



REVISED

CITY OF MIAMI SPRINGS, FLORIDA

Mayor Maria Puente Mitchell

**Vice Mayor Jorge Santin
Councilman Walter Fajet, Ph. D.**

**Councilwoman Jacky Bravo
Councilman Victor Vazquez, Ph.D.**

***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 REGULAR MEETING AGENDA
Monday, September 11, 2023 – 7:00 p.m.
Council Chambers, 201 Westward Drive, Miami Springs, Florida
(In-person and virtually. See pages 3-4 for additional information)**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Councilman Walter Fajet
Pledge of Allegiance: Audience will lead the Pledge of Allegiance and Salute to the Flag
- 3. Agenda / Order of Business**
- 4. Awards & Presentations:**
 - A) Swearing-in Ceremony of Police Officer Steven Torres by Police Chief Guzman
 - B) Presentation/Proclamation by Silvia Vanni, Co-Founder of Mystic Force Foundation, non-profit charity raising awareness for Childhood Cancer Research Month
 - C) Presentation by Timothy Watson, Public Affairs Specialist with the U.S. Small Business Administration, on the Economic Injury Disaster Loan for businesses and nonprofits that have difficulty meeting financial obligations as a direct result of a disaster
 - D) Yard of the Month Award for September 2023 – 1200 Westward Drive – Maxima Beckman
- 5. Open Forum:** Persons wishing to speak on items of general City business, may do so in person (*subject to capacity restrictions*) or virtually by following the instructions on pages 3-4. This portion of the meeting also includes any pre-screened video submittals. *The purpose of Open Forum is to encourage residents and members of the public to address their concerns and make comments on any item. The City Council will not enter into a dialogue at this time. City staff will gladly address any question, issue, and/or comment after the meeting. The Mayor is the presiding officer of all Council meetings and shall conduct the meetings accordingly.*

6. Approval of Council Minutes:

- A) August 21, 2023 – Budget Workshop
- B) August 28, 2023 – Regular Meeting

7. Reports from Boards & Commissions: None.

8. Public Hearings:

A) **Resolution** – A Resolution Of The Mayor And The City Council Of The City Of Miami Springs, Florida, Adopting The Proposed Millage Rate For Fiscal Year 2023-2024 In The Amount Of 6.9100 Mills, Which Is 10.79% Higher Than The Roll-Back Rate Of 6.2370 Mills, To Balance The General Fund For Fiscal Year 2023-2024; And Providing For An Effective Date

B) **Resolution** – A Resolution Of The Mayor And City Council Of The City Of Miami Springs, Florida, Adopting A Tentative Budget For The Fiscal Year Commencing October 1, 2023, And Ending September 30, 2024; Confirming Date Of Second Public Hearing; And Providing For An Effective Date

9. Consent Agenda: (Funded and/or Budgeted): None.

10. Old Business: None.

11. New Business:

A) **Ordinance – First Reading** – An Ordinance Of The City Of Miami Springs, Florida, Amending Section 150-070.1, “Miami Springs Gateway Overlay District” Within Article VII, “Business District” Of Chapter 150, “Zoning Code,” Of The City’s Code Of Ordinances To Amend The List Of Uses Permitted On First Floor Levels Along Road Rights-Of-Way; Providing For Conflicts; Providing For Severability; Providing For Codification; And Providing For An Effective Date

12. Other Business:

- A) Request by Councilman Fajet to discuss the FDOT Iron Triangle Project
- B) Request by Councilman Fajet to discuss the Abraham Tract

13. Reports & Recommendations:

- A) City Attorney
- B) City Manager
- C) City Council

14. Adjourn



CITY OF MIAMI SPRINGS PUBLIC MEETING NOTICE

The City of Miami Springs will hold a Council meeting on:
Monday, September 11, 2023 at 7:00 p.m. at
City Hall, Council Chambers, 201 Westward Drive, Miami Springs, Florida
(Physical Meeting Location)

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

Elected officials and City staff will participate from the physical meeting location. Members of the public may attend the meeting in person at the physical meeting location, or, alternatively, may watch or call in to the meeting by following these instructions:

ATTEND THE MEETING IN PERSON AT THE PHYSICAL MEETING LOCATION

The meeting will be held in person at the physical meeting location stated above. Admission to the physical meeting location is on a first-come, first-serve basis and space is limited. Doors will open 30 minutes prior to the meeting start time. The City highly encourages those in attendance to wear facial coverings and abide by social distancing as recommended by the CDC.

WATCH AND/OR PARTICIPATE IN THE MEETING

- **ZOOM:** Meeting ID 863-9512-4146
- **YouTube:** <https://www.youtube.com/channel/UC2at9KNnqUxZRSw1UkhdHLQ/featured>
- **From your computer/mobile device:** <https://www.miamisprings-fl.gov/meetings>

CALL IN TO THE PUBLIC MEETING

Dial 305-805-5151 or 305-805-5152

(Alternatively, you may also dial the phone numbers below to join the meeting:
1 (646) 558 8656, 1 (301) 715 8592, 1 (312) 626 6799, 1 (669) 900 9128, 1 (253) 215 8782,
1 (346) 248 7799) **then input the Meeting ID: 863-9512-4146, 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.

IN-PERSON COMMENTS: Members of the public may attend the meeting at the physical meeting location stated above and deliver their public comments in person during the public comment portion of the agenda.

VIRTUAL COMMENTS: *Public comments will also be accepted during the meeting using the virtual meeting platform as follows:*

By telephone: To ask to speak during the meeting, call in to the meeting using the instructions above. Please press *9 from your telephone and you will be called on to speak during public comments and identified by the last 4-digits of your telephone number.

During the meeting, when your name or the 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.

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 when addressing the Council during public comments.

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



Mission Statement

Our mission is the reduction of crime and the improvement of the quality of life. In accomplishing these goals, personal service will be our commitment, honor and integrity our mandate. We respect the dignity and personal liberties of all people. We strive to maintain a partnership with the community to ensure that Miami Springs remains a place where people can live and work safely, without fear.



