



AGENDA INFORMATION

CITY OF MIAMI SPRINGS

CITY COUNCIL

Regular Meeting

Monday, December 13, 2010

7:00 p.m.

Mayor Billy Bain

Vice Mayor Jennifer Ator

Councilman Bob Best

Councilman Dan Espino

Councilman George V. Lob

City Manager James R. Borgmann

Assistant City Manager Ronald K. Gorland

City Attorney Jan K. Seiden

City Clerk Magalí Valls



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Billy Bain

**Vice Mayor Jennifer Ator
Councilman Dan Espino**

**Councilman Bob Best
Councilman George V. Lob**

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".

**AGENDA
REGULAR MEETING
Monday, December 13, 2010
7:00 p.m.**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Councilman Bob Best

Salute to the Flag: Audience participation
- 3. Awards & Presentations:**
 - A) Certificate of Sincere Appreciation to Deloris Walker in Recognition of 27 Years of Dedicated Service to the City
 - B) Proclamation – "Robert 'Bob' Calvert Day"
 - C) Certificate of Sincere Appreciation to Lisa Martinez who was Instrumental in Implementing the Education Compact
 - D) Introduction of Newly Promoted Sergeant Danny Kelly

4. **Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins

5. **Approval of Council Minutes:**

- A) 11/22/2010 – Regular Meeting
- B) 11/30/2010 – Special Meeting

6. **Reports from Boards & Commissions:**

- A) 11/04/2010 – General Employees Retirement System
- B) 11/04/2010 – Police and Firefighters Retirement System
- C) 11/16/2010 – Education Advisory Board – Minutes
- D) 11/18/2010 – Historic Preservation Board – Minutes
- E) 11/23/2010 – Ecology Board – Cancellation Notice
- F) 11/25/2010 – Code Review Board – Cancellation Notice
- G) 12/01/2010 – Architectural Review Board – Minutes
- H) 12/07/2010 – Code Enforcement Board – Cancellation Notice
- I) 12/09/2010 – Board of Parks and Parkways – Cancellation Notice
- J) 12/16/2010 – Historic Preservation Board – Cancellation Notice
- K) 12/23/2010 – Code Review Board – Cancellation Notice
- L) 12/06/2010 – Zoning and Planning Board – Cancellation Notice
- M) 12/14/2010 – Recreation Commission – Cancellation Notice
- N) 12/06/2010 – Board of Adjustment – Approval of Actions Taken at their Meeting of December 6, 2010 Subject to the 10-day Appeal Period

7. **Public Hearings:**

- A) Second Reading – Ordinance No. 1001-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 54-06, Tree Removal Standards, by Limiting the Exemptions Provided by that Section to Mango and Avocado Trees; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11/22/2010 – Advertised: 11/24/2010)
- B) Second Reading – Ordinance No. 1003-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 151-04, Application for Building Permits, by Updating and Clarifying the Provisions Thereof in Accordance with the Provisions of the 2007 Florida Building Code; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11/22/2010 – Advertised: 11/24/2010)

7. Public Hearings: (Continued)

- C) Second Reading – Ordinance No. 1004-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 34-15, Holidays and Compensatory Leave, by Revising, Clarifying and Expanding the Provisions Related to “Floating Holidays”; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11/22/2010 – Advertised: 11/24/2010)
- D) Second Reading – Ordinance No. 1006-2010 – An Ordinance of the City Council of the City of Miami Springs Repealing Code of Ordinance Section 34-21, Retirement, and Reserving the Section for Future Retirement Related Legislation; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11/22/2010 – Advertised: 11/24/2010)

8. Consent Agenda:

- A) Approval of the City Attorney’s Invoice for November 2010 in the Amount of \$11,886.75
- B) Recommendation that Council Approve an Expenditure of \$18,114.70, to Miguel Lopez, Jr. Inc., Utilizing Cooper City Bid # 2010-5, as Provided in Section 31.11 (E) (5) of the City Code, for the Paving of Nahkoda Drive from North Royal Poinciana Boulevard to Canal Street for Bus Bay Installation, Utilizing CITT Funds.
- C) Recommendation that Council Award a Bid for Labor Services to Greens Grade Services, Utilizing City of Coral Gables IFB # 2007.10.22, in the Amount Not to Exceed \$340,000, Pursuant to Section 31.11 (E) (5) of the City Code

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Appointments to the Revitalization and Redevelopment Ad-Hoc Committee
- C) Request from Lily Saborit-Abello for \$8,300 to Pay for Police Services and Talent for a January 1, 2011 Event on the Circle

9. Old Business: (Continued)

- D) First Reading – Ordinances Amending Section 150-010:
1. Second First Reading – Ordinance No. 1002-2010 – Amending Code of Ordinance Section 150-010, Roof Materials, Requirements, and Re-Roofs, by Permitting the Use of Florida Building Code and Miami-Dade County N.O.A. Approved Asphalt Shingles for New Roofs and Re-Roofs for a Two-Year Sunset Period; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (Tabled: 11/22/2010)
 2. First Reading – Ordinance No. 1008-2011 – Amending Code of Ordinance Section 150-010, Roof Materials, Requirements, and Re-Roofs, By permitting the Use of Florida Building Code and Miami-Dade County N.O.A. Approved Asphalt Shingles for New Roofs and Re-Roofs for a Two-Year Sunset Period: Providing a Reverter Provision in the Event the Use of Asphalt Shingles is Allowed to Sunset; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date
- E) Second First Reading – Ordinance No. 1005-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 34-19, Employee Compensation and Benefits, by Adding Provisions Governing the Granting, Accumulation and Use of Compensation (“Comp”) Time by Eligible and Entitled Employees; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (Tabled: 11/22/2010)

10. New Business:

- A) Curtiss Mansion Inc.:
1. Report on the Status of Receipt of the Additional \$1,000,000 GOB Grant Funding
 2. Approval of Facility Agreement with Experience Aviation for Rental Space in the Curtiss Mansion
- B) First Reading – Ordinance No. 1009-2011 – An Ordinance of the City Council of the City of Miami Springs Creating and Codifying Code of Ordinance Section 70-02, Red Light Camera Enforcement; By Electing to Locally Implement Florida Statute Section 316.008(7)(A); Authorizing the Implementation of Law of Florida 2010-80; Directing the Codification of this Ordinance; Providing For Severability; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date
- C) Resolution No. 2010-3500 – A Resolution of the City Council of the City of Miami Springs Amending the Schedule of Charges and Fees for the Operation of the Miami Springs Golf and Country Club; Effective Date

10. New Business: (Continued)

- D) Consideration of Recommendations from the Education Advisory Board
- E) Approval of Expenditure to Reserve Table for the 57th Annual Installation Gala on Saturday, February 19, 2011
- F) Report on Field Maintenance Schedule at Stafford Park
- G) Item Pulled by the Administration
- H) Amendment No. 1 to Miami-Dade County's Interlocal Agreement for Public School Facility Planning; for Council Review and Consideration per Florida Statutes Chapter 163.31777

Resolution No. 2010-3501 – A Resolution of the City Council of the City of Miami Springs Approving and Adopting Amendment No. 1 to the Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County; Authorizing Execution of Amendment; Effective Date

- D) First Reading – Ordinance No. 1007-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-017, Recreational Vehicles, by Clarifying the Applicability of the Ordinance to Single-Family Residential Districts of the City and Providing Specific Prohibited uses for Such Vehicles; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

11. Other Business:

- A) Fiscal Year 2009-2010 Fourth Quarter Budget Status Report (Unaudited)
- B) Update to Proposed Fund Balance Designations

12. Reports & Recommendations:

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

13. Adjourn

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than (7) days prior to the proceeding.

Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.



DRAFT

City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, November 22, 2010, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:03 p.m.

The following were present:

Mayor Billy Bain
Vice Mayor Jennifer Ator
Councilman Bob Best
Councilman Dan Espino
Councilman George V. Lob

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Finance Director William Alonso
Comptroller Alicia E. González
Building & Zoning Office Supervisor Harold "Tex" Ziadie
City Clerk Magalí Valls

2. Invocation: Councilman Lob offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

None.

4. Open Forum:

Introduction

Pedro Villa, Regional Director, from Senator Bill Nelson's office introduced himself and offered to assist the City in any way possible. He looks forward to learning more about the City.

Special Event

Lily Saborit-Abello of 117 Palmetto Drive stated that she launched a series of shows called "Welcome to Our Hood: Poetry, Words and Motion" for which she requested approval to sell beer and wine at the Rebeca Sosa Theatre. She reported that the show was fantastic and she thanked Mayor Bain for attending:

Mayor Bain explained that the show was different, he enjoyed it and the performers were very nice.

Ms. Saborit-Abello was glad that the Mayor used the term "different" because Miami Springs is a diverse community. She said that as a business owner in the community it is frustrating not to be heard and when you ask for help the door is shut. She was of the opinion that this is not Council's intention and she would like for the City to listen and do more for the business owners.

Ms. Saborit-Abello asked for Council's support and participation for a New Year event for the community. She alleged that there is no consistency or passion. She said that together great things can be accomplished and asked Council to contact her if they are interested in a January 1st event.

5. Approval of Council Minutes:

5A) 11/08/2010 – Regular Meeting

Minutes of the November 8, 2010 Regular Meeting were approved as written.

Councilman Best moved the item. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

6. Reports from Boards & Commissions:

6A) 10/26/2010 – Ecology Board – Minutes

Minutes of the October 26, 2010 Ecology Board meeting were received for information without comment.

6B) 11/09/2010 – Recreation Commission – Notice of Lack of a Quorum

Notice of Lack of a Quorum of the November 9, 2010 Recreation Commission meeting was received for information without comment.

6C) 11/10/2010 – Golf and Country Club Advisory Board – Minutes

Minutes of the November 10, 2010 Golf and Country Club Advisory Board meeting were received for information without comment.

6D) 11/11/2010 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the November 11, 2010 Board of Parks and Parkways meeting was received for information without comment.

6E) 12/08/2010 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the December 8, 2010 Golf and Country Club Advisory Board meeting was received for information without comment.

6F) 12/21/2010 – Education Advisory Board – Cancellation Notice

Cancellation Notice of the December 21, 2010 Education Advisory Board meeting was received for information without comment.

6G) 01/12/2011 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the January 12, 2011 Golf and Country Club Advisory Board meeting was received for information without comment.

Vice Mayor Ator commented that the Education Advisory Board made recommendations at their meeting of November 16th that she would like Council to consider as an agenda item before the end of the year.

7. **Public Hearings:**

7A) Second "Second" Reading – Ordinance No. 1000-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-030, Sign Regulations; by Clarifying the Rules and Regulations Related to Residential Real Estate Open House Directional Signs Contained in Subsection 150-030(J); Expanding the Nonresidential Public Street Locations for the Placement of Residential Real Estate Open House Directional Signs Contained in Subsection 150-030(B) and Figure 1; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 10/25/2010 – Advertised: 10/27/2010 – Advertised for Second "Second" Reading: 11/10/2010)

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

Attorney Seiden stated that this is the second reading and public hearing of the ordinance. He referred to the revisions on the second page separating the Open House and Talking House sign regulations. Some of the provisions dealing with Open House signs did not apply to Talking House signs so there are two separate sections.

City Attorney Seiden clarified that the Open House sign regulations stayed the same and the Talking House signs are restricted to the same time periods over any seven day period. The Talking House signs shall have "Talking House" in large letters and may also include a directional arrow. He added the phrase "on the right-of-way area" to the location provisions for the directional signs to the street location of the Open House.

Mayor Bain opened the public hearing to those persons wishing to speak.

Bob Schwinger of 8 Canal Street thanked the Mayor, Council, City Attorney and the Administration for their work on the proposed ordinance. He was not able to access the ordinance and the supporting documents for the meeting on the website, although he reviewed the copy that was made available in the City Hall lobby and it looks like it addresses his concerns.

There were no additional speakers and the public hearing was closed.

Councilman Best moved to adopt Ordinance 1000-2010 on second "second" reading. Councilman Espino seconded the motion which was unanimously carried on roll call vote.

8. **Consent Agenda:**

Vice Mayor Ator removed Agenda Item 8B from the Consent Agenda.

8A) Recommendation that Council Approve a Bid to Bartow Ford Company, Utilizing Florida Sheriffs Association Bid Award Announcement # 10-18-0907, in the Amount of \$24,806.00, Pursuant to Section 31.11 (E) (5) of the City Code, to Purchase One New 2011 Ford Crown Victoria Patrol Vehicle for the Police Department

There was no discussion regarding this item.

Councilwoman Ator moved the consent agenda. Councilman Espino seconded the motion which carried 5-0 on roll call vote.

8B) Recommendation to Council Regarding Rec-Trac Equipment at Pool

City Manager Borgmann stated that when the bid was awarded at the last meeting for the Rec-Trac equipment it was significantly less than the amount budgeted because some of the equipment was eliminated for the swimming pool. In talking with Staff, their recommendation was not to expend the additional \$3,500 at this time and to wait until there is a need. At the present time there are only four pool memberships and the member status can be searched in the computer by typing the last name into the system. The hardware can be purchased at any time.

To answer the Mayor's question, City Manager Borgmann explained that Council had asked for this item to come back with a cost estimate.

Recreation Director Omar Luna stated that the system is set up so that Staff can type in the last name on the membership identification card and it will show what amenities that person has access to.

Vice Mayor Ator said that there are a couple of issues she wanted to discuss. She thought that the Rec-Trac system would keep track of the number and type of people that go in and out of the facility. A number of people might pay \$4.00 each time and they would be "off the radar screen", yet their personal information is important and she would like to see the statistics moving forward.

City Manager Borgmann stated that Staff could provide information showing who uses the facility, especially at the pool.

Vice Mayor Ator would like a breakdown of how many adults, children, City employees, etc. use the facility as well as who comes in for security reasons.

Mr. Luna said that there is one main computer at the Community Center where people apply for memberships. People coming in off the street can be tracked when they make their payment; they are issued a receipt and the information is put into the Rec-Trac system. They will provide their address and personal information that will be used to create a data base.

Councilman Espino asked if the cost for the additional equipment and installation would go up in the future.

Mr. Luna responded that he asked that question and was told that it would only be \$3,500 for the hardware and it is easy to install.

City Manager Borgmann explained that the revenue reports show the type and number of people that come in.

