



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Billy Bain

**Vice Mayor George Lob
Councilwoman Maria Puente Mitchell**

**Councilman Bob Best
Councilman Jaime 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 SPECIAL COUNCIL MEETING AGENDA

Wednesday, June 10, 2020 – 6:00 p.m.

Virtual Council Meeting see p.2-3

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance**
- 3. Public Comments – See Virtual Meeting Notice on how to provide Public Comments p.2-3**
- 4. Re-evaluation of Fourth of July Fireworks**
- 5. Adjourn**



CITY OF MIAMI SPRINGS VIRTUAL PUBLIC MEETING NOTICE

The City of Miami Springs will hold a **virtual** Council meeting on:
Wednesday, June 10, 2020 at 6:00 p.m.

The meeting agenda is available online at:
<https://www.miamisprings-fl.gov/meetings>

Elected officials and City staff will participate through video conference.

Members of the public may watch or call in to the virtual public meeting live by following these instructions:

WATCH THE VIRTUAL PUBLIC MEETING

- **Comcast/Xfinity:** Channel 77 (Meeting will not be live broadcast)
- **YouTube: LIVE** <https://www.youtube.com/channel/UC2at9KNnqUxZRSw1UkhdHLO/featured>
- **From your computer/mobile device: LIVE** <https://www.miamisprings-fl.gov/meetings>

CALL IN TO THE VIRTUAL PUBLIC MEETING

Dial 305-805-5151 then input the Meeting ID: 852-6348-1563, followed by #.
There is no participant ID. Press # again.

Any person requiring special accommodations to access this proceeding is asked to advise the City at least 2 days before the proceeding by contacting the City Clerk at cityclerk@miamisprings-fl.gov

PUBLIC COMMENTS WILL BE ACCEPTED BY THE FOLLOWING MEANS:

EMAILED COMMENTS: Members of the public may email their public comments to the City in advance of the meeting. Please email the City at cityclerk@miamisprings-fl.gov by 12:00 p.m. on the day of the meeting with the subject line "PUBLIC COMMENT" and the following information in the body of the email: Your Name, Address, if you are a hired Consultant or City Employee, and/or if you are engaged in Lobbying Activities and/or representing an organization. Please limit your comments to no more than 350 words. Public comments received via email may be read into the record during the public comment portion of the agenda, if any.

LIVE REMOTE & TELEPHONE COMMENTS: *If there is a public comment portion of the agenda or the City Council opens a matter for public comment, live remote public comments will be accepted as follows:*

By telephone: To ask to speak during the meeting, please press *9 from your telephone. You will be called on to speak during public comments and identified by the last 4-digits of your telephone number.

During the virtual meeting, when your name or last 4-digits of your telephone number is called, you will be unmuted and you may deliver your comments.

Please be sure to be in a quiet area to avoid unnecessary noise. Please provide the following information before delivering your comments: Your Name, Address, if you are a hired Consultant or City Employee, and/or if you are engaged in Lobbying Activities and/or representing an organization.

A time limit may be imposed for each speaker during public comment.
Your cooperation is appreciated in observing the time limit.

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PUBLIC RECORDS

The meeting will be recorded for later viewing and is a public record. The virtual chat, if any, will be saved and is a public record. Minutes of the meeting will be taken and will be made available.

NOTICE PURSUANT TO §286.0105, FLORIDA STATUTES

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE OR SHE 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 TO BE BASED.

AMERICANS WITH DISABILITIES ACT

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the City at least 2 days before the proceeding by contacting the City Clerk's Office at 305-805-5006.

LOBBYING ACTIVITIES

In accordance with Section 33-01 of the City Code, adopting Section 2-11.1(s) of the Miami-Dade County Code, any person engaging in lobbying activities, as defined therein, must register at the City Clerk's Office before addressing the City Council on the agenda items or engaging in lobbying activities. Specifically, 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 and online at: <https://www.miamisprings-fl.gov/cityclerk/lobbyist-registration-form-0>.

Have questions or need additional information?

Write: cityclerk@miamisprings-fl.gov

Call: 305-805-5006

Mail: 201 Westward Drive, Miami Springs, FL 33166



AGENDA MEMORANDUM

Meeting Date: 5/26/2020

To: The Honorable Mayor Billy Bain and Members of the City Council

Via: William Alonso, City Manager/Fin. Director

From: Omar L. Luna, Recreation Director

Subject: 4th of July Firework Display

Recommendation:

Recommendation by Recreation that Council waive the competitive bid process and approve an expenditure to Firepower Displays Unlimited, LLC, in the amount of \$16,000, for 4th of July Fireworks Display as funds were approved in the FY 19/20 Budget, pursuant to Section §31.11 (E)(6)(g) of the City Code.