***Miami Springs Police Department
Swearing in Ceremony for***

Steven Torres

*September 11th, 2023
7:00 p.m.*

*Council Chambers
City of Miami Springs
201 Westward Drive
Miami Springs, Florida 33166*



City of Miami Springs Officials

*Mayor Maria Puente Mitchell
Vice Mayor Jorge Santin
Councilman Victor Vazquez
Councilman Walter Fajet
Councilwoman Jacky Bravo*

*City Manager J.C. Jimenez
Assistant City Manager Tammy Romero
Chief of Police Armando Guzman
City Clerk Erika Gonzalez-Santamaria
City Attorney Haydee Sera*

Welcoming Remarks

Chief Armando Guzman

Swearing In Ceremony

Police Officer Steven Torres

Oath of Office

I, Steven Torres, do solemnly swear, that I will support and defend the Constitution of the United States, and the Constitution of the State of Florida against all enemies, foreign and domestic; that I will bear true faith and allegiance, to the same; to uphold and enforce the laws of the United States, the State of Florida, the County of Miami-Dade, and the City of Miami Springs; that I take this obligation freely, without any mental reservations or purposes of evasion; and that I will well and faithfully discharge the duties, of Police Officer, of the City of Miami Springs, acting to the best of my ability, so help me God.



Disaster Field Operations Center East

Release Date: May 1, 2023

Contact: Michael Lampton (404) 331-0333

Michael.Lampton@sba.gov

Release Number: 23-398, FL 17901/17902

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SBA Offers Disaster Assistance to Businesses and Residents of Florida Affected by Recent Severe Storms, Tornadoes and Flooding

WASHINGTON – Low-interest disaster loans from the [U.S. Small Business Administration](#) (SBA) are available to businesses and residents in **Florida** following the announcement of a Presidential disaster declaration due to damages from severe storms, tornadoes and flooding on April 12-14.

“SBA’s mission-driven team stands ready to help **Florida** small businesses and residents impacted by this disaster in every way possible under President Biden’s disaster declaration for certain affected areas,” said [SBA Administrator Isabella Casillas Guzman](#). “We’re committed to providing federal disaster loans swiftly and efficiently, with a customer-centric approach to help businesses and communities recover and rebuild.”

The disaster declaration covers Broward County in Florida, which is eligible for both Physical and Economic Injury Disaster Loans from the SBA. Small businesses and most private nonprofit organizations in the following adjacent counties are eligible to apply only for SBA Economic Injury Disaster Loans (EIDLs): Collier, Hendry, Miami-Dade and Palm Beach in **Florida**.

Businesses and private nonprofit organizations of any size may borrow up to \$2 million to repair or replace disaster-damaged or destroyed real estate, machinery and equipment, inventory, and other business assets.

For small businesses, small agricultural cooperatives, small businesses engaged in aquaculture and most private nonprofit organizations, the SBA offers [Economic Injury Disaster Loans \(EIDLs\)](#) to help meet working capital needs caused by the disaster. Economic Injury Disaster Loan assistance is available regardless of whether the business suffered any physical property damage.

Disaster loans up to \$200,000 are available to homeowners to repair or replace disaster-damaged or destroyed real estate. Homeowners and renters are eligible for up to \$40,000 to repair or replace disaster-damaged or destroyed personal property.

Interest rates are as low as **4** percent for businesses, **2.375** percent for nonprofit organizations, and **2.375** percent for homeowners and renters, with terms up to 30 years. Loan amounts and terms are set by the SBA and are based on each applicant’s financial condition.

Building back smarter and stronger can be an effective recovery tool for future disasters. Applicants may be eligible for a loan amount increase of up to 20 percent of their physical damages, as verified by the SBA, for mitigation purposes. Eligible mitigation improvements may include a safe room or storm

shelter, sump pump, elevation, retaining walls, and landscaping to help protect property and occupants from future damage caused by a similar disaster.

“The opportunity to include measures to help prevent future damage from occurring is a significant benefit of SBA’s disaster loan program,” said SBA Associate Administrator Francisco Sanchez, Jr. “I encourage everyone to consult their contractors and emergency management mitigation specialists for ideas and apply for an SBA disaster loan increase for funding.”

Applicants may apply online using the Electronic Loan Application (ELA) via SBA’s secure website at <https://disasterloanassistance.sba.gov/ela/s/> and should apply under SBA declaration # **17901**.

To be considered for all forms of disaster assistance, applicants should register online at DisasterAssistance.gov or download the FEMA mobile app. If online or mobile access is unavailable, applicants should call the FEMA toll-free helpline at 800-621-3362. Those who use 711-Relay or Video Relay Services should call 800-621-3362.

Disaster loan information and application forms can also be obtained by calling the SBA’s Customer Service Center at 800-659-2955 (if you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services) or sending an email to DisasterCustomerService@sba.gov. Loan applications can also be downloaded from sba.gov/disaster. Completed applications should be mailed to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

The filing deadline to return applications for physical property damage is **June 26, 2023**. The deadline to return economic injury applications is **Jan. 29, 2024**.

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About the U.S. Small Business Administration

Recently, U.S. SBA Administrator Isabella Casillas Guzman [announced a policy change](#) granting 12 months of no payments and 0 percent interest. This pertains to all disaster loans approved in response to disasters declared on or after Sept. 21, 2022, through Sept. 30, 2023. This policy change will benefit disaster survivors and help them to decrease the overall cost of recovery by reducing the amount of accrued interest they must repay. Details are available through the SBA Disaster Assistance Customer Service Center at 800-659-2955. Individuals with verbal or hearing impairments may dial 7-1-1 to access telecommunications relay services from 8 a.m. to 8 p.m. ET, Monday to Friday, or email: DisasterCustomerService@sba.gov.

The U.S. Small Business Administration helps power the American dream of business ownership. As the only go-to resource and voice for small businesses backed by the strength of the federal government, the SBA empowers entrepreneurs and small business owners with the resources and support they need to start, grow or expand their businesses, or recover from a declared disaster. It delivers services through an extensive network of SBA field offices and partnerships with public and private organizations. To learn more, visit www.sba.gov.