Councilman Espino added that he would like to use the system for marketing and business purposes in running the Community Center. He said that a paper system might not keep as much information as the Rec-Trac system.

Mr. Luna said that people are asked to complete the registration form and Staff enters the information into the data base.

Vice Mayor Ator said that she and her family members paid for memberships and the information on file from the summer camp was available. She would like to be able to have that type of information for every person and it should not have to be done every time they come in.

Mr. Luna said that the information would be on file and they would not have to give the information every time. The busiest days at the pool are on the weekends; not many people attend on a daily basis.

Vice Mayor Ator said that people at the pool would have to wait while Staff locates the information in the system and she thought that the purpose of the Rec-Trac system was to facilitate moving people through. She does not advocate the expense if the numbers are not worth it; she thinks that some points are valid about the cost, and it should continue to be looked at. If only ten people are coming to the pool, she would hope that something would be done to increase the number.

By consensus, Council agreed to accept the recommendation of the Administration not to expend \$3,500 for the additional equipment.

Mayor Bain asked about the status of the recommendation to place a fence around Stafford Park.

Parks and Recreation Director Luna explained that he is obtaining quotes for the fence. He received one quote for \$35,000 for a six to eight foot high fence. He hopes to have a recommendation for Council at the next meeting.

City Manager Borgmann clarified that any purchase over \$25,000 must go out to bid and they can use the specifications received from the one quotation.

Mayor Bain asked for the maintenance schedule on the field from January to date and what costs have been incurred.

Councilman Lob would like to know what has to be done to the field and how much the cost would be.

Mayor Bain reiterated that he would first like to see the schedule and see what can help to get the field in better shape.

Vice Mayor Ator complimented Mr. Luna on the "Turkey Trot" that was very well done. She asked what the distance is around the running track at Stafford Park.

Mr. Luna responded that two laps is roughly equivalent to a mile. He is planning to mark the distance.

City Manager Borgmann confirmed that one lap is .41 mile.

Agenda Item 10M was discussed at this time

9. Old Business:

9A) Appointments to Advisory Boards by the Mayor and Council Members

Councilman Espino (Group II) **appointed** Carl Malek to the Ecology Board for an unexpired term ending on April 30, 2011.

9B) Recreational Vehicle Code Revisions Recommendation

City Attorney Jan K. Seiden stated that Council considered a recommendation for a proposed ordinance that would resolve one of the code issues. The Code Compliance Office Supervisor provided a memorandum outlining why it is important, including a recommended course of action.

Attorney Seiden explained that the problem only relates to multi-family districts; there is no issue with commercial districts. Condominiums and apartment buildings must have an approved parking layout prior to receiving a certificate of occupancy and no parking layout has been approved by the City that permits recreational vehicles. The existing ordinance was never intended to deal with any properties other than single-family residential properties. He would suggest that Council authorize the two changes provided by Code Compliance or to at least change Section B.

City Attorney Seiden stated that the Administration is trying to be proactive; it does not take away any rights. Someone who is taking up more than the permitted amount of parking spaces is probably violating the apartment or condominium regulations, but it does not solve the City's problem.

Mayor Bain felt that the rules should be enforced by the condominium association, since it is a privately owned parking lot. He does not feel that the City should be involved in the enforcement of their rules.

Councilman Espino said that the current Code only applies to recreational vehicles in single-family residential neighborhoods; it does not apply to multi-family residential. Recreational vehicles are only allowed to be parked in single-family residential neighborhoods, not multi-family. A recreational vehicle is a luxury and it should be parked in an appropriate location or storage facility.

Attorney Seiden explained that the ordinance was originally based on aesthetics and citizens did not want to see the recreational vehicles in single-family residential communities. The question is whether or not it is a problem for the community to drive by a condominium with an open parking lot and see boats, recreation vehicles, trailers, etc.

Mayor Bain suggested that multi-family properties that do not abide by their parking programs could be approached by the City.

City Attorney Seiden said that amending the ordinance is a proactive approach in order to prevent a problem.

Vice Mayor Ator said that a condominium or apartment building might provide enough parking, according to the site plan and if there is no prohibition for recreational vehicles, one could take up five parking spaces.

City Attorney Seiden said that at the very minimum the ordinance should be amended to provide that it is only subject to single-family. He could come back with similar legislation that would restrict the parking of recreational vehicles in multi-family districts at the same time commercial vehicle ordinances are addressed.

Building and Code Compliance Office Supervisor Harold "Tex" Ziadie explained that this recommendation came about as a result of review of all the codes. The City received complaints and in one situation, someone was parking a limousine in an apartment parking lot; when the City informed the person that they could not park a commercial vehicle in that location, the response was that the Code does not say "single-family". The Code states any "residentially zoned district" and it should be clarified to say the Code only applies to single-family residential and it is not allowed in the commercial or multi-family district.

Mr. Ziadie stated that this is one of the most violated codes in the city. Since 2004, there have been 1,092 violation notices given for recreational vehicles, although the vast majority of the violations were issued to single-family properties.

City Attorney Seiden asked Council to consider if there is a difference in aesthetics for a single-family property where the recreational vehicle can be screened compared to an open parking lot that everyone can see.

Councilman Espino felt that commercial vehicles should be addressed separately from recreational vehicles. He reiterated that it is a luxury to have a recreational vehicle and the same regulations that apply to single-family properties should be extended to multi-family areas.

Councilman Lob stated his objection to prohibiting a person who is allocated two spaces in a multi-family parking lot from parking a jet ski or other recreational vehicle in one of the spaces.

Councilman Espino felt that the same provisions should apply to any parking location that is visible from the street, whether or not it is single-family or multi-family.

Attorney Seiden asked Council to consider whether or not they wanted to expand the aesthetic nature of the ordinance to include multi-family, the same as single-family residential.

Councilman Espino said that there had been complaints about the lack of code enforcement in the multi-family districts and the parking of recreational vehicles is another issue that is a problem. It lessens the aesthetic value that affects the quality of life in Miami Springs.

Councilman Best acknowledged that people have various hobbies and recreational interests. His concern is that this would be creating another layer of legislation. He understands the need to adjust the language as stated by the City Attorney, but he would not want to go further since the violations do not warrant the need for change.

City Attorney Seiden explained there is no legislation that extends to multi-family properties. At the very least, he would like authorization to place the wording "single-family" in the ordinance.

Discussion ensued regarding site plan regulations and condominium standards for parking of recreational vehicles.

Attorney Seiden would not recommend allowing an independent body to legislate for the City.

Councilman Espino moved to direct the City Attorney to draft the amendment to include "single-family". Councilman Best seconded the motion. The motion carried 4-1 with Mayor Bain casting the dissenting vote.

(Mayor Bain agreed to a five-minute break at 8:31 p.m.)

9C) Recommendation that Council Award a Bid for Debt Collection Services to National Recovery Agency (NRA), Utilizing City of Sarasota Bid # 07-46W, in an Amount not to Exceed 15% of the Delinquent Accounts, Pursuant to Section 31.11 (E) (5) of the City Code

City Manager Borgmann read the title of the award. He explained that this was the best fee based on the percentage of the delinquent accounts that is given to the collection agency.

Mayor Bain asked the Finance Director for an update of the collection of fees since September 30th.

Finance Director William Alonso explained that the information the Mayor requested was included in the agenda back-up documentation. The new report shows the delinquency of 175 accounts, as opposed to 182 since September 30th. The actual delinquency amount went down approximately \$5,000.

To answer Vice Mayor Ator's question, Mr. Alonso explained that there is a process in placing liens on the properties and each delinquent account on the list has a lien. Currently, the Finance Department Staff is calling and sending letters to each property owner as a last resort before they are sent to collection.

Councilman Espino moved the item. Councilman Best seconded the motion which was unanimously carried on roll call vote.

10. New Business:

10A) Appointments to the Revitalization and Redevelopment Ad-Hoc Committee

City Manager Borgmann stated that Council decided to establish an Ad-Hoc Committee to work with the consulting firm in order to give the business community an avenue for input. This is Council's opportunity to make appointments to the five-member board.

Mayor Bain asked if any Council member that voted to establish the Ad-Hoc Committee had reconsidered their decision since the last meeting. He had hoped that Council had changed their minds and if not, he will make his appointment at the next meeting.

Councilman Espino stated that he was ready to make his appointment.

Councilman Best explained that he was not in favor of establishing the Ad-Hoc Committee, but since the recommendation passed by three votes he was prepared to make an appointment. He received several calls from interested people since the last meeting, including a letter from one person that he was very impressed with who has a degree in mechanical engineering, and a Masters and Doctorate in Business Administration.

Councilman Best **appointed** Arturo Rabade of 1171 Wren Avenue.

Councilman Lob was not ready to make an appointment.

Vice Mayor Ator said that she needs another day and will appoint someone tomorrow.

Councilman Espino **appointed** Joe Valencia of 25 South Drive.

City Attorney Seiden explained that he had one correction in Section 2 – Duties and Responsibilities based upon a request from Vice Mayor Ator at the last meeting:

“The jurisdiction of the Committee shall be limited to studying, evaluating, and making recommendations to the City Council regarding the revitalization of the Downtown area, the N. W. 36th Street Corridor and other commercial areas.”

Council agreed to accept the amendment.

10B) Resolution No. 2010-3497 – A Resolution of the City Council of the City of Miami Springs Authorizing the City Manager to Apply for a 2011 Edward Byrne Memorial Justice Assistance Grant from the Federal Drug Control and System Improvement Program, through the Office of Grants Coordination Justice Assistance Grant Administration for Miami-Dade County; Authorizing the City Manager to Execute Grant Contracts and Agreements, Execute Contracts and Agreements to Accomplish Grant Funding Purposes, Expend Funding for Established and Authorized Purposes, Receive and Expend Additional Funding that Might Become Available, Execute Amendatory Application Documentation, and to Exercise all Contractual Rights, Authorizations and Privileges Available to the City; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

Councilman Best moved to adopt the resolution. Vice Mayor Ator seconded the motion which carried 5-0 on roll call vote.

10C) Resolution No. 2010-3498 – A Resolution of the City Council of the City of Miami Springs in Support of the National Guard and Reserve Forces; Recognizing Employer Support of the National Guard and Reserve Forces; Effective Date

City Attorney Jan K. Seiden read the resolution by title.

Councilman Best stated that he brought forward the recommendation for the resolution at the last meeting, which came from Mayor Joy Cooper of Hallandale Beach who is this year’s President of the Florida League of Cities.

Attorney Seiden stated that the resolution offers support of the National Guard and job availability, etc.

Councilman Best explained that there is no responsibility to the City other than a show of support for the organization known as ESGR.

Vice Mayor Ator commented that there is no pending legislation.

Councilman Best moved to adopt the resolution. Councilman Lob seconded the motion which carried 5-0 on roll call vote.

10D) Resolution No. 2010-3499 – Resolution of the City Council of the City of Miami Springs, Florida Authorizing the Issuance by the City of not Exceeding \$2,610,000 Aggregate Principal Amount of City of Miami Springs, Florida Sales Tax Revenue Refunding Bond, Series 2010 in Order to Refund the City’s Outstanding City of Miami Springs, Florida General Obligation Bonds, Series 1997; Providing Certain Terms and Details of Such Series 2010 Bond and Authorizing a Negotiated Sale of Said Series 2010 Bond and the Award of the Series 2010 Bond Pursuant to the Proposal of Branch Banking and Trust Company; Providing for the Rights, Securities and Remedies for the Bondholder of Such Series 2010 Bond; Designating the Series 2010 Bonds as a "Qualifies Tax-Exempt Obligation" Pursuant to Section 265(B)(3) of the Internal Revenue Code of 1986, as Amended; Delegating Certain Authority to Officials of the City with Respect to the Series 2010 Bond; Authorizing the Execution and Delivery of an Escrow Deposit Agreement and the Appointment of an Escrow Agent thereto; Providing Certain Other Provisions with Respect to the Series 2010 Bond; and Providing an Effective Date

City Attorney Jan K. Seiden explained that this is the refinancing of the General Obligation Bonds with a bank loan. The resolution is important because it serves as an agreement between the parties. He pointed out that while there is no pre-payment penalty, the City is not permitted to pay it back in separate amounts; it must be paid back in full.

Mayor Bain stated that the City would still not be able to lease the Country Club.

City Attorney Seiden clarified that the note would still be tax exempt. As part of this transaction, there is a survivability provision that says if the tax laws change or if it is determined that the City violated the tax exempt restrictions, the City would be liable for the additional amount of money to the lending institution that would change it from a non-taxable to a taxable situation.

City Attorney Seiden read the ordinance by title. He explained that a closing would be held on Monday, November 29th when all the documents would be signed. The process is that the monies the City will acquire from the bank will go into the escrow agreement; the escrow agreement will be held by the bank and they will pay for the refunding of the bonds at the end of the thirty-day period. The City will pay for the costs and expenses separate and apart from the fund.

Councilman Espino asked what would be the ultimate savings to the City.

Finance Director William Alonso responded that the net savings over eight years remaining in the note is approximately \$340,000 in interest.

Councilman Best moved to adopt the resolution. Councilman Lob seconded the motion.

Mayor Bain asked about the revenue generated from the debt service millage rate and if it would be spent this year.

The Finance Director clarified that the funds would be used to pay the debt service on the new note.

Mayor Bain said that his understanding is that the loan would be paid for from the half-cent sales tax this fiscal year going forward.

Finance Director Alonso explained that if the refinancing had been decided during the budget process, Council would have had the option to increase the operating millage rate to cover the debt service that totals approximately \$300,000. It is too late to change the operating millage at this time.

To answer the Mayor's question, the Finance Director said that the debt will be paid from sales tax revenues and the money will go back into the General Fund.

Finance Director Alonso clarified that the original plan was to take \$300,000 from the ad valorem debt service and the \$100,000 remaining would be used toward next year's debt service.

Mayor Bain stated that the tax payers were assessed for debt service and if there are other funds that can be used to pay the debt, the entire \$300,000 could be put back into the budget next year.

City Attorney Seiden explained that there will no longer be a separate debt service millage rate. There will only be one operating millage rate. The debt service has already been appropriated and budgeted this year and the funds are needed to pay the interest. This transaction is subsequent to the budget adoption, which was already authorized.