Discussion/Analysis:

Provide the annual fireworks display for the 4th of July. This vendor has provided the fireworks display to the City since 1997. This vendor is one of only two local vendors and has provided firework displays for several municipalities such as: City of Homestead, City of Marathon, City of Pembroke Pines, Town of Davie, City of Coral Gables and Florida City. Firepower works directly with Miami Dade County Fire Department on our behalf, which expedites the permitting process and inspections required.

Guidelines for the 4th of July:

- Spectators will be allowed as long as they maintain social distancing and wear a mask.
- No Tents, Barbeques, Sporting Equipment, Picnic and Tailgating will be allowed.
- Residents will be encouraged to watch from their homes
- Fireworks will still be shown on a Live Feed (Instagram, Facebook, Youtube, etc)

Fiscal Impact (If applicable):

The Fireworks Display is already budgeted. The Village of Virginia Gardens will be also contributing \$3,000.00. The City of Miami Springs will be responsible for \$13,000.00

Submission Date and Time: 6/5/2020 1:11 PM

<u>Submitted by:</u>	<u>Approved by (sign as applicable):</u>	<u>Funding:</u>
Department: <u>Recreation</u>	Dept. Head: <u></u>	Dept./ Desc.: <u>Recreation Department</u>
Prepared by: <u>Omar Luna</u>	Procurement: _____	Account No. <u>001-5701-572.48-00</u>
Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Asst. City Mgr.: _____	Additional Funding: <u>N/A</u>
Budgeted/Funded <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Manager: _____	Amount previously approved: \$ <u>\$16,000</u>
	Attorney: _____	Current request: \$ <u>\$16,000</u>
		Total vendor amount: \$ <u>\$16,000</u>



CONTRACT FOR FIREWORKS

FIREWORKS DISPLAYS UNLIMITED, LLC d.b.a.
FIREPOWER FIREWORKS DISPLAYS
SPECTACULAR CUSTOM FIREWORKS DISPLAYS
FOR ANY OCCASION!

Sponsor (Legal Name) :	Day of Event Contact Cell # :
Contact Person :	Alternative Contact Cell # :
Date of Display :	Sponsor's Address :
Location of Display :	
Shoot Time :	
Duration :	
Contract Price :	
Deposit Required :	
Remarks/Notes :	

We the undersigned, being interested in a fireworks display for _____ agree to pay a price of _____ for the display agreed upon, which will be furnished by Firepower Fireworks Displays.

The undersigned, intending to be legally bound, agree as follows:

- Sponsor to make a deposit payment of 50% of the contact price upon signing of contract, but no later than 30 days prior to display. Remaining balance due 3 days prior to event/firework display date, unless arrangements to have a check on site has been made.
- In the event Sponsor shall fail to pay any sum when due under the terms of this contract, Sponsor shall pay, in addition to such amount, interest at the rate of 1-1/2% per month on the unpaid amount from the original due date. Sponsor does further agree that it shall pay Firepower Fireworks Displays reasonable attorney fees and court costs in the event Firepower Fireworks Displays shall commence suit or incur fees to compel Sponsor to pay any sums due hereunder or otherwise as a result of Sponsor's default of any of the terms and provisions herein contained.
- SPONSOR'S AGENT: _____ be designated as sponsor's agent to whom all questions and inquiries shall relay all questions and inquiries. Sponsor's agent shall be the only agent of sponsor authorized to request rescheduling of the delivery and exhibition of the fireworks on the part of the sponsor.
- If event is on land, sponsor to furnish police and/or crowd security personnel, provide proper parking supervision, and insure adequate patrol of the safety zone as marked and secured by the sponsor until Firepower Fireworks Displays advises that it is no longer necessary. Firepower Fireworks Displays is not responsible for clean-up of land-based shows other

than company equipment, supplies and packing materials. A land based fireworks show produces debris. Sponsor shall be responsible for the clean-up of any such debris.