U.S. Small Business
Administration

U.S. SMALL BUSINESS ADMINISTRATION FACT SHEET - DISASTER LOANS

FLORIDA Declaration 17901 & 17902 *(Disaster: FL-00186)*

Incident: SEVERE STORMS, TORNADOES, AND FLOODING

occurring: April 12 – 14, 2023

in **Broward County, Florida**; and for economic injury only in the contiguous **Florida** counties of: **Collier, Hendry, Miami-Dade, and Palm Beach**

Application Filing Deadlines:

Physical Damage: June 26, 2023 Economic Injury: January 29, 2024

If you are located in a declared disaster area, you may be eligible for financial assistance from the U. S. Small Business Administration (SBA).

What Types of Disaster Loans are Available?

- **Business Physical Disaster Loans** – Loans to businesses to repair or replace disaster-damaged property owned by the business, including real estate, inventories, supplies, machinery and equipment. Businesses of any size are eligible. Private, non-profit organizations such as charities, churches, private universities, etc., are also eligible.
- **Economic Injury Disaster Loans (EIDL)** – Working capital loans to help small businesses, small agricultural cooperatives, small businesses engaged in aquaculture, and most private, non-profit organizations of all sizes meet their ordinary and necessary financial obligations that cannot be met as a direct result of the disaster. These loans are intended to assist through the disaster recovery period.
- **Home Disaster Loans** – Loans to homeowners or renters to repair or replace disaster-damaged real estate and personal property, including automobiles.

What are the Credit Requirements?

- **Credit History** – Applicants must have a credit history acceptable to SBA.
- **Repayment** – Applicants must show the ability to repay all loans.
- **Collateral** – Collateral is required for physical loss loans over \$25,000 and all EIDL loans over \$25,000. SBA takes real estate as collateral when it is available. SBA will not decline a loan for lack of collateral, but requires you to pledge what is available.

What are the Interest Rates?

By law, the interest rates depend on whether each applicant has Credit Available Elsewhere. An applicant does not have Credit Available Elsewhere when SBA determines the applicant does not have sufficient funds or other resources, or the ability to borrow from non-government sources, to provide for its own disaster recovery. An applicant, which SBA determines to have the ability to provide for his or her own recovery is deemed to have Credit Available Elsewhere. Interest rates are fixed for the term of the loan. The interest rates applicable for this disaster are:

Loan Types	No Credit Available Elsewhere	Credit Available Elsewhere
Home Loans	2.375%	4.750%
Business Loans	4.000%	8.000%
Non-Profit Organizations	2.375%	2.375%

Economic Injury Loans

Loan Types	No Credit Available Elsewhere	Credit Available Elsewhere
Businesses & Small Agricultural Cooperatives	4.000%	N/A
Non-Profit Organizations	2.375%	N/A

What are Loan Terms?

The law authorizes loan terms up to a maximum of 30 years. However, the law restricts businesses with credit available elsewhere to a maximum 7-year term. SBA sets the installment payment amount and corresponding maturity based upon each borrower's ability to repay.

What are the Loan Amount Limits?

- **Business Loans** – The law limits business loans to \$2,000,000 for the repair or replacement of real estate, inventories, machinery, equipment and all other physical losses. Subject to this maximum, loan amounts cannot exceed the verified uninsured disaster loss.
- **Economic Injury Disaster Loans (EIDL)** – The law limits EIDLs to \$2,000,000 for alleviating economic injury caused by the disaster. The actual amount of each loan is limited to the economic injury determined by SBA, less business interruption insurance and other recoveries up to the administrative lending limit. EIDL assistance is available only to entities and their owners who cannot provide for their own recovery from non-government sources, as determined by the U.S. Small Business Administration.
- **Business Loan Ceiling** – The \$2,000,000 statutory limit for business loans applies to the combination of physical, economic injury, mitigation and refinancing, and applies to all disaster loans to a business and its affiliates for each disaster. If a business is a major source of employment, SBA has the authority to waive the \$2,000,000 statutory limit.
- **Home Loans** – SBA regulations limit home loans to \$200,000 for the repair or replacement of real estate and \$40,000 to repair or replace personal property. Subject to these maximums, loan amounts cannot exceed the verified uninsured disaster loss.

What Restrictions are there on Loan Eligibility?

- **Uninsured Losses** – Only uninsured or otherwise uncompensated disaster losses are eligible. Any insurance proceeds which are required to be applied against outstanding mortgages are not available to fund disaster repairs and do not reduce loan eligibility. However, any insurance proceeds voluntarily applied to any outstanding mortgages do reduce loan eligibility.
- **Ineligible Property** – Secondary homes, personal pleasure boats, airplanes, recreational vehicles and similar property are not eligible, unless used for business purposes. Property such as antiques and collections are eligible only to the extent of their functional value. Amounts for landscaping, swimming pools, etc., are limited.
- **Noncompliance** – Applicants who have not complied with the terms of previous SBA loans may not be eligible. This includes borrowers who did not maintain flood and/or hazard insurance on previous SBA loans.

Note: Loan applicants should check with agencies / organizations administering any grant or other assistance program under this declaration to determine how an approval of SBA disaster loan might affect their eligibility.

Is There Help with Funding Mitigation Improvements?

If your loan application is approved, you may be eligible for additional funds to cover the cost of improvements that will protect your property against future damage. Examples of improvements include retaining walls, seawalls, sump pumps, etc. Mitigation loan money would be in addition to the amount of the approved loan, but may not exceed 20 percent of total amount of physical damage to real property, including leasehold improvements, and personal property as verified by SBA to a maximum of \$200,000 for home loans. It is not necessary for the description of improvements and cost estimates to be submitted with the application. SBA approval of the mitigating measures will be required before any loan increase.

Is There Help Available for Refinancing?

- SBA can refinance all or part of prior mortgages that are evidenced by a recorded lien, when the applicant (1) does not have credit available elsewhere, (2) has suffered substantial uncompensated disaster damage (40 percent or more of the value of the property or 50% or more of the value of the structure), and (3) intends to repair the damage.
- Businesses – Business owners may be eligible for the refinancing of existing mortgages or liens on real estate, machinery and equipment, up to the amount of the loan for the repair or replacement of real estate, machinery, and equipment.
- Homes – Homeowners may be eligible for the refinancing of existing liens or mortgages on homes, up to the amount of the loan for real estate repair or replacement.