To answer the Mayor's question, Mr. Alonso confirmed that the City receives approximately \$790,000 each year from the half-cent sales tax that must cover the Community Center loan and this loan. The City is required to pay debt service on the new loan totaling \$300,000 between now and September 30, 2011.

City Attorney Seiden explained that the money is saved over a period of time because of the change in the interest rate. It is not a windfall.

City Manager Borgmann stated that only half the revenue in the General Fund budget comes from ad valorem taxes, the remainder of the budget is from other revenue sources that support the operation of the City on a day-to-day basis.

Finance Director Alonso clarified for the Mayor that the bond pay-off is \$2,610,000. This year it looks like there will be a General Fund balance of \$6.7MM. There is already \$2MM designated out of this amount, leaving \$4.7MM and there is \$500,000 for hurricane contingency.

Mayor Bain said that paying off the bond would allow the Golf and Country Club to be leased and generate revenue.

City Attorney Seiden stated that Council had approved a five-year contract with Carlos Santana.

The motion was carried 5-0 on roll call vote.

10E) First Reading – Ordinance No. 1001-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 54-06, Tree Removal Standards, by Limiting the Exemptions Provided by that Section to Mango and Avocado Trees; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that the amendment was discussed at the last meeting. On page two, a revision was made in regard to mango and avocado trees.

Vice Mayor Ator moved to approve the ordinance on first reading. Councilman Lob seconded the motion which carried 5-0 on roll call vote.

10F) First Reading – Ordinance No. 1002-2010 – Amending Code of Ordinance Section 150-010, Roof Materials, Requirements, and Re-Roofs, by Permitting the Use of Florida Building Code and Miami-Dade County N.O.A. Approved Asphalt Shingles for New Roofs and Re-Roofs for a Two-Year Sunset Period; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that new Subsection (C) states:

“In addition to other approved materials for new roofs contained in subsections (A) and (B) above, Florida Building Code and Miami-Dade County N.O.A. approved asphalt shingles may be used for the installation of new roofs for a two-year period commencing on the date of the passage of this Ordinance. If no further City Council action is approved prior to the expiration of the aforesaid two-year period, the provisions of this subsection shall automatically “sunset” and become null and void at the end of the two-year period.”

The following language was added to subsection (G) – Re-roofs:

“Further, in accordance with the provisions of Subsection (C) above, Florida Building Code and Miami-Dade County N.O.A. approved asphalt shingles may be used for re-roofs during the two-year “sunset” period provided therein.”

Councilman Espino received calls from concerned residents about the proposed ordinance. They understand that a sunset provision was included to avoid long-term change to the community, but the concern is that people who replace their roof during the two-year period will be allowed a perpetual right to use shingles. He said that one recommendation was to include a reverter provision for future roof replacements. Tile costs more because it is a better material that looks better.

Mayor Bain explained that the situation would apply for two years and there would be a limited amount of roof replacements; he would not agree to another stipulation.

Councilman Best understood the concerns. He does not feel that tile roofs would become extinct as a result of the two-year sunset provision.

Vice Mayor Ator also received calls from concerned citizens about the shingle roofs. She would support a reverter provision, but is not sure how it can be enforced.

City Attorney Seiden was not certain that once tile is removed and replaced with shingles if something is done in the process to make it more difficult to re-install tile. He suggested getting an opinion from the Building Official.

Mayor Bain said that the Building Official had mentioned that some roofs cannot structurally support barrel tile.

Vice Mayor Ator explained that it has to do with the load weight of the roof, which would not pertain to houses that were originally built with barrel tile. The citizens' concern is that although people might be having financial problems now, if a house is built with barrel tile, it should have barrel tile in the future.

Councilman Best and Councilman Lob said that the proposed ordinance was fine with them.

Councilman Espino moved to table the ordinance. Vice Mayor Ator seconded the motion which carried 3-2 on roll call vote, with Mayor Bain and Councilman Best casting the dissenting votes.

City Attorney Seiden stated that the Administration would check with the Building Official for his opinion on the installation of tile on a roof that was previously a shingle roof.

10G) First Reading – Ordinance No. 1003-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 151-04, Application for Building Permits, by Updating and Clarifying the Provisions Thereof in Accordance with the Provisions of the 2007 Florida Building Code; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that this is the first reading of the ordinance; it is not a codification of new law, it is provision that gives information to the citizenry who are planning to perform work on their houses and the information is included in a hand-out that is given out by the Building Department showing examples of work that requires a permit.

Attorney Seiden said that gutters and downspouts now require a permit under the new Code according to the Building Code of 2007 and the installation of cabinets is revised. He added a provision that exempts roof repairs of less than three squares or \$300.00 from a permit, unless it involves structural repairs or a "hot mop". He reiterated that the amendment does not create law; it simply gives notification to people in the City who want to do home repairs.

Vice Mayor Ator moved to approve the ordinance on first reading. Councilman Best seconded the motion.

Mayor Bain commented that there should be an update of the \$300.00 amount.

City Attorney Seiden informed the Mayor that the amount could be more but not less.

Mayor Bain stated that the City's Building Code should follow the Florida Building Code and City Attorney Seiden explained that it would be a huge undertaking.

Vice Mayor Ator said that Council would first have to understand the differences between the City's Code and the Florida Building Code.

The motion carried 4-1 on roll call vote, with Mayor Bain casting the dissenting vote.

10H) First Reading – Ordinance No. 1004-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 34-15, Holidays and Compensatory Leave, by Revising, Clarifying and Expanding the Provisions Related to "Floating Holidays"; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that the proposed ordinance was recommended by Staff because there is a need to clarify internal policies regarding when floating holidays are accrued, vested and used. The provisions contained herein are co-existent with the provisions that are included in the Police Benevolent Association (P.B.A.) contract.

City Attorney Seiden explained that employees hired in January, February and March get three floating holidays that cannot be used until they work three months; employees hired in April, May and June get two floating holidays after the completion of three months and employees hired from July through September receive one floating holiday after three months. The last provision is that the floating holidays must be used during the calendar year in which they are accrued and credited or they will be lost.

Vice Mayor Ator moved to approve the ordinance on first reading. Councilman Lob seconded the motion which carried 5-0 on roll call vote.

10I) First Reading – Ordinance No. 1005-2010 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 34-19, Employee Compensation and Benefits, by Adding Provisions Governing the Granting, Accumulation and Use of Compensation (“Comp”) Time by Eligible and Entitled Employees; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that Staff requested this amendment; there was no codified provision in the Code regarding “Comp” time. This allows for employees who request “Comp” time instead of overtime pay to receive it. The request must be made by the employee, approved in advance by the Department Head unless it is an emergency; no employee is allowed to accrue more than eighty hours of “Comp” time during any fiscal year; the redemption or accumulation of “Comp” time shall be requested in advance by the employee and approved by the Department Head or designee and all “Comp” time hours not redeemed or used by an employee before the last day of the fiscal year shall be paid to the employee at the applicable rate within the first thirty-days of the new fiscal year.

Vice Mayor Ator said that the proposed ordinance might violate the Fair Labor Standards Act. She said that exempt employees are not entitled to “Comp” time, non-exempt employees are entitled to overtime and there are certain rules that apply to “Comp” time. She added that the City cannot legislate out of a Federal law.

City Attorney Seiden stated that he would check with the Labor Counsel.

Councilman Espino moved to table the ordinance. Councilman Lob seconded the motion which carried 5-0 on roll call vote.

10J) First Reading – Ordinance No. 1006-2010 – An Ordinance of the City Council of the City of Miami Springs Repealing Code of Ordinance Section 34-21, Retirement, and Reserving the Section for Future Retirement Related Legislation; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that the amendment was requested by the Human Resources Director.

Councilman Espino moved to approve the ordinance on first reading. Vice Mayor Ator seconded the motion which carried 5-0 on roll call vote.

Agenda Item 10K was discussed after Agenda Item 9B.

10K) Red Light Cameras Presentation

Chief of Police Peter G. Baan introduced Mr. Greg Parks from American Traffic Solutions who made a PowerPoint presentation and answered questions about the red light cameras.

Greg Parks, Senior Vice President of American Traffic Solutions stated that his company is a United States company, the largest within the industry with 3,000 systems under contract and they process 1.5MM citations each month. The Chief Executive Officer invented the technology in 1987.

Mr. Parks explained that over a long study of fourteen years, the system is proven to be effective. The City of Aventura has the longest running program in Miami-Dade County and crashes are down 58% at the most dangerous intersection since the cameras were installed. The technology is proven to reduce crashes and save lives.

American Traffic Solutions customers include New York, Philadelphia, Washington, D.C., Seattle, Los Angeles, San Diego, Kansas City, and St. Louis. There are almost seventy programs in Florida and twenty-one in Miami-Dade County, including Hialeah, Miami and Coral Gables. They have excellent local service with facilities in South Florida and their contractor is Horsepower Electric that resides in Hialeah.

Mr. Parks provided 2009 crash statistics in Florida that resulted in fifty-six fatalities. The main goal of the program is saving lives. House Bill 325 passed in the last legislative session, allowing jurisdictions the right to enforce the roads within the city limits. Those outside of the city limits would be under the county jurisdiction and they are getting ready to procure a 250 camera system. It is a civil violation like a parking ticket and if the fine is not paid it becomes a uniform traffic code violation.

Mr. Parks explained that it is important to remember that there are no photographs of the drivers for privacy concerns and it is up to the local police department to approve or reject the violation. No citations would be issued without the signing off by Miami Springs Police Department. The program is self-funded through violations; there is no capital expense for installation, and no maintenance or training expense.

House Bill 325 requires a public education and public awareness campaign, which is included at no expense to the City, according to Mr. Parks. The company will assist the City in site selection and most of the locations in the City are along N. W. 36th Street. They will perform a video study and come back with recommendations for where the cameras are needed. As a benefit to the City, the company will provide before, after and ongoing results showing the reduction in crashes and fatalities.

Mr. Parks stated that the camera installation is very sleek with one pole that can be painted any color. The cameras take two shots for violator and police review. The light has to be 100% red when crossing the intersection for the system to take the photograph and data includes the date, time, amber time, speed and how long the light has been red.

Mr. Parks explained that the license plate and a twelve second video clip can be accessed by the violator on-line to review in order to determine whether they will pay the fine or contest it in court.

Mr. Parks added that there has been great success throughout the country with the video being used to help solve other crimes. The City of Miami Springs Police Department can share video with Hialeah, Coral Gables and Miami in any criminal investigations, which is a free surveillance system in addition to the red light mitigation.

Mr. Parks mentioned that the program is outsourced, the vendor does 90+ percent, but the Police Department has to approve the violation. In Florida it is a registered owner violation that is captured in the field, reviewed at the data center and those that meet the City's rules are sent back through the internet for review by the Police Department. The Police Officer can approve or reject the violation and those that are approved are printed and mailed at their expense; a website is set-up for the collection of the fines.

Mr. Parks displayed samples of the police review screen from Hillsborough County and the citation, with the close-up of the license plate for violator review, color photographs and instructions to go to the website that is built for the City. There are management reports available to the City, including traffic counts, speed studies, etc. at no cost.

Mr. Parks reiterated that there is no up-front cost to the City; fees come from the violators and the system is guaranteed to be revenue neutral. There could be excess revenue generated, although it is a safety program, not a revenue program, and it is self-sustaining.

To answer Councilman Best's question, Mr. Parks stated that the Police Department would not act as a judicial body; it is their discretion to determine if it is a violation the same as any violation on the street. The violator can determine if they want to pay or not, which is the same as any moving violation on the street. Those that do not want to pay can go to Miami-Dade County Court. There are no points added to the violator's license, as provided in House Bill 325, because it is a registered owner liability. There are four states where it is a driver's license violation, a picture is taken of the driver's face and points are issued.

Mayor Bain asked if there were more rear-end crashes from people stopping for the light.

Mr. Parks responded that approximately ten years ago the Federal Highway Administration conducted a study in six cities and it was determined that rear-end collisions increased 10%, while T-bone collisions were down 25%. He assured the Mayor that that none of their customers had experienced an increase because drivers are more aware through public education.

Councilman Best asked Chief of Police Baan if he felt that the system would be useful in terms of accident investigation.

Chief of Police Baan explained that the video taken by the cameras would be available for any purpose, including investigations. The Police Department already solved a robbery with video from the State Road 112 toll plaza.

To answer Councilman Espino's question, Mr. Parks stated that the videos for violations are stored until it is adjudicated.

Councilman Lob asked who determines the cost of the violations.

Mr. Parks explained that the fines are \$158.00 of which the city retains \$75.00, as provided for in House Bill 325.

To answer the Mayor's question, Mr. Parks explained that there is a flat fee for all Miami-Dade County customers of \$4,750.00 per month, or 2.11 citations per day. The City will not pay-out more than the revenue taken in.

Vice Mayor Ator stated that the Chief of Police is recommending moving forward before the County takes advantage of the opportunity. She added that there are many benefits that were not considered before. She likes the ability to review the video clip for accident investigations.

City Attorney Seiden explained that he was provided a sample ordinance and agreement that he will review. With Council's authorization, Mr. Parks will produce an agreement and he will produce the ordinance.

Councilman Lob asked if the City could place cameras on both sides of N. W. 36th Street and work out an agreement with the County.

Attorney Seiden responded that City should install cameras on both sides of 36th Street and enter into a Memorandum of Understanding with the County until they have their own program.

To answer Councilman Best's question, Mr. Parks clarified that the fee paid by the City to his company is still \$4,750.00 per month, per light, which is their cost to do business plus a reasonable profit.

City Attorney Seiden added that the Chief of Police has a proposed map for the camera installation, subject to verification that the location will produce enough revenue.

Councilman Espino asked who has access to the film and the information in addition to the company and the City of Miami Springs.

Mr. Parks clarified that the information is controlled by the City; the company does not give out information unless directed by the City.

City Attorney Seiden stated that the information would not be revealed to an outside agency unless they have a subpoena.

Chief of Police Baan explained that he is not an expert on the State of Florida records retention law, but his understanding is that all videos become public record at some point. The Police Department releases all types of intelligence information to other investigating agencies and most likely this would not be treated differently.

Mayor Bain said that the video is stored for 60-days even if there is no violation. He asked if someone could request a copy of the video for a particular day even if there were no violations.

