned that there were many events in the City and no one can say that the City Council does not attend or support the various events during their entire 2-year term. He supports the community events, including the Lions Club "ball drop", Siamo's Relay for Life fundraiser, the "Cotton Club" concert at the Curtiss Mansion, the Pelican Playhouse, the Farmers Market and the Daddy/Daughter Dance. He said that every year Staff is challenged to accommodate more people at the Daddy/Daughter Dance, which is his favorite night that his daughters remember the entire year. He said that there was a waiting list of people who missed out on the event and he would like Staff to make recommendations for expanding the event in order to accommodate more people in the future.

Mayor Garcia announced the Get-Fit program encourages the youth of the community and residents to get healthy and he encourages everyone to attend. All Angels is holding their annual Silver Ball on Saturday, March 7th and for those who cannot attend, he encourages donations to support the church and the school.

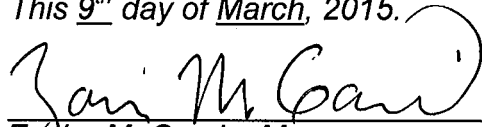
13. Adjourn

There being no further business to be discussed the meeting was adjourned at 10:06 p.m.

Respectfully submitted:


Erika Gonzalez-Santamaria, MMC
City Clerk

Adopted by the City Council on
This 9th day of March, 2015.


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.