What if I Decide to Relocate?

You may use your SBA disaster loan to relocate. The amount of the relocation loan depends on whether you relocate voluntarily or involuntarily. If you are interested in relocation, an SBA representative can provide you with more details on your specific situation.

Are There Insurance Requirements for Loans?

To protect each borrower and the Agency, SBA may require you to obtain and maintain appropriate insurance. By law, borrowers whose damaged or collateral property is located in a special flood hazard area must purchase and maintain flood insurance. SBA requires that flood insurance coverage be the lesser of 1) the total of the disaster loan, 2) the insurable value of the property, or 3) the maximum insurance available.

Applicants may apply online, receive additional disaster assistance information and download applications at <https://disasterloanassistance.sba.gov/ela>. Applicants may also call SBA's Customer Service Center at (800) 659-2955 or email disastercustomerservice@sba.gov for more information on SBA disaster assistance. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. Completed applications should be mailed to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.



U.S. Small Business
Administration

U.S. SMALL BUSINESS ADMINISTRATION FACT SHEET - DISASTER LOANS

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What are the Credit Requirements?

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- **Collateral** – Collateral is required for physical loss loans over \$25,000 and all EIDL loans over \$25,000. SBA takes real estate as collateral when it is available. SBA will not decline a loan for lack of collateral, but requires you to pledge what is available.

What are the Interest Rates?

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What Restrictions are there on Loan Eligibility?

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- **Noncompliance** – Applicants who have not complied with the terms of previous SBA loans may not be eligible. This includes borrowers who did not maintain flood and/or hazard insurance on previous SBA loans.

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You may use your SBA disaster loan to relocate. The amount of the relocation loan depends on whether you relocate voluntarily or involuntarily. If you are interested in relocation, an SBA representative can provide you with more details on your specific situation.

Are There Insurance Requirements for Loans?

To protect each borrower and the Agency, SBA may require you to obtain and maintain appropriate insurance. By law, borrowers whose damaged or collateral property is located in a special flood hazard area must purchase and maintain flood insurance. SBA requires that flood insurance coverage be the lesser of 1) the total of the disaster loan, 2) the insurable value of the property, or 3) the maximum insurance available.

Applicants may apply online, receive additional disaster assistance information and download applications at <https://disasterloanassistance.sba.gov/ela>. Applicants may also call SBA's Customer Service Center at (800) 659-2955 or email disastercustomerservice@sba.gov for more information on SBA disaster assistance. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. Completed applications should be mailed to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.



City of Miami Springs, Florida

City Council Workshop Meeting Minutes

Monday, August 21, 2023, 6:00 p.m.

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

In-Person/Virtual Council Meeting using Communications Media Technology Pursuant to Governor's Executive Order 20-69

- 1. Call to Order/Roll Call:** The meeting was called to order by the Mayor at 6:00 p.m.

Present were the following:

Mayor Maria Puente Mitchell

Vice Mayor Jorge Santin

Councilwoman Jacky Bravo

Councilman Walter Fajet, Ph. D.

Councilman Victor Vazquez, Ph.D.

City Manager/Finance Director William Chiocca

City Clerk Erika Gonzalez-Santamaria

City Attorney Haydee Sera

Human Resource Director Bill Collins

Golf Director Paul O'Dell

Golf Superintendent Laurie Bland

Public Works Director Lazaro Garaboa

Public Works Assistant Director Lizette Fuentes

Building Official Ulises Fernandez

Code Compliance Officer Rosemary Novo

City Planner Silvia Vargas (via Zoom)

- 2. Invocation:** Offered by Vice Mayor Santin
Salute to the Flag: The audience participated.

- 3. Workshop on Proposed Fiscal Year 2023-2024 Budget**

- I. Opening Remarks by City Finance Director Chris Chiocca**

Mr. Chiocca updated the City Council with changes made during the first budget workshop. He stated that millage still maintained at 6.9900 with a surplus of \$170,258.00. He listed several items that the Council set aside from the prior workshop, such as cutting the City Events line item, increasing the City's donation to the River Cities Festival, increasing the subsidy for the Historic Society, and a new phone app communications system for City-wide use. He then introduced the Human Resources Director, Bill Collins.

I. Human Resources

Interim City Manager Tammy Romero introduced Bill Collins, the Human Resources Director. The budget an increase in health and COLA for employees. The budget \$14,310 higher than the FY22/23.

Mr. Collins was available to answer any of the Council's questions. There were no further changes to this portion of the budget.

II. Golf

Finance Director Chris Chiocca stated that the Golf Department budget is \$448,162 higher than last year. He stated that the Golf Course will be closed for renovations from April to October.

Golf Director Paul O'Dell answered the Council's questions. Golf Course Maintenance Superintendent Laurie Bland were present to answer questions regarding the golf maintenance budget; no further changes were made.

III. City Attorney

Mr. Chiocca explained that the proposed budget includes a \$12,000 increase to the monthly retainer as well as \$30,000 for Code revisions. There were no changes to the City Attorney's budget.

There were no further changes in this portion of the budget.

IV. Public Services Department

i. Administration

Mr. Chiocca stated that the Administration budget is approximately \$59,285 higher due to COLA. He also stated that the entire Public Works budget for the upcoming fiscal year is \$2,249,881 lower than FY2021-2022. There were no changes in this portion of the budget.

ii. Streets/Streetlights Division

Finance Director Chris Chiocca explained the budget is \$13,446 higher or 3.6% than the current year. There was no further discussion on this section.

iii. Public Properties

Finance Director Chris Chiocca stated that the Public Properties budget is about \$288,728 higher than the current year due to increase in property insurance. Budget includes \$100,000 for tree trimming city-wide.

iv. Building Maintenance

Finance Director Chris Chiocca said the department is \$44,692 lower than the current year. There were no further questions for this section of the budget.

v. Fleet Maintenance

Mr. Chiocca explained that the Fleet Maintenance budget is \$7,000 higher than the current year.

vi. Road and Transportation

Finance Director Chris Chiocca stated that the Road and Transportation, Sanitation and Stormwater funds do not impact the General Fund. The proposed budget is \$27,314 higher than FY2022-2023. The Road and Transportation fund includes funds from the Citizens Independent Transportation Trust (CITT) and the projected revenue for next year is approximately \$928,196. This budget includes funding for alley maintenance new sidewalks city-wide, milling and paving various roads City-wide, and also includes the City's shuttle bus service.

vii. Sanitation

The Sanitation fund is self-sufficient as it is funded through the sanitation fees that are collected on an annual basis, according to Mr. Chiocca. The proposed budget is \$149,222 higher than this year.

viii. Stormwater

Mr. Chiocca explained that the Stormwater fund includes fees collected through the water bill. The budget is \$131,184 is less than the previous year. Total revenues totaled \$427,000.