City Attorney Seiden said that if there was an accident in a location that had cameras, the City might get a subpoena from an attorney who would want the record.

Vice Mayor Ator felt that there is a real benefit to the video surveillance.

By consensus, Council authorized the Administration to proceed.

10L) Discussion Regarding the Creation of a “Wall of Fame” at the Community Center

Mayor Bain stated that he received a proposal for creating a “Wall of Fame” at the Community Center for people who have gone above and beyond in different areas. He suggested that the Memorial Committee and Recreation Commission could assist with determining the criteria.

City Attorney Jan K. Seiden explained that the jurisdiction of the Memorial Committee is very limited and the Recreation Commission might be better.

Mayor Bain felt that the Memorial Committee could work with the Recreation Commission to recommend some guidelines for Council to consider.

Councilman Best commented that the Memorial Committee normally deals with honoring individuals posthumously.

Mayor Bain was of the opinion that the Memorial Committee could discuss the standards that would help give the Recreation Commission some guidance. There are many people in the community that have donated their time, money and efforts to Recreation. He has three or four individuals in mind that have accomplished a lot for the City and it would be nice to have a wall dedicated to them.

Councilman Espino agreed with the Mayor’s idea. He asked if he had any idea of what walls would be appropriate.

The Mayor explained that he had not considered the location of the wall and the committees could make a recommendation. This would be an agenda item for the next Recreation Commission meeting and they could work with the guidelines established by the Memorial Committee that qualify individuals for recognition.

City Attorney Seiden asked who would recommend and consider the names of the individuals to be recognized.

Mayor Bain responded that he would have to think about the names for consideration.

City Attorney Seiden felt that it would fall under the jurisdiction of the Memorial Committee to make the intermediate steps and the final decision making would fall under the Recreation Commission.

Councilman Best added that there is more to consider in addition to sports, including the theatre, dance, vocalists, etc.

City Attorney Seiden explained that the ordinance describing the jurisdiction of the Memorial Committee is very instructive as to who qualifies for a memorial.

Mayor Bain thought that the criteria would set qualifications for the Recreation Commission to follow. He suggested that the public could nominate individuals.

City Attorney Seiden explained that the Memorial Committee is made up of the Chairmen of the various boards. They are very protective of memorials in the City; they feel that the person must really meet the criteria and they are very conservative.

City Attorney Seiden suggested sending a memo through the Clerk's Office with the criteria from the Memorial Committee, with excerpts of the minutes indicating that Council would like them to address a Wall of Fame.

Mayor Bain said that he would talk with the City Clerk and get a memo off to the Recreation Commission.

Agenda Item 10M was discussed after Agenda Item 9B.

10M) Recommendation to Sell Decorative Bricks in Support of our Recreation Programs

Parks and Recreation Director Omar Luna stated that the Assistant City Manager brought forward an idea for a project that Staff began working on. They are proposing a fund raiser at the Community Center for the support of future and current programs by selling bricks to be installed in front of the facility. The bricks can be engraved with family names, logos, or a variety of things.

Mr. Luna stated that the letters "MS" for Miami Springs would be placed in the middle of the design in different shades of bricks and they are hoping to get Council's support for the project.

Councilman Espino explained that Curtiss Mansion, Inc. is using the same company and they use a laser to engrave the brick in glass, which is resistant to fading.

To answer Vice Mayor Ator's question, Administrant Assistant III Katherine Anderson explained that the pricing level was received from Brick Markers USA. The actual prices in the sample brochure are what other cities, municipalities and schools are charging for their bricks and the prices are negotiable.

Vice Mayor Ator mentioned that there were different prices for different colors.

Ms. Anderson explained that the basic prices are for the general walkway. In order for the bricks to be part of the "MS" and the surrounding borders of the "MS" they would like to charge a higher price because it is a special focal point.

Vice Mayor Ator asked about the size of the space and how many bricks would be sold.

Mr. Luna responded that the space between the columns would be the beginning point and if there is enough interest it could be expanded. They would not want the brick installation to interfere with people walking in and out of the Community Center. He estimated that the space would hold at least 300 to 400 bricks.

Mayor Bain stated that he would like to give the authorization to proceed with the program. His only concern is that the color scheme should match with the color of the building.

Councilman Espino said that the City could purchase blank pavers, because the company will not engrave orders of less than 100 bricks. This would cost more up front, eventually all the bricks will be replaced and it would give a quick turn around for the public to see their name on the bricks.

Councilman Best asked about the marketing strategies for the brick program in order to be able to complete the entire area.

Mr. Luna said that the initial goal is to complete the "MS" to the side of the entrance and if the bricks are sold quickly they hope to expand the area. It is a process to break down the concrete and place the sand for the brick installation.

Councilman Lob asked to consider Councilman Espino's suggestion to purchase the plain bricks for the entire area that can be replaced with engraved bricks as they are sold.

Councilman Espino added that finishing the "MS" with blank pavers would serve as its own marketing tool, although it costs more up front, but every brick becomes part of the inventory.

Mr. Luna explained that all options would be considered.

Councilman Lob reiterated that purchasing the blank bricks to complete the design would encourage people to buy into the program.

Councilman Espino suggested establishing a deadline for the first engraving. He asked to determine a number in order to know what the initial investment would be.

Vice Mayor Ator asked the Administration to provide a sketch of the proposed area for the brick installation.

By consensus, Council authorized the Administration to go ahead with the project.

11. Other Business:

11A) Council Meeting on December 27, 2010

By consensus, Council agreed to cancel the December 27, 2010 Regular Council meeting.

11B) April 2011 Elections

City Manager Borgmann stated that traditionally if there is an upcoming election in April there might be Charter amendments to consider or other types of actions that Council may wish to take. He asked Council to begin thinking about this because the window of opportunity to place a question on the ballot will close rapidly.

To answer Mayor Bain's question, City Manager Borgmann explained that this is a reminder to begin thinking about any issues that might require a vote, including a straw ballot question for the upcoming April 2011 election.

Mayor Bain would like the installation of the newly elected officials to be held at the Rebeca Sosa Theatre at the Community Center.

City Manager Borgmann explained that the Mayor's suggestion would not require any action.

Councilwoman Ator asked if the Rebeca Sosa Theatre would accommodate enough people.

Mayor Bain responded that the theatre seats 200 people.

Councilman Espino suggested that it could be a separate ceremony because normally the elected officials are sworn in during the Regular Council meeting and go right to work.

Mayor Bain agreed that it could be a meeting to swear in the elected officials without discussing business. He remembers that the officials were sworn in and then they went home.

City Attorney Seiden said that in the past elected officials were sworn in at different times because there were run-offs and some were out of town on City business.

Mayor Bain reiterated that he would like to hold a meeting after the election at the Community Center to swear in and introduce the new Mayor and Council.

City Clerk Magali Valls stated that the meeting could not be held the next day after the election because it takes time for the Elections Department to certify the results.

City Manager Borgmann recalled that the swearing in used to be the day after the election on Wednesday night and at the next Council meeting the old Council spoke and were recognized.

Mayor Bain took his proposal off the table and said that it would be up to Council. He will leave it as it is.

12. Reports & Recommendations:

12A) City Attorney

Elections

City Attorney Seiden reported that the City Clerk contacted the Miami-Dade County Elections Department and the latest date to submit a straw ballot question would be February 4, 2011, which is 60 days prior to April election. He asked Council to begin thinking about any ballot questions in December because official action would be taken in January to put the language into resolution form.

12B) City Manager

Christmas at the Gazebo

City Manager Borgmann announced that Christmas at the Gazebo is December 11th from 5:00 p.m. to 9:00 p.m. and Santa will arrive at 5:30 p.m.

National Golf Foundation

City Manager Borgmann met with consultants from the National Golf Foundation to see if there is anything that they can do to assist the City in opening up new markets for the Golf Course.

Mr. Borgmann said that they will provide a proposal to look at the current operation to see what is being done right and what improvements could be made to make the operation better. The minutes indicate that they made a proposal in 2005 for approximately \$10,000. He said that when the new proposal is received he will bring it to Council

Cellular Tower Flag

City Manager Borgmann stated that Council had received calls about the United States flag at the cell tower and the Administration was finally successful in having the flag removed and hopefully a new flag will be up soon.

Thanksgiving Holiday

City Manager Borgmann reminded everyone that City Hall would be closed for the Thanksgiving Holiday on Thursday, November 24 and Friday, November 25, 2010.

Circle Marquee

City Manager Borgmann received an initial estimate for a 4' x 8' electronic marquee ranging from \$10,000 to \$25,000, not including the electrical or installation. The Administration is seeking more quotes.

Illegal Signage

City Manager Borgmann reported that after speaking with the management at the Aladdin Hotel, they agreed to remove the illegal signage.

Chamber Event

City Manager Borgmann stated that the Chamber of Commerce is holding a Hometown Holiday Shopping event from December 6-11, 2010, in the evening from 6:00 p.m. to 9:00 p.m. They have asked if they can use the shuttle bus for the event, which is estimated to cost a total of \$800.00.

Councilman Espino said that he would like more information, including what stores will be open.

City Manager Borgmann explained that the event would occur before the next Council meeting and would like authorization to spend the funds if needed.

Vice Mayor Ator would also like to know if there are plans for restaurants staying open or special events for the kids. She asked if the shuttle would pick up and drop off people.

City Manager Borgmann explained that the shuttle would circulate through the Downtown area and Westward Drive to pick up people and take them back to their parked cars.

Vice Mayor Ator suggested that cars could be allowed to park along Curtiss Parkway, which might eliminate the need for the shuttle.

Councilman Lob said that he supports helping the Chamber and promoting Downtown, but there might not be time to let the people know that the shuttle is available.

Councilman Best suggested leaving the decision up to the City Manager.

Councilman Best moved to authorize the City Manager to exercise his discretion for the shuttle expense up to and including \$800.00 for the event. Councilman Lob seconded the motion.

The City Manager will check to see if this is an allowable expense for Citizen Independent Transportation Trust (CITT) funds.

The motion carried 5-0 on roll call vote.

Radar Signs

City Manager Borgmann stated that the radar signs will arrive in two shipments.

Deep Dredge Project

City Manager Borgmann reported about a resolution supporting Miami's Deep Dredge Project.

12C) City Council

Movie Night

Vice Mayor Ator reported that the All Angels Movie Night was successful with hundreds of people attending. Next month's movies will be "How to Train a Dragon" and "Christmas Story".

Recognition

Vice Mayor Ator asked to recognize Lisa Martinez at the December 13th Council meeting who was instrumental in putting together the education compact.

Flag Protocol

Vice Mayor Ator received a call from a citizen about the flags at the Recreation Center and the Circle that do not have the proper lighting.

The City Manager informed Council that the problem had been corrected.

Turkey Bowl

The Recreation Department is assisting with the Turkey Bowl and this year's event will be held at Stafford Park at 9:00 a.m. It is a double elimination tournament and they are still looking for a team.

Happy Thanksgiving

Councilwoman Ator wished everyone a Happy Thanksgiving.

Christmas Tree Sale

Councilman Lob announced that the Optimist Club will begin selling Christmas Trees on Thanksgiving Day, November 25th. He urged everyone to support the local organization. There is a \$10.00 coupon in the River Cities Gazette.

Installation Ceremony

Councilman Lob asked the Administration to look into the Mayor's request to hold an installation ceremony for the newly elected officials at the Rebeca Sosa Theatre after the April election.

The City Clerk confirmed that the swearing in ceremony took place last year on the Monday following the election during the Regular Council meeting. The Elections Department has said that they are now requiring more days to certify the election.

Councilman Espino would also be supportive of a separate ceremony for people to celebrate.

The City Clerk will get the timeframe from Elections.

Code Revisions

Councilman Best stated that funds were budgeted for Code Revisions totaling \$75,000, portions of the Code are very outdated, and it seems that only a small portion of the Code is being addressed.

President John Kennedy

Councilman Best announced that today is the 47th anniversary of the tragic assassination of President Kennedy.

Poetry Reading

Councilman Best said that he had the opportunity to perform a poetry reading at Lily Saborit-Abello's literary performance at the Community Center. It was a nice event, Ralph Wakefield assisted with the sound and lighting and he was very appreciative to be a part of the event.

Business Support

Councilman Best referred to the comments made by Lily Saborit-Abello during Open Forum in regard to support for the businesses. He said that she made sense, but other than funding, he does not know what else Council can do. He suggested that it might help to get all the business owners "on the same page" in order to head in the right direction and there have been efforts, but they do not always respond. The second part is to get support, which is difficult to achieve. Council has made an attempt and if there are some things that have not been done he is open for suggestions.

City Manager Borgmann stated that the City hired the Consultants and this is part of what they will be doing eventually, including marketing plans, advertising and getting the businesses on board to support those activities.

Happy Thanksgiving

Councilman Best wished everyone a Happy Thanksgiving.

Riverside Grille

Councilman Espino announced that Eddy Rhodes officially opened the Riverside Grille on Friday November 19th. He and his friends and family had a wonderful meal and it is great to see another business open Downtown. He wished him much success.

Miami-Dade Delegation

Councilman Espino attended the local swearing-in of the Miami-Dade Delegation at the Florida International University College of Law and was inspired by the unity that was shown. There are differences of opinion, but they are committed to secure Miami-Dade's fair share of funding, be it for education or roads.

Committee Appointment

Councilman Espino reported that the President of the Miami-Dade County League of Cities appointed him to the Miami-Dade Legislative Committee on which he looks forward to serving on and he will push a couple of legislative points that affect the City of Miami Springs and other municipalities.

Hawks Baseball

Councilman Espino announced that the Miami Springs Senior High School Hawks baseball team is starting its annual field banner program. For \$300.00 you can purchase a banner that will be placed on the fence to help support the baseball team. He asked the City Manager for an update of what has been done by the City to support the team.

Happy Thanksgiving

Councilman Espino wished everyone a Happy Thanksgiving.

New Year's Event

Mayor Bain stated that Lily Saborit-Abello had stayed the entire meeting waiting for a decision on her request for a New Year's event. He asked if Council wanted to give direction to the City Manager to obtain the information that could be e-mailed to Council since he can authorize a certain amount of funding.

Councilman Espino said that he spoke with Ms. Saborit-Abello about the event. He knows that funds are set aside for this purpose and would be willing to support the event.