5. If event is over water, Firepower Fireworks Displays will be responsible for marine permit (Coast Guard), and for control of safety zone (Marine Police) where applicable.
6. Firepower Fireworks Displays reserves the right to stop the display in the event persons, vehicles or animals enter the secured safety zone and security is unable or unwilling to remove them and enforce the safety regulations.
7. Firepower Fireworks Displays will furnish all applicable licenses, permits (does not include special event permit), \$5,000,000 liability insurance and pyrotechnicians for your electronically fired display.
8. **NOTE:** In accordance with local regulations and ordinances, fireworks displays shall not take place later than 11:00 pm unless approval is obtained from the governing authority, some weekday ordinances are at 9:30pm. The restrictions shall not be applicable with regards to holidays such as December 31, January 1, or other national holidays where the ordinance is not active. If for some reason, shoot time does not occur before the allotted time and shoot is canceled due to local authority or expiration of permit, Sponsor is liable for full payment of display.
9. Hold harmless Firepower Fireworks Displays from any claims that do not directly relate to damages produced by its staff, equipment or pyrotechnic material.
10. CREDITS: As a material inducement to Firepower Fireworks Displays, agreeing to enter into this agreement, Sponsor shall give Firepower Fireworks Displays program credit as sole fireworks supplier and producer in all press releases, advertising, and any other program announcements, printed or otherwise. Firepower Fireworks Displays has the authority to post photos/videos of the firework display provided to Sponsor on social media (ie. Facebook, YouTube, Company Website, etc.)
11. If show is canceled, sponsor is responsible for any permit, fire watch or barge/tug fees, if applicable. Additionally, sponsor will be responsible for load in/ load out expenses not to exceed 50% of budget. If show is stopped while in progress for any reason, Sponsor will still be responsible for contract amount minus the cost of material not discharged.
12. If wind exceeds 20 miles per hour, fireworks display will be postponed to an agreed date between sponsor and Firepower Fireworks Displays or canceled if a rain date is not possible.
13. Rain date policy is as follows: Postponement time is by 11:30am day of display with no additional fee's incurred by Sponsor other than what is stated on line 11.
14. Cancellation policy is as follows: Cancellation time is by 11:30am day of display with no additional fee's incurred by Sponsor other than what is stated on line 11.
15. If the delivery and/or exhibition of the fireworks are postponed by reason of inclement weather, it shall be re-scheduled to the Rain Date set forth by Sponsor or where possible, Firepower Fireworks Displays will allow time to pass for inclement weather to subside, not to exceed applicable ordinance time.
16. **IMPORTANT NOTE:** Items listed in this proposal assume a firing area that conforms to NFPA Code 1123-1995, which states that there must be at least 70 feet per inch of shell diameter between firing site and any spectators, cars or buildings. This program requires a safety zone that has a radius of _____ feet because of the inclusion of _____ shells. Adjustments will be made to the content of this program if necessary to conform to NFPA 1123-1995.
17. **Firepower Fireworks Displays is ONLY responsible for permits pertaining to fireworks, such as a fireworks permit through the local Fire Department and/or City, Coast Guard Permits and hiring of a Fire Inspector and/or Off Duty Police, when required. Firepower Fireworks Displays is not responsible for any other types of permits such as a special event permit.** Sponsor must make sure any other required permits are submitted.
18. Sponsor is responsible for notifying neighborhood residents/venue of firework display, if applicable.

Firepower Fireworks Displays, upon acceptance of this contract in writing,
agrees to fulfill the contract in a workmanlike and professional manner.

_____ Date

_____ Sponsor

Allyson Acosta

Firepower Fireworks Displays
Allyson Acosta, Director



ASSORTED MINES, ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS – bursts resembling a round and weeping flower pattern, **WHISTLES** – a break of color, followed by whistles, **SCREAMING DRAGONS** – a break of bright magnesium colors followed by loud screaming whistle, **GOLD FLITTER, SILVER OR GLITTER CROSSETTES** - exploding comets crackling into crisscrossing effects, **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **TOURBILLIONS** – titanium silver spinning effects, **RINGSHELLS** – assorted ring patterns of different colors of one, two, three or five different colors, **GOLDEN, SILVER, GLITTERING OR CRACKLING PALM TREES** – a palm tree image with trunk-like different forms, **ASSORTED TWO** and **THREE COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two or three distinct color changes that resemble a round and weeping flower pattern, **STROBES** – a variety of bright twinkling shells, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low, **MULTI-BREAK SALUTE SHELLS** – a variety of salute effects that incorporate multiple powerful reports into the display, **ASSORTED COMETS**, bright luminous thick tail with comet-like appearance with various colors, **ASSORTED TIGERTAILS**, similar to comets, **ASSORTED MINES**, projects various types of effect and colored stars that are launched and ignited at a low altitude, **TITANIUM SALUTES** – these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, ETC.

SHELL COUNT

	OPENING	BODY	FINALE	TOTAL SHELLS
2"				
2.5"				
3"				
4"				
5"				
6"				
7"				
8"				
CAKES				
STAGE/THEATRICAL				
MODULES				