V. Building Department

Mr. Chiocca stated that the Building Department is \$30,527 lower than the current year. The Building Department budget is a separate Special Revenue fund.

Building and Code Compliance Director Ulises Fernandez answered questions from Council. There was no further discussion on this budget.

VI. Code Compliance

Mr. Chiocca commented that the Code Compliance Department is a separate department from Building. He stated that the budget is \$46,680 higher than last year due to an

additional part-time Code Enforcement Officer. The budget also includes \$15,000 for Special Magistrate services.

There were no further changes to this section.

VII. Planning Department

Mr. Chiocca stated that the proposed budget is \$22,288 higher than the current year. Zoning and Planning Director Silvia Vargas of CGA addressed the Council's questions. There was no further discussion on this portion of the budget.

VIII. Debt Service

Mr. Chiocca explained that the budget shows an increase of \$133,059. There were no further questions on this section of the budget.

4. Adjourn

There being no further business to be discussed the meeting was adjourned at 8:36 p.m.

Respectfully submitted:

*Erika Gonzalez-Santamaria, MMC
City Clerk*

*Adopted by the City Council on
This 11th day of August, 2023.*

Maria Puente Mitchell, 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.



City of Miami Springs, Florida

City Council Meeting

Regular Meeting Minutes

Monday, August 28, 2023 at 7:00 p.m.

Rebeca Sosa Theater, 1401 Westward Drive, Miami Springs, Florida

In-Person/Virtual Council Meeting

1. **Call to Order/Roll Call:** The meeting was called to order by the Mayor at 7:00 p.m.

Present were the following:

Mayor Maria Puente Mitchell

Vice Mayor Jorge Santin

Councilwoman Jacky Bravo

Councilman Walter Fajet, Ph.D.

Councilman Victor Vazquez. Ph.D.

Interim City Manager Tammy Romero

City Clerk Erika Gonzalez-Santamaria

City Attorney Roger Pou

Police Chief Armando Guzman

Public Works Director Lazaro Garaboa

Assistant Public Works Director Lizette Fuentes

2. **Invocation:** Offered by Mayor Maria Mitchell
Pledge of Allegiance: The audience led in the pledge.
3. **Agenda / Order of Business:** None at this time.
4. **Awards & Presentations:**

A) Recognizing Miami Springs Little League Softball Team for winning the District and Sectional Titles presented by League President Fred Gonzalez

Mayor Mitchell recognized Little League President Fred Gonzalez. The City Council acknowledged the Softball champions with certificates of recognition, medals and championship banners.

B) Recognizing Poster Contest Winners hosted by the Community Policing Unit presented by Officer Janice Simon; winners Joaquin Nolan (Winner Age Group 5 - 6), Penelope Valido (Winner Age Group 7 -8 Age Group), Ben and Lucas Espino (Brothers) (Winners Age Group 9 - 10 AND Overall winner), Sienna Daniel (Winner Age Group 11 -12)

Mayor Mitchell recognized Miami Springs Officer Janice Simon, who then announced the winners for the poster contest held over the summer. The City Council thanked the students for their magnificent artwork and announced that the artwork is displayed

at the City Hall Lobby.

- C) Yard of the Month Award for August 2023 – 464 LaVilla Drive – Ramona Pino

The Mayor recognized Ms. Ramona Pino for her Yard of the Month Award for August. Ms. Pino was not present to receive their award. City Clerk Erika Gonzalez stated that the award will be delivered to Ms. Pino.

5. Open Forum: The following members of the public addressed the City Council: Tomas Lopez, 101 Pinecrest Drive; Victor Anchipolovsky, 115 South Royal Poinciana; Matthew Gonzalez, 1101 Swan Avenue; Lynne Brooks; Frank Fernandez, 289 Shadow Way; Carlos Corderi, 90 De Leon Drive; Thad Ovarich; and Dr. Manuel Garcia Estrada.

6. Approval of Council Minutes:

- A) August 7, 2023 – Budget Workshop
- B) August 14, 2023 – Regular Meeting

Councilman Fajet moved to approve the minutes of August 7, 2023 Budget Workshop, August 14, 2023 Regular Meeting. Councilwoman Bravo seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Santin, Councilwoman Bravo, Councilman Fajet, Councilman Vazquez and Mayor Mitchell voting Yes.

7. Reports from Boards & Commissions:

- A) Re-appointment of Board member (Ecology Advisory Board)

City Clerk Erika Gonzalez stated that Ms. Anderson-Booher continues to be interested in serving on the Ecology Board. She also stated that after three terms the City Council must approve the re-appointment in order for the Board member to continue serving. Councilwoman Bravo moved to approve the re-appointment. Councilman Fajet seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Santin, Councilwoman Bravo, Councilman Fajet, Councilman Vazquez and Mayor Mitchell voting Yes.

8. Public Hearings:

A) **Resolution** – A Resolution Of The Mayor And City Council Of The City Of Miami Springs, Florida, Approving A Final Plat Application By 4649 NW 36 Street, LLC For Property Located At 4601-4649 NW 36th Street (Folio Numbers 05-3119-010-4040 And 05-3119-013-3930); Providing For Conditions; Providing For Violations; Providing For Authorization; Providing For Recording; And Providing For An Effective Date

City Attorney Roger Pou read the Resolution by title. City Clerk Erika Gonzalez swore those giving testimony. Silvia Vargas, City Planner, gave her analysis based on her staff report. The Applicant was available for questions. The Mayor opened the public hearing, there were no speakers at this time.