By consensus, Council authorized the City Manager to allocate funding for the event.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 10:02 p.m.

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.

DRAFT



City of Miami Springs, Florida

The Miami Springs City Council, acting as the **LOCAL PLANNING AGENCY** held a **SPECIAL MEETING** in the Council Chambers at City Hall on Tuesday, November 30, 2010, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:05 p.m.

The following were present:

Mayor Billy Bain
Vice Mayor Jennifer Ator
Councilman Bob Best
Councilman George V. Lob

Absent:

Councilman Dan Espino

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
City Planner Richard E. Ventura
Deputy City Clerk Suzanne Hitaffer

2. Invocation: Vice Mayor Ator offered the invocation.

Salute to the Flag: The audience participated.

3. Public Hearing to Receive Input and Determine the Major Local Issues for the Evaluation and Appraisal Report in Accordance with Florida Statutes Chapter 163.3191 (1) (c)

City Planner Richard Ventura stated that this is the public hearing workshop on the Evaluation and Appraisal Report (EAR) process for the 2012 cycle. He referred to the Report Adoption Schedule outlining the process. The purpose of this meeting is for Council members, residents and business and property owners to express their concerns and issues that need to be addressed, including livability issues, density, transportation, availability of affordable housing, etc.

City Planner Ventura stated that the verbal input would go into the list of preliminary issues that will eventually be reflected in the final product, which is the Evaluation and Appraisal Report on the Comprehensive Plan that is due in May 2012.

City Planner Ventura welcomed comments with regard to the quality of life in Miami Springs, and the Goals, Objectives and Policies in the current Comprehensive Plan that have not been resolved as of this date.

James G. LaRue, President of LaRue Planning & Management Services, Inc., stated that the State of Florida Department of Community Affairs (DCA) has certain requirements for the Comprehensive Plan, but it should also be a plan that meets the needs of the City. Miami Springs is changing in terms of culture and items of importance, yet the population has remained fairly stable.

Mr. LaRue explained that every seven years, cities are required to do an Evaluation and Appraisal Report (EAR), even though the City of Miami Springs just completed the long process of the EAR plan amendments with all the unfunded mandates required by the DCA, including the Water Supply Plan, and the Public Schools Facilities Element.

Mr. LaRue stated that the EAR is due in May 2010 and the process normally takes 18-months. The purpose of the EAR is to identify locally important issues, review previous actions to implement the Plan, assess the Plan's successes and shortcomings, identify ways that the Plan should be changed and ensure effective intergovernmental coordination.

Mr. LaRue explained that the purpose of this meeting is to identify major local issues that affect the City from a growth or development standpoint. He asked Council to think in terms of what would be important in the next five to twenty years. Once the major issues are identified, they will be analyzed to see if there are social or economic impacts, how they relate to the Plan, whether or not plan objectives have been achieved and what actions or corrective measures are necessary to address the issues.

Mr. LaRue suggested identifying no more than four issues that will make the Plan more meaningful to the City, although there are some state requirements such as population projections. He knows that redevelopment is important based on recent discussions. The EAR does not have to suggest the geographic area; the focus could be on redevelopment of the existing areas including infill, transportation improvements and those items related to redevelopment.

Mr. LaRue explained that he would reassess housing affordability within the City, which may have changed in the last six years due to the economic crunch. The EAR should address improvement of the opportunities for affordable housing and the level of diversity in housing types and affordability, especially in connection with workforce housing. Another issue would be to encourage economic development within the City and create incentives for business creation and growth. The promotion of walk-ability and connectivity throughout the community could also be a focus.

Mr. LaRue asked Council if they agreed with the four issues that he presented.

Mayor Bain responded that he agreed with the four issues.

Councilman Best was of the opinion that the four issues were on target. He added that there was some difficulty with the housing affordability issue in the last EAR process and the language was changed to make it acceptable to DCA.

City Manager Borgmann stated that the City Planner's research found that many of the apartment buildings on South Royal Poinciana were considered affordable housing as set by the government standards.

City Planner Ventura said that he had ample research available on the mentioned properties; in view of the fact that this is another EAR cycle he will update that information that should prove that Miami Springs is well equipped with affordable housing.

Mr. LaRue stated that the next step in the process would be for Council to affirm the local issues. He and the City Planner will hold a "scoping meeting" for comments from adjacent local governments, state, and regional agencies and everyone is welcome to attend. The EAR process requires a Letter of Understanding based on the four issues and the agreement from DCA.

Council will sit as the Local Planning Agency (LPA) to review the Plan amendments and make a recommendation as Council at a second meeting that could be held the same night. Council will make sure that the Comprehensive Plan itself complies with the requirements and he will suggest new policies. Once the EAR is adopted there is an 18-month period to do the Plan amendments.

Drafting the EAR is based on identified local issues and how the plan should be changed. Factors and considerations include: population growth and changes in land area; extent of vacant and developable land. Financial feasibility of implementing the Plan; location of development in relation to the pattern anticipated in the Plan; relevant legislative and rule changes; successes and shortcomings of each Plan Element; summary of public participation programs and activities; coordination with the Public School Facilities Element; consideration of the Regional Water Supply Plan.

Mr. LaRue summed up the adoption process as follows: hold public hearing before the LPA; hold second public hearing before City Council to adopt the EAR; coordinate with DCA to assure that the EAR is sufficient and complete; submit adopted EAR to DCA prior to May 1, 2012.

Mr. LaRue stated that the schedule provided by the City Planner outlines the details of the process. Council will formally adopt the major issues at one of the meetings.

City Attorney Seiden explained that the issues could be placed on the agenda for the December 13th Regular Council Meeting.

To answer Councilman Best's question, Mr. LaRue said that once Council approves the local issues a scoping meeting will be held and then he would send off the Letter of Understanding to DCA with Council's authorization. The response will come back from DCA, the drafts will be done at that point and come back to Council.

Mr. LaRue confirmed for the City Attorney that the final adoption of the EAR is by resolution.

City Planner stated that if there are any concerns that Council may have about quality of life or outstanding issues to please let him know.

The City Attorney advised the Mayor that he was not required to open the public hearing as there was no one in the audience to participate. He suggested that the City Planner could provide a sign up sheet in City Hall so that people could leave their comments or suggestions.

Mayor Bain announced that a form would be provided in the City Clerk's Office for anyone who wanted to comment or ask for more information.

Mr. LaRue stated that traffic congestion would be a general issue that will be addressed without focusing on a particular finite issue.

Mayor Bain opened the public hearing to one person who entered the audience who declined to speak and the public hearing was closed.

Breakfast with Santa

Vice Mayor Ator reminded everyone of the All Angels Breakfast with Santa on Saturday, December 4th at 7:30 a.m. with rides following at 8:30 a.m.

New Year's Event

City Manager Borgmann said that he met with Lily Saborit-Abello regarding an event on January 1, 2011 and the associated price tag for the event is \$8,300, including the cost of the police services (\$7,500 for the event and \$800.00 for police). He asked for direction from Council as to whether or not they wanted to proceed with the event.

Councilman Best responded that he would like to proceed with the event.

Councilman Lob stated that he would support the event to promote Downtown.

Vice Mayor Ator explained that she was contacted by Lily Saborit-Abello, but did not get a chance to speak with her. She would like to speak with her first before she makes a commitment, although she wants to support Downtown events.

Vice Mayor Ator said that her concern is that Council is reactive rather than proactive when they are approached by individuals asking for funding for a project. She said that it might be the easy way out but not the best way. She is inclined to support a program for January 1st, but she would like a process so that people have an opportunity to bid for these types of events if they are interested.

Councilman Best commented that there are residents who have stood clearly in the forefront over the years in terms of bringing ideas to Council for public entertainment and arts, including Lily Saborit-Abello, Ralph Wakefield and Donna Wood-Beney. He understands Vice Mayor Ator's suggestion to ask for proposals to determine who is interested in holding the events, but is not certain that there would be much response in addition to what these people have to offer.

Vice Mayor Ator explained that she is not suggesting that they are not qualified people; she feels that Council should have the knowledge when spending the City's money.

Mayor Bain stated that Ms. Saborit-Abello had produced a Valentine's event that was well attended and she did not have a lot of planning time. The event at the Community Center was different and entertaining even though she did not have the opportunity to promote it. She would have one month to promote the New Year's event.

Mayor Bain said that he would not want to wait until December 13th to make the decision; he would like Council to either approve or deny the request.

City Attorney Seiden clarified that the request is not on the agenda; the City Manager is asking for Council's feelings and official action would be taken at the Regular Meeting on December 13th. There is no problem with giving an indication to the City Manager tonight as to how Council would like to proceed.

Handicap Ramp at the Circle

To answer the Mayor's question, City Manager Borgmann reported that the handicap ramp railings are in fabrication and will be shipped on December 6th.

Mayor Bain expressed his concern about the delay as he would like the ramp to be finished before the upcoming holiday events at the Circle.

4. Adjourn.

There being no further business to be discussed the meeting was adjourned at 7:41 p.m.

Billy Bain
Mayor

ATTEST:

Suzanne S. Hitaffer, CMC
City Clerk

Approved during meeting of: ____

DRAFT

**City of Miami Springs General Employees'
Retirement System
Minutes of the Meeting Held
November 4, 2010**

The regular meeting of the Board of Trustees of the City of Miami Springs General Employees' Retirement System was called to order at 8:30 AM by Tom Cummings in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

TRUSTEES PRESENT

Tom Cummings, Chair
Sherryl Bowein, Secretary
Robert Whittington, Trustee
James Borgmann, Trustee

OTHERS PRESENT

Audrey Ross, Pension Resource Centers (PRC)
Steve Cypen, Cypen & Cypen
Brendon Vavrica, Thistle Asset Consulting
Grant McMurry, ICC Capital Management
Moira Ramos, Finance Department
William Alonso, Finance Director
Jeff Clark, Miami Springs Police Officer

MINUTES

The board reviewed the minutes of the August 5, 2010 regular meeting.

MOTION: Mr. Whittington made a motion to approve the minutes of the August 5, 2010 regular meeting.

SECOND: Mr. Borgmann seconded the motion.

CARRIED: The motion carried 4-0.

INVESTMENT MANAGER REPORT: ICC CAPITAL MANAGEMENT (GRANT MCMURRY)

Mr. McMurry introduced himself to the new Trustees and explained his role in the portfolio. He reviewed the performance for the quarter and stated that this is the first time in a while that the fund was behind the index at 6.18% versus 8.60%. Mr. McMurray reported that July and August were not good months, but September was the total opposite. He reviewed the stocks that were held in the portfolio within the quarter and commented that most of them did not perform as well as they thought they would.

Mr. McMurry briefly gave a market updated and stated that the Fed's want to keep the interest rates low so that people will starting buying into the market, which will help stimulate the economy. The Fed's will also be putting more money into the market which will help stimulate the economy, but then that causes a concern for inflation. Mr. McMurray reported that a lot of people are still in bonds because they are still to afraid to move back into stocks. He explained that ICC Capital is very conservative in the bond portfolio, which has hurt them lately. Mr. McMurray stated that he thinks the bond market has run its course and it will be unstable soon. Lastly, Mr. McMurray reviewed the models that his company uses to select stocks. He explained that ICC doesn't have a big research team that goes out to sites, but that is something that they are working on improving.

INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (BRENDON VAVRICA)

Mr. Vavrica also introduced himself to the new Trustees' and briefly explained what he does. He reviewed the results for the quarter ending September 30, 2010, and also the fiscal year end. He explained that the portfolio is a core value with large cap stocks and some mid cap stocks. It was a tremendous quarter for fixed income. Growth outperformed value over the last 12 months, although we are still seeing the negative numbers from a couple of years ago. Mr. Vavrica reviewed the compliance checklist and reported that the fund is trailing the index for the 3 and 5 year periods and they did not meet their expected return for the fiscal year. As of September 30, 2010 there was 62% in equities, 33% in fixed income and 5% in cash.

For the quarter ending September 30, 2010 the total fund trailed the index at 6.10% versus 8.20%, and for the fiscal year they also trailed at 7.41% versus the index at 10.10%. Mr. Vavrica explained that the main cause to the underperformance for the quarter was the equities, which were behind at 8.42% versus 11.29%. The total fixed income did better within the quarter, but still slightly behind the index at 3.06% versus 3.29%.

Lastly, Mr. Vavrica reviewed the risk versus return chart. He commented that the chart goes back 5 years, and now this past quarter has pushed them into the bad quadrant, which means they are taking more risk and getting less of a return for it.

DISBURSEMENTS APPROVAL

Ratification of warrants processed since the August 5, 2010 meeting:

Warr.#	Payee	Amount	Invoice Date
279	Cypen & Cypen (Invoice #5588 - August 2010 Legal Fee)	\$1,000.00	8/3/10
	Resource Centers, LLC (Invoice #10779 - August 2010 Admin Fee)	\$1,350.00	7/30/10
	Salem Trust Company (4/1/10 - 6/30/10 Custodian Fee)	\$1,615.80	7/15/10
280	FPPTA Registration Form (Trustee Robert Whittington)	\$400.00	8/26/10
281	PGA National Resort & Spa - Hotel Reservations for Robert Whittington (Confirmation #R35DDA). FPPTA Trustee School - September 26-29, 2010 PGA National Resort.	\$507.00	9/10/10
	Mutual of Omaha (Inv# 000187416798 - September 2010 Life Insurance Fee)	\$135.96	9/9/10
	Resource Centers, LLC (Invoice #10819 - September 2010 Admin Fee)	\$1,350.00	8/31/10
282	Cypen & Cypen (Invoice #5614 - September 2010 Legal Fee)	\$1,000.00	9/1/10
	Mutual of Omaha (Inv# 000188096300 - October 2010 Life Insurance Fee)	\$95.04	9/21/10
283	Cypen & Cypen (Invoice #5639 - October 2010 Legal Fee)	\$1,000.00	10/1/10
	Resource Centers, LLC (Invoice #10860 - October 2010 Admin Fee)	\$1,350.00	9/30/10
	Robert Whittington - FPPTA School Reimbursement (PBG, FL 9/26-9/29, 2010)	\$188.00	10/1/10

MOTION: Ms. Whittington made a motion to approve Warrants 279 through 283.

SECOND: Ms. Bowein seconded the motion.

CARRIED: The motion carried 4-0.

BENEFIT APPROVALS

- o Application for refund of contributions
 - Daniel Diaz

- o Application for retirement (vested member)
 - Jesus Icaza

- o Applications for distributions of DROP account (to close out due to retirement)
 - Hector Madrigal
 - Nury Diaz

MOTION: Mr. Borgmann made a motion to approve the application for a refund of contributions for Daniel Diaz, the application for retirement (vested member) for Jesus Icaza and the applications for distributions of DROP account (to close out due to retirement) for Hector Madrigal and Nury Diaz.

SECOND: Mr. Whittington seconded the motion.

CARRIED: The motion carried 4-0.

FINANCIAL STATEMENTS

Ms. Ross presented to the board the financial statements through the end of September 2010. **The board received and filed the financial statements through the end of September 2010.**

OLD BUSINESS

The Board had a question in regards to DROP recipients and how they invest their money. Mr. Cypen explained that right now the only option the member has is to invest their money with the variable rate, but he reviewed some other options that the Board could look into. He stated that the only time that DROP accounts would not be cost neutral is if you guarantee a fixed rate. The Trustees asked about the process of adding in a self directed account. Mr. Cypen explained that you would have to first amend the plan to include self directed DROP accounts, you would have to choose a provider and the type of vehicle they want to invest their money in and then you have to monitor all the accounts. Mr. Vavrica commented that if the Board did go this route with the self directed DROP accounts, then his firm can help by sending out an RFP, and then once the Board chooses a provider they will help with the selection of the vehicle. The Board discussed and stated that this is something that they can look into a little later down the road.

NEW BUSINESS

Ms. Ross presented the Board with the resume from Francisco Arguelles who is applying for the open 5th Trustee seat on the pension board. The Trustees reviewed his resume and commented that he fits the requirements.

MOTION: Mr. Whittington made a motion to elect Francisco Arguelles as the 5th Trustee on the pension board, effective November 4, 2010.

SECOND: Mr. Borgmann seconded the motion.

CARRIED: The motion carried 4-0.

REPORTS

- Chairman - N/A
- Attorney – Mr. Cypen introduced himself to the new Trustees and stated that he was the legal counselor for the Board and explained what his roles are.
- Administrator – Ms. Ross explained to the new Trustees' what she does and commented that they can contact her anytime with questions. Lastly, Ms. Ross passed out the 2011 meeting dates.

NEXT MEETING DATE

Thursday February 3, 2011 @ 8:30 AM

ADJOURN

The meeting adjourned at 9:43AM

Respectfully submitted,

Sherryl B. Bowein, Secretary

***City of Miami Springs Police and Firefighters'
Retirement System
Minutes of the Meeting Held
November 4, 2010***

The regular meeting of the Board of Trustees of the City of Miami Springs Police and Firefighters' Retirement System was called to order at 8:30AM by Chairman Peter Baan in the Commission Chambers at the City of Miami Springs City Hall at 201 Westward Drive, Miami Springs, Florida.

TRUSTEES PRESENT

Peter Baan, Chairman
Gene Duffy, Trustee
Raymond Buckner, Trustee
Oscar Garcia, Trustee
Jonathan Kahn, Trustee

OTHERS PRESENT

Audrey Ross, Pension Resource Centers (PRC)
Steve Cypen, Cypen & Cypen
Brendon Vavrica, Thistle Asset Consulting
Grant McMurry, ICC Capital Management
Moira Ramos, Finance Department
William Alonso, Finance Director
Jeff Clark, Miami Springs Police Officer

SWORN INTO OATH OF OFFICE

The City Clerk swore in under oath of office the two new Trustees, Raymond Buckner and Oscar Garcia.

SELCECTION OF TRUSTEES

Ms. Ross noted that since the previous Trustee Jimmy Deal was the Secretary and he is no longer serving on the Board, the Trustees' must vote in a new Secretary.

MOTION: Mr. Duffy made a motion to nominate Oscar Garcia as the new appointed Secretary.

SECOND: Mr. Kahn seconded the motion.

CARRIED: The motion carried 5-0.

Since there were no other nominations, Oscar Garcia is declared Secretary by default.

MINUTES

The board reviewed the minutes of the August 5, 2010 regular meeting.

MOTION: Mr. Duffy made a motion to approve the minutes of the August 5, 2010 regular meeting.

SECOND: Mr. Kahn seconded the motion.

CARRIED: The motion carried 5-0.

INVESTMENT MANAGER REPORT: ICC CAPITAL MANAGEMENT (GRANT MCMURRY)

Mr. McMurry introduced himself to the new Trustees and explained his role in the portfolio. He reviewed the performance for the quarter and stated that this is the first time in a while that the

fund was behind the index at 6.18% versus 8.60%. Mr. McMurray reported that July and August were not good months, but September was the total opposite. He reviewed the stocks that were held in the portfolio within the quarter and commented that most of them did not perform as well as they thought they would.

Mr. McMurray briefly gave a market update and stated that the Fed's want to keep the interest rates low so that people will start buying into the market, which will help stimulate the economy. The Fed's will also be putting more money into the market which will help stimulate the economy, but then that causes a concern for inflation. Mr. McMurray reported that a lot of people are still in bonds because they are still afraid to move back into stocks. He explained that ICC Capital is very conservative in the bond portfolio, which has hurt them lately. Mr. McMurray stated that he thinks the bond market has run its course and it will be unstable soon. Lastly, Mr. McMurray reviewed the models that his company uses to select stocks. He explained that ICC doesn't have a big research team that goes out to sites, but that is something that they are working on improving.

INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (BRENDON VAVRICA)

Mr. Vavrica also introduced himself to the new Trustees' and briefly explained what he does. He reviewed the results for the quarter ending September 30, 2010, and also the fiscal year end. He explained that the portfolio is a core value with large cap stocks and some mid cap stocks. It was a tremendous quarter for fixed income. Growth outperformed value over the last 12 months, although we are still seeing the negative numbers from a couple of years ago. Mr. Vavrica reviewed the compliance checklist and reported that the fund is trailing the index for the 3 and 5 year periods and they did not meet their expected return for the fiscal year. As of September 30, 2010 there was 62% in equities, 33% in fixed income and 5% in cash.

For the quarter ending September 30, 2010 the total fund trailed the index at 6.11% versus 8.20%, and for the fiscal year they also trailed at 7.64% versus the index at 10.10%. Mr. Vavrica explained that the main cause to the underperformance for the quarter was the equities, which were behind at 8.40% versus 11.29%. The total fixed income did better within the quarter, but still slightly behind the index at 3.10% versus 3.29%.

Lastly, Mr. Vavrica reviewed the risk versus return chart. He commented that the chart goes back 5 years, and now this past quarter has pushed them into the bad quadrant, which means they are taking more risk and getting less of a return for it.

DISBURSEMENTS APPROVAL

Ratification of warrants processed since the August 5, 2010 Meeting:

Warrant #	Payee	Amount	Invoice Date
233	Cypen & Cypen (Inv #5587 - August 2010 Legal Fee)	\$1,000.00	8/3/10
	Resource Centers, LLC (Inv #10780 - August 2010 Admin Fee)	\$750.00	7/30/10
	Salem Trust Company (4/1/10 - 6/30/10 Custodian Fee)	\$2,380.54	7/15/10
234	Cypen & Cypen (Inv #5613 - September 2010 Legal Fee)	\$1,000.00	9/1/10
	PGA National Resort & Spa - Hotel Reservations for Gene Duffy (FPPTA Trustee School September 26-29, 2010)	\$338.00	9/10/10
	FPPTA - Trustee School Registration for Gene Duffy (September 26-29, 2010 - PBG)	\$400.00	9/10/10
235	Resource Centers, LLC (Inv #10820 - September 2010 Admin Fee)	\$768.09	8/31/10
	Cypen & Cypen (Inv #5638 - October 2010 Legal Fee)	\$1,000.00	10/1/10

	Resource Centers, LLC (Inv #10861 - October 2010 Admin Fee)	\$750.00	9/30/10
	Gene Duffy - Travel Reimbursement (FPPTA School in PBG, FL - 9/26-9/29, 2010)	\$160.85	10/3/10

MOTION: Mr. Kahn made a motion to approve Warrants 233 through 235.

SECOND: Mr. Duffy seconded the motion.

CARRIED: The motion carried 5-0.

BENEFIT APPROVALS

- o Deceased Benefit
 - Lisa Rivero

MOTION: Mr. Duffy made a motion to approve the deceased benefit for Lisa Rivero.

SECOND: Mr. Kahn seconded the motion.

CARRIED: The motion carried 5-0.

FINANCIAL STATEMENTS

Ms. Ross presented to the board the financial statements through the end of September 2010. **The board received and filed the financial statements through the end of September 2010.**

OLD BUSINESS

The Board had a question in regards to DROP recipients and how they invest their money. Mr. Cypen explained that right now the only option the member has is to invest their money with the variable rate, but he reviewed some other options that the Board could look into. He stated that the only time that DROP accounts would not be cost neutral is if you guarantee a fixed rate. The Trustees asked about the process of adding in a self directed account. Mr. Cypen explained that you would have to first amend the plan to include self directed DROP accounts, you would have to choose a provider and the type of vehicle they want to invest their money in and then you have to monitor all the accounts. Mr. Vavrica commented that if the Board did go this route with the self directed DROP accounts, then his firm can help by sending out an RFP, and then once the Board chooses a provider they will help with the selection of the vehicle. The Board discussed and stated that this is a bargaining issue so they will see what happens.

NEW BUSINESS

N/A

REPORTS

- Chairman - N/A
- Attorney – Mr. Cypen introduced himself to the new Trustees and stated that he was the legal counselor for the Board and explained what his roles are.
- Administrator – Ms. Ross explained to the new Trustees’ what she does and commented that they can contact her anytime with questions. Lastly, Ms. Ross passed out the 2011 meeting dates.

NEXT MEETING DATE

Thursday February 3, 2011 @ 8:30 AM

ADJOURN

The meeting adjourned at 9:43AM

Respectfully submitted,

Oscar Garcia, Secretary

DRAFT



CITY OF MIAMI SPRINGS, FLORIDA

The **Miami Springs Education Advisory Board** met at 6:30 p.m. on Tuesday, November 16, 2010 in the City Hall Council Chambers.

The meeting was called to order at 6:30 p.m.

1) Call to Order/Roll Call

The following were present: Chair Mindy McNichols
Vice Chair Debra Sheridan
Rob Gordon
Libby Manning
John Salomon

Also Present: Clerical Assistant Lina Bryon

2) Approval of Minutes: October 19, 2010 Regular Meeting

Minutes of the October 19, 2010 meeting were approved as amended.

Board member Manning moved to approve the minutes. Board member Gordon seconded the motion, which carried unanimously on voice vote.

3) Special Presentation: Iraida Mendez-Cartaya, Asst. Superintendent – Intergovernmental Affairs, etc.: Legislative News, Budget, and Other District News

Iraida Mendez-Cartaya, Assistant Superintendent, Intergovernmental Affairs for Miami-Dade County Public Schools stated that the funding formula is called Florida Education Finance Program (FEFP). The three funding sources are the State general revenue, local property taxes, and federal monies. Education consumes about 53% of the State's general revenues and pre-K through 12 is about 73% of the budget.

Ms. Mendez-Cartaya explained that for the last four years the State has had budget reductions starting in the 2007-2008 school year and another reduction is foreseen for the upcoming fiscal year. The State of Florida is facing a \$2.5BB deficit.

Property values have also declined over the past three years by \$55BB in Miami-Dade and are projected to continue to decline minimally in Miami-Dade, according to Ms. Mendez-Cartaya. School level services have been reduced by approximately 5%, instructional support services by 46%, business functions by 41% and central administration by 23%. Before the current School Superintendent took charge of the School District, Miami-Dade County Public Schools had a \$4MM contingency and today it is \$131MM. Despite the recession and the economic backdrop, students are performing better and the District is in a better financial position than in the previous two years.

Ms. Mendez-Cartaya stated that one of the key legislative issues will be the replacement of the federal stimulus monies for public schools totaling \$907MM that will sunset June 30, 2011. The District's share of stimulus monies is \$121MM that will disappear in 2011-2012. The question is whether or not the Florida Legislature will find the funds to mitigate that reduction, which supports more than 2,000 employees. Capital funding in Florida is predominately funded through property values and the decline over the last three years of \$55BB will affect next year's budget. There will only be funds for emergency maintenance, not for new construction or projects.

The District will continue to seek a third party study to determine the validity of the District Cost Differential (DCD), preferably conducted by a university outside of Florida that is not under the political influence of the Florida Legislature, according to Ms. Mendez-Cartaya. She illustrated the impact of DCD and equity issues with a comparison of the funds that Miami-Dade County received per student above the state-wide average. In 2003-2004, the amount per student was \$267.00 more than the state-wide average. Since that time, a compression adjustment for local millage was introduced to the funding formula, which has grown to more than \$160MM in the State appropriation of which Miami-Dade receives nothing. Today, the County receives \$118.00 less per student than the state-wide average.

Ms. Mendez-Cartaya explained that all homeowners pay taxes toward public education and each taxpayer in Miami-Dade pays \$200.00 more than the State average. This is directly related to the compression adjustment and leaves the question of whether or not the formula is equitable for the students and taxpayers. The counties of Duval, Hillsborough, Orange and Polk are the major beneficiaries of the formula adjustment.

Ms. Mendez-Cartaya stated that the class size amendment would have allowed districts to keep the compliance measure at the school-wide averages and now they are facing the problem of what to do with an extra student in a classroom. Options include hiring another teacher, creating combined classes of different grade levels, forcing students to attend schools outside of their city, or paying a penalty. The penalty is \$5,000 for every child that is out of compliance. In addition, the base student allocation is taken away as if that child does not exist in the school district.

The Florida Legislature has not provided full funding for class size, according to Ms. Mendez-Cartaya. The State Board of Education requested \$354MM and the Florida Legislature appropriated \$82MM of which Miami-Dade receives \$14MM. This year, the District required an additional \$50MM, bringing compliance to 99% on a per student basis and 96% on a classroom basis. The District is seeking to eliminate the penalties.

Last year the Florida Legislature passed Senate Bill 4, which increased graduation requirements. The graduation class of 2015 will have to pass Algebra I, Algebra II, Geometry, Biology, Chemistry or Physics in order to receive a high school diploma. Some students might not have an interest or need in those classes and the District is looking for a vocational track for those types of students.