Councilman Fajet made a motion to approve the Resolution as read. Councilman Vazquez seconded the motion, which carried 4-1 on roll call vote. The vote was as follows: Councilwoman Bravo, Councilman Fajet, Councilman Vazquez and Mayor Mitchell voting Yes; Vice Mayor Santin voting No.

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

A) **Resolution** – A Resolution Of The Mayor And City Council Of The City Of Miami Springs, Florida, Approving The Issuance Of A Purchase Order For Rental Of Undercover/Unmarked Police Vehicles To Royal Rent-A-Car Systems Of Florida, Inc. In An Amount Not To Exceed \$41,359.11 By Utilizing The Terms And Conditions Of Miami-Dade County Contract No. FB-01293 Pursuant To Section 31-11(E)(5) Of The City Code; Providing For Authorization; Providing For Implementation; And Providing For An Effective Date

B) **Resolution** – A Resolution Of The Mayor And City Council Of The City Of Miami Springs, Florida, Selecting Standard Insurance Company For The City's Group Life And AD&D Insurance Coverage For Employees In An Amount Not To Exceed \$46,695.00; Providing For Authorization; And Providing For An Effective Date

C) **Resolution** – A Resolution Of The Mayor And City Council Of The City Of Miami Springs, Florida, Approving The Submission Of A Resilient Florida Program Grant Application To The Florida Department Of Environmental Protection (FDEP) Relating To The Implementation Of The Esplanade Canal Hardening Project; Providing For Authorization; And Providing For An Effective Date

Mayor Mitchell Pulled Item C from the Consent Agenda for further discussion.

Councilman Fajet made a motion to approve the Consent Agenda Items A and B. Councilman Vazquez seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Santin, Councilwoman Bravo, Councilman Fajet, Councilman Vazquez and Mayor Mitchell voting Yes.

Interim City Manager Tammy Romero read Item C, Resolution, by title.

After some discussion and clarification, Councilwoman Bravo made a motion to approve the Resolution. Councilman Fajet seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Santin, Councilwoman Bravo, Councilman Fajet, Councilman Vazquez and Mayor Mitchell voting Yes.

10. Old Business: None.

11. New Business: None.

12. Other Business: None.

13. Reports & Recommendations:

A) City Attorney

City Attorney Roger Pou stated that Haydee Sera will be returning on September 5th. He thanked the City Council for their support throughout his time filling in for Haydee. He stated that he will still remain assisting the City in other capacities. He had no further report at this time.

B) City Manager

Interim City Manager Tammy Romero wished a warm welcome to new City Manager JC Jimenez and had no further report at this time.

C) City Council

Vice Mayor Santin requested consensus for an additional budget workshop to further discuss the millage rate. After some discussion, there was general consensus that a workshop was not necessary moving forward.

Councilwoman Bravo stated she understands that lowering the millage rate is important, but realizes that the balancing the budget and providing continued services is just as important. She also inquired if the nuisance abatement ordinance is still being utilized as a tool for issues stemming from NW 36th Street, if not, she suggested we should revisit the ordinance. Councilwoman Bravo thanked Mr. Pou for being so helpful throughout his time of service to Council.

Councilman Fajet thanked City Attorney Roger Pou for taking over so seamlessly for Haydee, for his hard work and dedication to the City. Councilman Fajet also thanked Tammy Romero and recognized her for her outstanding work during her tenure as Interim City Manager. He encouraged everyone to come out and attend the September 11th meeting where the budget and millage will be discussed.

Councilman Vazquez also thanked Roger for stepping in and working diligently with the City. He also thanked Tammy Romero for her hard work and dedication to the City. He stated that he attended the Boys Scouts Court of Honor recognizing two Eagle Scouts; he stated that his son did the invocation during the ceremony on Saturday.

Mayor Mitchell stated that the millage rate impacts all homes differently throughout the City where perhaps longer owned property owners see less taxes on their bill versus the newer property owners whom may see more taxes. She stated she understands the difficulty of making hard decisions, but it is their duty as elected officials to make these types of decisions. The Mayor thanked Roger Pou for serving as City Attorney, she recognized his expertise, his patience and thoroughness on a variety of matters. Mayor Mitchell, along with Chief Guzman and Tammy Romero met with several NW 36th Street hotels, individually, the past month. The intent of the individual meetings was to collaborate on ideas to reduce the calls on police services;

hotels were quite receptive. She also indicated that as part of those meetings, the hotel managers and owners were hoping to meet as a group in order to share information amongst themselves as well.

14. Adjourn

There being no further business to be discussed the meeting was adjourned at 9:05 p.m.

Respectfully submitted:

*Erika Gonzalez-Santamaria, MMC
City Clerk*

*Adopted by the City Council on
This 11th day of September, 2023.*

Maria Puente Mitchell, 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.

RESOLUTION NO. 2023-____

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, ADOPTING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2023-2024 IN THE AMOUNT OF 6.9100 MILLS, WHICH IS 10.79% HIGHER THAN THE ROLL-BACK RATE OF 6.2370 MILLS, TO BALANCE THE GENERAL FUND FOR FISCAL YEAR 2023-2024; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 20, 2023, the City of Miami Springs (“City”) Council adopted Resolution No. 2023-4105 determining the proposed millage rate for the fiscal year commencing October 1, 2023 and further scheduled public hearings on the millage rate as required by Section 200.065, *Florida Statutes*, the first hearing to be held on Monday, September 11, 2023, at 7:00 P.M. and the second to be held on Monday, September 25, 2023, at 7:00 P.M.; and

WHEREAS, on September 11, 2023, the City Council held its first public hearing to consider any adjustment of its proposed millage rate, adopt a proposed millage rate, and adopt a tentative budget for Fiscal Year 2023-2024 (“FY 2023-2024”), in accordance with Section 200.065(2)(c), *Florida Statutes*, and provide the general public a reasonable opportunity to speak and ask questions prior to the adoption of any measures by the City Council; and

WHEREAS, on September 25, 2023, the City Council will hold a public hearing to consider any adjustment of its proposed millage rate, adopt a final millage rate, confirm its rolled-back rate, and adopt a final operating budget for FY 2023-2024, in accordance with Section 200.065(2)(d), *Florida Statutes*; and

WHEREAS, the City Council has considered the general public’s comments regarding the proposed millage rate and has complied with the notice requirements of Florida law, and wishes to adopt the City’s proposed millage rate to balance the tentative budget for FY 2023-2024.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That the above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

Section 2. Proposed Millage Rate and Announcing Rolled-Back Rate. The City establishes a proposed millage rate of 6.9100 mills per \$1,000.00 of assessed property value within the City of Miami Springs, which is 10.79% higher than the rolled-back rate of 6.2370 mills per \$1,000.00 of assessed property value.