Ms. Mendez-Cartaya explained that the District does not oppose high quality Charter Schools; they oppose not having a level playing field. The 92 Charter Schools in Miami-Dade represents 8% of the total budget and 10% of the student body. They have an advantage over the traditional public schools because they are allowed to maintain class size at the school-wide average and yet they receive the same allocation for class size reduction. She said that the tax payers should direct this question to the Florida Legislature.

Ms. Mendez-Cartaya stated that the District recognizes that the Florida Legislature will be facing daunting decisions based on a \$2.5BB deficit, a reduction in property values and state revenues, as well as the replacement of federal stimulus monies. The District is looking for support from the City in their legislative platform and priorities; this will be the hardest year they will face from an economic standpoint.

To answer Chair McNichols' question, Ms. Mendez-Cartaya clarified that Senate Bill 6 passed last year and was vetoed by the Governor. A reform model is being pushed down from the Federal government to the State that ties student achievement to teacher and principal compensation.

Further discussion ensued regarding proposed legislative issues that could affect education funding and the District Cost Differential (DCD).

4) District Compact Liaison: Lisa Martinez, Admin. Director Intergovernmental Affairs, etc.

Chair McNichols stated that Lisa Martinez was instrumental in drafting the education compact and has been working with the Education Advisory Board for the last two years. She explained that Ms. Martinez would be reassigned to a different department, subject to School Board approval next week, and that Iraida Mendez-Cartaya would assume her duties.

Ms. Mendez-Cartaya was advised by Lisa Martinez that she had requested direction from the Education Advisory Board to see how they wanted to proceed with the compact. She explained that there is a partnership between the City and the School District and they remain committed to education compacts. The loss of a staff member does not mean that the compact is in jeopardy; it will continue and is a function of what the City is looking to see happen in their jurisdiction. The one caveat is that there is no funding.

To answer Chair McNichols' question, Ms. Mendez-Cartaya said that there is no need for the School Board to approve amendments to the education compact because there is no exchange of funds or financial commitment. It is a living document that is always evolving and once an accomplishment is made it continues to the next priority.

Chair McNichols' stated that new ideas may come up that should be included in the compact; it is like a blueprint that needs updating.

Chair McNichols' informed Ms. Mendez-Cartaya that Board member Rob Gordon is the Chair of the Education Enhancement subcommittee and is working very diligently. She asked him to present his report at this time.

5) School Reports:

Springview Elementary School Principal Mayte Dovale congratulated Miami Springs Senior High School Principle Ennis for being selected as "Principal of the Year" for the feeder pattern. She also congratulated the Middle School for advertising the school's success, Springview Teacher Jill Vizcaino who was selected by her peers as "Teacher of the Year" and Paraprofessional Maria Quintana.

Principal Dovale reported that the fence and media center audio visual room had been completed. Miami-Dade Transportation Department was asked to revisit the arrival and dismissal program and they approved moving the buses to Partridge, which is much smoother and will help with traffic.

To answer Board member Gordon's question, Principal Dovale spoke with the City about trimming back the trees on Partridge and she requested gravel for the swale in the bus areas to prevent flooding since it is City property. The problem areas that flood are on Bluebird by the field and the entrance on Partridge.

Principal Dovale continued reporting on curriculum and student activities, test assessments, report cards, Math Family Night at Milam's, etc.

Miami Springs Elementary School Principal Sally Hutchings reported that the school book fair was held this evening with a P.T.A. sponsored meal from Pollo Tropical and a parent FCAT/SAT workshop.

Principal Hutchings also reported that two students were honored with awards for their art work. Interim assessment results are pending and the students will compete against Springview students in the "Math Bonanza". Student enrollment is up to 636, or an increase of four students.

Principal Hutchings continued to report on field trips and programs, including the Ronald McDonald Anti-Bullying program, Fantasy Theatre, the annual square dance, and trips to St. Augustine and Washington. She explained that the Teacher of the Year is Sylvia Lavernia and Rookie Teacher of the Year is George Diaz.

Principal Hutchings stated that the P.T.A. Halloween parade was enjoyed by all along with the Trick-or-Treat Street Night. The P.T.A. will sponsor the Winter Wonderland on December 8th.

To answer Board member Gordon's question, Ms. Hutchings said that there are thirty weeks left in the school year and a technology teacher for one hour a week in the computer lab would cost \$1,200. For technology/math/science it would total \$3,600. This is an idea to spearhead the STEM program from elementary to the middle school and the senior high. The advanced math program is fee supported by the parents.

Board member Gordon explained that Principal Hutchings had asked to determine ways to get business support to help in those efforts and that is why he requested the numbers (estimate attached for the record).

Miami Springs Middle School Assistant Principal Lisette Alves stated that there were more than twenty new students who came from charter schools. Honor Roll students are preparing for activities. The Teacher of the Year is Isel Ceballos who teaches sixth grade gifted and the Rookie Teacher of the Year is Steven Okon who teaches 8th grade Science and Mathematics.

Ms. Alves reported that preliminary interim assessment results show increases in both reading and math for all grade levels. Level one and two students will receive their second FAIR test beginning November 23rd. The Spelling Bee competition will be held on Wednesday, November 17th.

Ms. Alves stated that the girl's soccer team won the Miami-Dade County Championship. She added that the school has been able to offer every sport through the volunteer efforts of the teachers, parents and other individuals. She continued reporting on various school programs and activities, including recycling, and the collection of toys and food for needy families.

Miami Springs Senior High School Principal Ennis announced that the school is number three in attendance out of thirty-four high schools. The Teacher of the Year is Drama teacher Ms. Sieg.

Principal Ennis continued reporting on student achievements and activities, including the United Way Campaign and the new School website that is student generated. He thanked Board member Gordon for his assistance.

Principal Ennis stated that the "Middlementary" competition would be held on Saturday, November 20th with 424 students participating from all schools.

Board member Gordon said that he met with Experience Aviation and they offer after school programs. He asked if this could tie in with the STM program and when the program is expected to begin.

Principal Ennis clarified that the classes already exist. The articulation process will begin very soon and they are putting together the subject selection sheets that show Science, Technology and Mathematics.

To answer Board Member Manning's question, Principal Ennis confirmed that the library is open during both lunch periods for student access. He offered to check on the process for acquiring approved volunteers to staff the media center. He asked the Education Advisory Board to try and help the High School obtain more business and community involvement.

Discussion ensued regarding possibilities for business involvement.

Board member Salomon presented his idea for a "Hall of Fame" at the High School, which is a program at Palmetto High School. School alumni who have become famous are inducted into the "Hall of Fame" and these people take a renewed interest in the school. He knows there are many graduates and would like to track down those successful individuals.

Chair McNichols suggested that one of the service clubs could research the history of the graduates.

Board member Manning added that people involved with the reunions would be able to help as well.

Vice Chair Sheridan said that the P.T.A. will sponsor a booth at the Springs River Festival and they could also publicize the fact that they are seeking alumni to help support the school.

6) PTA/PTSA Reports

Springview Elementary P.T.A. representative Mercedes Rodriguez reported on the Book Fair, catalog sale, Halloween Haunted House, reading incentives, parent involvement and membership, etc.

7) Business:

A. Review of MSSH Advanced Placement Reports

Chair McNichols thanked Board member Gordon for the statistics that he provided (attached for the record).

Discussion ensued regarding the Advanced Placement (AP) test scores and classes.

Chair McNichols and the Board members expressed their concern about the lack of AP books and resources.

Board member Gordon stated that since funding is received for AP success it would seem that there should be an investment in books and resources.

Angus Laney of 671 Falcon Avenue whose son is in the tenth grade shared his comments about the test scores from a parent perspective. He is generally impressed with the AP program and admires what they are undertaking because students are encouraged to think of themselves of as college material.

Vice Chair Sheridan commented that Florida Distance Learning Consortium is being tasked by the State Legislature to look at on-line text books and there is a research called the "Orange Grove" that is a digital depository. They are soliciting text books from college faculty to put in the "Orange Grove" and make available to students. She is going to check to see if Psychology is available.

Chair McNichols felt that the problem might be poor planning, too many kids may have signed up for the course and there were not enough books.

B. Youth Advisory Council

Vice Chair Sheridan stated that the Village of Pinecrest is very ambitious with a twenty member Youth Advisory Council.

Chair McNichols explained that the Education Advisory Board could adjust the Youth Advisory Council to meet their needs and a five member board would be sufficient.

Board member Manning stated that the City of Coral Gables did not respond to her, but she found it interesting that their Youth Advisory Council is run through their Parks and Recreation Department. She is said that it might be hard for the Education Advisory Board to manage the program and perhaps the Parks and Recreation Department could help.

Vice Chair Sheridan said that she likes the application used by the Village of Pinecrest and Council would be able to appoint members through a selection process.

Chair McNichols explained that the Education Advisory Board could recommend that the City Council establish a Youth Advisory Council with certain parameters suggested by the Education Advisory Board, including membership. She added that the suggestion could be made that the Youth Advisory Council would operate through the Parks and Recreation Department.

Board member Manning felt that the Community Center would be a nice venue for the Youth Advisory Council.

Discussion ensued regarding the establishment of Youth Advisory Council consisting of five members appointed by Council for a one-year term who would meet quarterly to advise Council on significant and pertinent matters relating to young people with the support of the Parks and Recreation Department.

Board member Salomon moved to recommend that Council create a Youth Advisory Council with five members from grades six through twelve who are selected from an application process, and meet on a quarterly basis, for a one-year term, to advise the City Council on significant and pertinent matters relating to young people within the City. Board member Manning seconded the motion, which carried 5-0 on voice vote.

Board member Gordon moved to recommend that Council direct the Administration to work with Principal Dovale and the Public Works Department to address the water accumulation in front of the hard court on Bluebird Avenue in the swale. Board member Salomon seconded the motion, which carried 5-0 on voice vote.

C. Committee Reports: (presented after Agenda Item 4)

(1) Enhanced Education

Board member Gordon reported that the objective is to understand ways that can enhance academic programs and assist the schools, which is pertinent now because there is no funding from the District level. Data is the key and in the past he has used the public records research Staff that has been very helpful.

Chair McNichols said that the information request should not require a public records request because it should be covered under the education compact.

Board member Gordon explained information is helpful when applying for grants and there is a time factor involved. He has held several meetings with Miami Springs Senior High School Principal Ennis, as well as Springview Principal Dovale and Miami Springs Elementary Principal Hutchings. The entire feeder system is excited about science/technology oriented programs and grant funds are available, but it takes organization and a good program that requires data.

Board member Gordon stated that had not met with the Middle School. He needs to understand the needs and desires of the schools so that the Education Advisory Board can reach out to community members to see how they might be able to assist.

Chair McNichols added that the Education Advisory Board would like to build on the strengths at the High School and support other areas as well, without the need for extra funding.

Board member Gordon explained that the FCAT exams were challenging and the end of year exams sound great, but there are certain realities about the system that will hit at the end of the year. Families and students must work to reach their goals because the bar has been set very high.

Chair McNichols stated that it is possible that some day there will be available funding and it is important to lay the ground work to make sure there is a solid foundation for a magnet program.

Ms. Mendez-Cartaya said that test results show that students outperformed all urban and suburban districts in the nation. The compact allows for ways in this recession to provide creativity and work together to leverage resources to help boost the community.

Chair McNichols commented that many businesses have done great things for the schools and she would like to develop a larger impact in the community, which requires more work.

Board member Gordon stated that the High School developed a strand of existing courses to create the beginnings of a science/technology mini-academy. This week he met with Experience Aviation who has done after-school programs, although the courses are not approved as regular classes. The company is a community resource that can partner on the engineering side.

Chair McNichols mentioned that the School Superintendent conducts Community Education Tours and visits schools in a particular area. She wanted to know if this could be done in Miami Springs in order to get publicity that might attract some business people. She suggested that it could be done after the next City election or in conjunction with Civics Week.

Ms. Mendez-Cartaya said that since April is the peak of the Legislative Session it would be better to hold a Community Education Tour in May. The intent of the tour is to bring awareness to the business community and the elected officials.

To address Vice Chair Sheridan's question, Ms. Mendez-Cartaya explained that property values had declined over the past three years. In addition, the Florida Legislature reduced the millage rates that local school districts could levy for capital outlay purposes from 2 mills to 1.5 mills. The funds went from capital to operating, which made a huge impact on capital projects. The compounding issue is class size reduction.

(2) Civics Week

Chair McNichols explained that Civics Week and the Youth Advisory Council are part of the compact, which is being addressed by Board member Salomon.

Board member Salomon stated that Councilman Dan Espino introduced a Civics Initiative to the Education Advisory Board; they met to discuss different priorities and decided to focus on Civics Week.

Board member Salomon explained the following proposals for Civics Week:

- Guest speakers, including police officers, firefighters, elected officials, members of the Historical Society and others who visit the schools to speak with the students.
- An area in the schools for the display of tangible patriotic or historical objects, including the United States flag that was flown over the Capitol, the City Seal, the Constitution, Bill of Rights, Declaration of Independence, etc.
- Field trips to City Hall, the Curtiss Mansion, the Community Center, the Senior Center and Public Works Department.
- A community service project developed by each school that would serve the school itself or the surrounding community.
- Students shadowing City employees: Chief of Police, City Manager, Recreation Director, Finance Director, etc.
- Establishing a Youth Advisory Council that would meet during Civics Week.

Board member Salomon proposed the week of April 25, 2011 for Civics Week. He knows that the schools are over burdened with the FCAT.

Chair McNichols mentioned that Miami Springs' resident John Doyle is the District Head of Social Studies and he might be willing to help or provide materials.

Board member Manning stated that juniors and seniors would take a more active role in Civics Week because they are not taking end of course exams.

Vice Chair Sheridan moved to recommend that the City Council designate the week of April 25, 2011 as "Miami Springs Civics Week". Board member Manning seconded the motion, which carried unanimously on voice vote.

D. Update: Education Page and City Website

Chair McNichols asked if anyone had a chance to check the City Website education page.

Board member Manning stated that the information on the website looks great with links to all the public and private schools. The Board members could make suggestions for future information to be posted on the website.