Section 3. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

- Vice Mayor Jorge Santin
Councilmember Jacky Bravo
Councilmember Dr. Victor Vazquez, Ph.D.
Councilmember Dr. Walter Fajet, Ph.D.
Mayor Maria Puente Mitchell

PASSED AND ADOPTED this ___ day of _____, 2023.

MARIA PUENTE MITCHELL
MAYOR

ATTEST:

ERIKA GONZALEZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
CITY ATTORNEY

RESOLUTION NO. 2023-____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; CONFIRMING DATE OF SECOND PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 200.065, Florida Statutes, the Miami-Dade County Property Appraiser (“Property Appraiser”) has certified the taxable value within the City of Miami Springs (the “City”) for Fiscal Year 2023-2024, which includes all real property within the City; and

WHEREAS, on July 20, 2023, the City Council adopted Resolution No. 2023-4105 determining the proposed millage rate for the fiscal year commencing October 1, 2023, and further scheduled public hearings on the millage rate as required by Section 200.065, Florida Statutes, the first hearing to be held on Monday, September 11, 2023, at 7:00 P.M. and the second to be held on Monday, September 25, 2023, at 7:00 P.M.; and

WHEREAS, the City Manager has submitted to the City Council a budget for Fiscal Year 2023-2024 showing estimates of revenues and expenditures, together with the character and object of expenditures and an estimate of all municipal projects pending or to be undertaken; and

WHEREAS, the City Council and the City Manager have reviewed the City’s proposed Fiscal Year 2023-2024 Budget, considered an estimate of the necessary expenditures contemplated for in the Budget, and determined the proposed millage rate levy of 6.9900 mills to provide the necessary funds for such expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That the above-stated recitals are hereby adopted and confirmed.

Section 2. Adopting Tentative Budget. The City’s Tentative Budget for the fiscal year commencing October 1, 2023, and ending September 30, 2024, is hereby approved and adopted as set in Exhibit “A,” attached hereto and incorporated herein.

Section 3. Confirming Date of Second Public Hearing. The City confirms that it will hold a public hearing to finally adopt the millage rate and budget for fiscal year 2023-2024 on Monday, September 25, 2023, at 7:00 P.M.

Section 4. Effective Date. That this Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the vote was as follows:

Vice Mayor Jorge Santin	_____
Councilmember Jacky Bravo	_____
Councilmember Dr. Victor Vazquez, Ph.D.	_____
Councilmember Dr. Walter Fajet, Ph.D.	_____
Mayor Maria Puente Mitchell	_____

PASSED AND ADOPTED this ___ day of _____, 2023.

MARIA PUENTE MITCHELL
MAYOR

ATTEST:

ERIKA GONZALEZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
CITY ATTORNEY

EXHIBIT A

TENTATIVE BUDGET

FISCAL YEAR 2023-24

Funds	Revenues & Reserves	Expense Appropriations & Reserves
General Fund	\$23,005,129	\$23,005,129
Special Revenue Funds	\$3,828,447	\$3,828,447
Enterprise Funds	\$3,255,410	\$3,255,410
Debt Service Fund	\$1,805,985	\$1,805,985
TOTALS	\$31,894,971	\$31,894,971

MEMORANDUM

To: Honorable Mayor and Council

From: Haydee Sera, Esq., Weiss Serota Helfman Cole & Bierman, P.L., City Attorney

Date: September 11, 2023

RE: 1st Reading: Ordinance Amending Section 150-070.1, “Miami Springs Gateway Overlay District,” of the City Code of Ordinances (the “Code”).

Recommendation: Adopt on first reading the proposed Ordinance amending Section 150-070.1, “Miami Springs Gateway Overlay District,” of the City Code.

Background:

Section 150.070.1, “Miami Springs Gateway Overlay District,” of the City Code establishes the Miami Springs Gateway Overlay District (the “Overlay District”), which encompasses the area graphically depicted below within the Central Business District (CBD):



The Overlay District regulations provide that restaurant and/or retail uses are the only permitted uses along road rights-of-way on first floor levels (the “Existing Uses”). Since the adoption of the Overlay District in 2018, the market’s demand for traditional retail uses has decreased significantly, which trend has accelerated since the COVID-19 Pandemic. Accordingly, the City Council has identified a need to amend the list of permitted uses along road rights-of-way on first floor levels by expanding the list of permitted uses in the District. By doing so, the Council seeks to ensure the success of current and future developments in the Overlay District.

The proposed Ordinance would amend the Overlay District regulations to permit the following additional uses along road rights-of-way on first floor levels (collectively, the “Proposed Uses”):

1. Office Use, including medical and dental, along any street frontage except Curtis Parkway and South and North Royal Poinciana Boulevards.
2. Personal Services (e.g., barbershops, beauty parlors, physical therapy clinics), with hours of business between 6:00 a.m. and 10:00 p.m., along Hook Square frontage only.

3. Veterinarian Use (which may provide short-term boarding for medical purposes only, for no more than 48 hours), along Hook Square or Canal Street frontage only, provided that no Veterinarian Use may be located within 0.25 airline miles of the front door of an existing Veterinarian Use within the Gateway District.¹

By limiting the location of the Proposed Uses to those areas fronting secondary streets (i.e., Hook Square, Nahkoda Drive, and Canal Street), the City maintains the Existing Uses as the primary uses in the Overlay District. Furthermore, keeping the Proposed Uses to secondary streets allows the City to continue emphasizing the Existing Uses in a manner that facilitates lively pedestrian activity and walkability along Curtis Parkway and South and North Royal Poinciana Boulevards in the Overlay District.

Second Reading: If the Ordinance is adopted by Council on first reading, it will be advertised for second reading and placed on the agenda for the September 25, 2023, Council Meeting.

¹ Distance shall be measured from the front door of the proposed Veterinarian Use to the front door of the existing Veterinarian Use.

37 **WHEREAS**, the City desires to allow office uses, including medical and dental,
38 along street frontages except the Primary Streets to enhance the commercial viability of
39 the District; and

40 **WHEREAS**, the City Council further desires to allow personal services uses along
41 the Hook Square street frontage only to further enhance the commercial viability of the
42 District, while ensuring such uses do not become concentrated uses in the District; and

43 **WHEREAS**, the City Council also desires to allow veterinarian uses, along Hook
44 Square or Canal Street frontage only, provided that no veterinarian use may be located
45 within 0.25 airline miles of the front door of a proposed veterinarian use to the front door
46 of an existing veterinarian use within the District; and

47 **WHEREAS**, the City Council finds that the distancing limitations on veterinarian
48 uses are necessary to curtail and limit exposure to the potential negative effects of the
49 use, including the potential for increased biological waste and excess noise pollution; and

50 **WHEREAS**, on _____, 2023, at a duly noticed public hearing in
51 accordance with law, the City Council, sitting as the Local Planning Agency, reviewed
52 and recommended approval of this Ordinance, and determined that it is consistent with
53 the City's Comprehensive Plan; and

54 **WHEREAS**, the City Council finds that this proposed Ordinance serves to further
55 enhance the protection of the public health, safety and welfare.

56 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL**
57 **OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:¹**

58 **Section 1. Recitals.** That the above recitals are confirmed, adopted, and
59 incorporated herein and made a part hereof by reference.

60 **Section 2. Amending Code.** That Section 150.070.1 "Miami Springs Gateway
61 Overlay District" within Chapter 150, "Zoning Code," of the Code of Ordinances of Miami
62 Springs, Florida, is hereby amended as follows:

63 **Chapter 150 – ZONING CODE**

64 * * *

65 **ARTICLE VII. BUSINESS DISTRICT**

66 * * *

67 Section 150-070.1. - Miami Springs Gateway Overlay District.

68 * * *

¹ Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double-strikethrough~~ and double underline.

69 (C) Design Standards. The City desires for new and existing buildings within the Gateway
70 District to become more aesthetically pleasing, have architectural elements that highlight
71 the City's history, facilitate pedestrian activity and walkability, and assist in traffic calming.
72 As opposed to a mandate, the City desires to accomplish these objectives through
73 incentives in development standards that will encourage property owners to improve their
74 respective properties in a manner that results in cohesive building design and features
75 throughout the Gateway District. The standards are as follows:

76 * * *

77 3. Uses. The uses in the CBD shall remain in effect for the Gateway District, except that
78 hotels shall be prohibited in the Gateway District. Additionally Notwithstanding, first floor
79 uses along road rights-of-way shall be limited to:

80 a. Restaurant (and lounge), café, cafeteria.

81 b. and/or Retail Use.

82 c. Office Use, including medical and dental, along any street frontage except Curtis
83 Parkway and South and North Royal Poinciana Boulevards.

84 d. Personal Services (e.g., barbershops, beauty parlors, physical therapy clinics),
85 with hours of business between 6:00 a.m. and 10:00 p.m., along Hook Square
86 frontage only.

87 e. Veterinarian Use (which may provide short-term boarding for medical purposes
88 only, for no more than 48 hours), along Hook Square or Canal Street frontage only,
89 provided that no Veterinarian Use may be located within 0.25 airline miles of the
90 front door of an existing Veterinarian Use within the Gateway District. The distance
91 shall be measured from the front door of the proposed Veterinarian Use to the front
92 door of the existing Veterinarian Use.

93 The ground floor shall contain occupiable, air-conditioned space for permitted commercial
94 uses with a minimum depth of 40 feet from the building façade for those portions of the
95 building along road rights-of-way, except such features as, without limitation, driveways,
96 utility infrastructure, colonnades and outside dining areas. Direct access to such uses and
97 full storefront windows are encouraged. Upper floors may be commercial, office,
98 residential, or a mix of residential, office, and commercial. The mixed-use ratio found in §
99 150.070 of the Code shall not apply to the Gateway District.

100 * * *

101 **Section 3. Conflicts.** All Sections or parts of Sections of the Code of
102 Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of
103 Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

104 **Section 4. Severability.** That the provisions of this Ordinance are declared to
105 be severable and if any section, sentence, clause or phrase of this Ordinance shall for
106 any reason be held to be invalid or unconstitutional, such decision shall not affect the
107 validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but

108 they shall remain in effect, it being the legislative intent that this Ordinance shall stand
109 notwithstanding the invalidity of any part.

110 **Section 5. Codification.** That it is the intention of the City Council and it is
111 hereby ordained that the provisions of this Ordinance shall become and be made a part
112 of the City Code, that the sections of this Ordinance may be renumbered or relettered to
113 accomplish such intentions, and that the word Ordinance shall be changed to Section or
114 other appropriate word.

115 **Section 6. Effective Date.** That this Ordinance shall become effective
116 immediately upon adoption on second reading.

117 **PASSED ON FIRST READING** on the __ day of _____, 2023, on a motion
118 made by _____ and seconded by _____.

119 **PASSED AND ADOPTED ON SECOND READING** this ___ day of _____, 2023,
120 on a motion made by _____ and seconded by _____. Upon being put to a
121 roll call vote, the vote was as follows:

122	Vice Mayor Jorge Santin	_____
123	Councilmember Jacky Bravo	_____
124	Councilmember Dr. Victor Vazquez, Ph.D.	_____
125	Councilmember Dr. Walter Fajet, Ph.D.	_____
126	Mayor Maria Puente Mitchell	_____

127
128
129

MARIA PUENTE MITCHELL
MAYOR

131 ATTEST:

132
133
134

135 _____
136 ERIKA GONZALEZ, MMC
137 CITY CLERK

138
139 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
140 FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

141
142
143

144 _____
145 WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
CITY ATTORNEY