E. College Tour Institute

Chair McNichols reported that she would be meeting with Region Superintendent Dr. Pace within the next few weeks to discuss the College Tour Institute. She explained that Dr. Pace is familiar with the program because of her contact with the Region 5 Superintendent who spearheaded the program for that Region. She knows that Dr. Pace is excited but concerned about sponsorship and raising enough funds to begin an effective program. The P.T.A. organizations and the schools in Region 5 raised most of the funds.

Chair McNichols stated that she would schedule an agenda item for the next meeting after she talks more with Dr. Pace.

8) Other

Board member Manning said that the Board members had expressed their concern about the requirement for Honors World History. She confirmed with Principal Ennis that the High School will be offering regular World History.

Vice Chair Sheridan suggested that the Education Advisory Board should ask for a status report from Council on the completion of the Miami Springs Library renovation, which is an education issue.

Chair McNichols stated that Miami-Dade County has control over the library renovation.

Chair McNichols said that she still wants information showing how many 9th graders start at the High School and graduate.

Board member Gordon explained that he sent the information request to Rolando Martin and he would follow up with on his request.

Chair McNichols announced that the December 21, 2010 Meeting is cancelled.

9) Adjourn

There was no further business to discuss and the meeting was adjourned at 9:01 p.m.

Respectfully Submitted,

Suzanne Hitaffer
Clerk of the Board

Approved as written at meeting of:

The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council.

A Miami Springs Elementary Draft
 Moving into STM

Technology	\$40.00 per hour avg.	1 hour per week	30 weeks left of school	\$1,200.00
Mathematics	"	"	"	"
Science	"	"	"	"
Total Cost for 3 programs for 30 weeks				\$3,600

Ennis, Thomas P.

From: Llerena, Beatriz
Sent: Thursday, March 25, 2010 1:49 PM
To: Ennis, Thomas P.
Cc: Medina, Maria
Subject: AP preparations

Importance: High

Mr. Ennis,

As per your request, here is a bulleted list of the preparations under way and planned when we return for Spring Break to prepare our AP students for testing:

- ❖ AP Teachers attended the **Fall training session** sponsored by the district.
- ❖ AP students attended a **review session in the Fall and again on April 10** to review materials for testing. Those students attending will present the information to the rest of the AP class.
- ❖ **AP Curriculum Fair** was held in the Media Center in January 2010 to expose students with qualifying AP Potential scores on the PSAT and with GPA's to the option of higher rigor through advanced placement.
- ❖ AP Teachers were given the opportunity to provide an **AP Practice Test during the FCAT days** in the Auditorium on 3/9, 3/10 hosted by Mr. Koski.
- ❖ AP Teachers were offered the **use of the building on every Saturday test day** from September until May 1, 2010 to give practice tests/review sessions. (examples: Mrs. Icaza, Mr. Diaz, Mr. Dearing have taken me up on this option)
- ❖ **AP Bulletin for Students and Parents** is a concise publication provided by the College Board with the dos/don'ts for each test day, schedule, preparation activities and websites for available practice sessions.
- ❖ AP Teachers have purchased **test preparation publications** such as Barron's Test Prep, 5 Steps to a 5, etc. to provide students with **actual released AP exams** for practice.
- ❖ AP Teachers have access to a **College Board website** which offers test facts, sample questions, rubrics, testing tips, timing, etc.
- ❖ Individual AP teachers offer tutoring after school, before school and evening sessions.
- ❖ Mr. Dearing and Mr. Fernandez collaborated on a group administration of the ENGLISH LANGUAGE/LITERATURE exams in the Auditorium on 3/25/10.
- ❖ I will be **visiting the AP classes** when materials arrive in April to do a **Pre-Administration Session** of the testing answer sheets so students do not have to waste valuable time on test day with bubbling demographic data and can focus on the test administration instead.

I'm sure there are more activities being conducted but this is an overview of most of the activities. I hope that this information will assist you:

Thanks!

*Mrs. Beatriz L. Llerena-Garcia,
Testing Chairperson
Miami Springs Sr. High School
751 Dove Avenue
Miami Springs, FL 33166
Ph: (305) 885-3585 ext. 2327
Fax: (305) 884-2632*

2010 AP Score Summary Report

Subject & Score Totals	5	4	3	2	1	Total Exams	% PASSING with 3, 4, 5
Art History	1	4	9	12	3	29	48.3%
Biology	1	1	4	6	12	24	25%
Calculus AB	5	4	6	1	4	20	75%
Calculus BC	3	-	-	-	-	3	100%
Chemistry	-	-	-	3	2	5	0%
Computer Science A	2	2	1	-	1	6	83.3%
English Language & Composition	2	2	22	25	13	64	40.6%
English Literature & Composition	-	3	12	28	47	90	16.7%
Environmental Science	3	3	2	3	5	16	50%
French Language	-	-	1	5	1	7	14.3%
Macroeconomics (* FL Virtual Sch)	-	1	-	-	-	1	100%*
Music Theory	-	1	1	3	2	7	28.6%
Psychology	-	-	5	4	3	12	41.7%
Spanish Language	23	13	3	1	-	40	97.5%
Spanish Literature	6	10	3	4	3	26	73.1%
Statistics	-	2	4	3	4	13	46.2%
Studio Art: 2-D Design Portfolio	2	2	1	-	-	5	100%
Studio Art: 3-D Design Portfolio	-	-	-	1	-	1	-0%
Studio Art: Drawing Portfolio	-	-	1	-	-	1	100%
United States Govt and Politics	1	-	2	3	2	8	37.5%
United States History	-	-	5	4	3	12	41.7%
World History	1	1	1	12	14	29	10.3%
TOTALS	5	4	3	2	1	TOTAL	OVERALL # PASSING with 3, 4, 5
# of Exams scoring	50	54	87	133	180	504	37.9%
% of Total	10	11	17	26	36	100	

EAB 11-16-2010

Division of Mathematics, Science, and Advanced Academic Programs
 2008-2010 Analysis of AP Exam Passing Rate By School

AP SUBJECTS	DISTRICT PASSING RATE & TOTAL TESTED				MSSH Passing Rate and Total Tested			
	08-09		09-10		09-10		09-10	
	% passg	# tests	% passg	# tests	% passg	# tests	% passg	# tests
Art History	33.0%	444	35.0%	680	48.30%	29		
Biology	23.0%	1,191	20.0%	1,547	25.00%	24		
Calculus AB	39.0%	1,482	34.0%	1,627	75%	20		
Calculus BC	62.0%	321	72.0%	314	100%	3		
Chemistry	24.0%	761	22.0%	891	0%	5		
Chines Lang & Culture	75.0%	4	100.0%	8				
Computer Science A	30.0%	73	45.0%	51	83.30%	6		
English Lang & Comp	43.0%	3,781	45.0%	3,412	40.60%	64		
English Lit & Comp	39.0%	3,407	39.0%	3,965	16.70%	90		
Environmental Science	26.0%	1,520	24.0%	1,443	50%	16		
European History	45.0%	1,272	47.0%	1,313				
French Language	54.0%	324	57.0%	372	14.30%	7		
German Language	78.0%	41	75.0%	44				
Gvmmt. & Poltics: Cmptrvte	27.0%	75	19.0%	338				
Gvmmt. & Poltics: US	24.0%	2,447	24.0%	3,517	37.50%	8		
Human Geography	29.0%	1,564	30.0%	1,872				
Japanes Lang & Culture	71.0%	7	50.0%	4				
Latin: Vergil								
Macroeconomics	26.0%	1,684	26.0%	2,155	100%	1		
Microeconomics	15.0%	186	24.0%	151				
Music Theory	24.0%	243	19.0%	262	28.60%	7		
Physics B	19.0%	420	22.0%	386				
Physics C: Electr & Magnet	31.0%	91	41.0%	56				
Physics C: Mechanics	39.0%	160	37.0%	156				
Psychology	50.0%	2,357	42.0%	2,613	14.60%	96		
Spanish Language	94.0%	2,378	92.0%	2,885	97.50%	40		
Spanish Literature	71.0%	619	73.0%	645	73.10%	26		
Statistics	29.0%	770	24.0%	745	46.20%	13		
Studio Art: 2-D Design	81.0%	245	84.0%	304	100%	5		
Studio Art: 3-D Design	71.0%	68	45.0%	169	0%	1		
Studio Art: Drawing	80.0%	268	76.0%	298	50%	2		
United States History	32.0%	3,043	30.0%	3,076	41.70%	12		
World History	32.0%	1,980	26.0%	2,635	10.30%	29		

EAB 11-16-2010

National Avg	District Avg	# of tests	Comment	MSSH	District
49.5%	20.0%	1,547	Above nation and district	15.0%	21.8%
53.7%	22.0%	891	Below nation and district		
62.1%	45.0%	51	Above nation and district		
49.7%	24.0%	1,443	Above nation and district		
67.2%	42.0%	2,613	Par		
57.8%	34.0%	1,627	Above nation and district	8.8%	16.1%
79.0%	72.0%	314	Above nation and district		
52.6%	26.0%	2,155	Above nation and district		
57.9%	24.0%	745	Above district		
56.8%	45.0%	3,412	Par		
55.9%	39.0%	3,965	Below nation and district	54.2%	37.4%
44.2%	57.0%	372	Below nation and district		
69.3%	92.0%	2,855	Above nation and district		
58.0%	73.0%	645	Above nation	10.3%	5.7%

30,059

Subject	Score Incidence					Total Exams	% 3,4,5
	5	4	3	2	1		
1 Biology	1	1	4	6	12	24	25.0%
1 Chemistry	0	0	0	3	2	5	0.0%
1 Computer Sciences A	2	2	1	0	1	6	83.3%
1 Environmental Science	3	3	2	3	5	16	50.0%
1 Psychology	0	0	5	4	3	12	41.7%
2 Calculus AB	5	4	6	1	4	20	75.0%
2 Calculus BC	3	0	0	0	0	3	100.0%
2 Macroeconomics	0	1	0	0	0	1	100.0%
2 Statistics	0	2	7	2	4	15	46.2%
3 English Language & Composition	2	2	22	25	13	64	40.6%
3 English Literature & Composition	0	3	12	28	47	90	16.7%
3 French Language	0	0	1	5	1	7	14.3%
3 Spanish Language	23	13	3	1	0	40	97.5%
3 Spanish Literature	6	10	3	4	3	26	73.1%
Totals	50	49	83	118	119	419	43.4%
% of Total							22.1%

I tried grouping the tests by proximate subject area to draw conclusions regarding teaching effectiveness and student aptitude.

DRAFT



CITY OF MIAMI SPRINGS, FLORIDA

The **Miami Springs Historic Preservation Board** met at 7:00 p.m., on Thursday, November 18, 2010 in the City Hall Council Chambers.

The meeting was called to order at 7:02 p.m.

1) Call to Order/Roll Call

The following were present: Chair Mary Ann Goodlett-Taylor
Vice Chair Sydney Garton
Charles M. Hill
Yvonne Shonberger

Absent: Michael Windrem

Also Present: Clerical Assistant Lina Bryon

2) Approval of Minutes: September 16, 2010 Regular Meeting

Minutes of the September 16, 2010 meeting were approved as written.

Vice Chair Garton moved to approve the minutes. Board member Hill seconded the motion, which carried 3-0 on voice vote. (Board member Shonberger did not vote as she was not present at the last meeting).

3) Old Business:

Vice Chair Garton said that she would like to know the status of the designation plaques for the Golf Course.

4) **New Business:**

A. **Recommendation for a Letter to Property Owners informing them of the Designation Process (requested by Yvonne Shonberger)**

Board member Shonberger stated that she drafted a letter to let the homeowners know what is going to happen before the designation process begins. She read her proposed letter into the record (final draft attached).

Vice Chair Garton explained that there is a charge to pull the abstract for a home and the homeowner might not be aware of this. She thought it would also be a good idea to mention that the meetings are usually held on the third Thursday of the month.

Board member Hill commented that the City Attorney had provided a legal format, which he suggested referencing as an attachment to the letter.

Board member Shonberger was of the opinion that the legal format provided by the City Attorney was not the best way to approach homeowners. She added that the Board had been chastised for being completely factual with homeowners by telling them that no one had ever had a problem obtaining a Certificate of Appropriateness. She said that the information seems more like instructions to the Board.

Vice Chair Garton felt that the "Impact of Historic Designation" drafted by the City Attorney should be given to the homeowner at some point in the designation process.

Board member Shonberger was of the opinion that neither the Board nor the City has the right to make a statement about the impact historic designation may have on the property value and the information drafted by the City Attorney implies that historic designation has a negative impact.

Board member Shonberger referred to publications titled "*Economic Impacts of Historic Preservation in South Florida*" and "*Profiting from the Past: The Economic Impact of Historic Preservation in Georgia*". She feels that these publications clearly state the positive impacts of historic designation.

Vice Chair Garton clarified that the "Impact of Historic Designation" drafted by the City attorney was requested by the City Council. She suggested that benefits and detriments could be a separate page if the homeowner wants additional information.

Vice Chair Garton moved to amend the Impact of Historic Designation, by removing the language: "In addition to the foregoing, it is essential that the property owners who are subject to "designation" clearly understand the benefits and detriments that are a direct result of designation", including the entire section of "Benefits" and "Detriments" on page two.

The notice will end with the last paragraph on page three *“Notwithstanding anything previously contained herein”* The information could be available in a separate document at the homeowner’s request prior to the hearing or at the hearing.

Board member Hill was of the opinion that the last paragraph in the “Impact of Historic Designation” would not be needed because it refers to the previous content.

Vice Chair Garton felt that the last paragraph should remain in the document because it states that the homeowner should carefully review the Code and advise their legal and financial advisors of the proposed designation.

Board member Hill responded that page one already states that the revisions should be carefully reviewed. He suggested eliminating *“Notwithstanding anything previously contained herein”*.

Vice Chair Garton recommended that the last paragraph should begin with *“Owners of property that may be subject to designation by the Historic Preservation of the City should carefully review”*

Board member Hill seconded the motion.

Board member Hill recommended including the “Impact of Designation” without the benefits and detriments as an attachment with the proposed letter from the Board with the Miami Springs’ logo at the top, signed by the Chairman.

Board member Hill also recommended that Board member Shonberger’s proposed letter should replace “home” with “house” in all instances.

Vice Chair Garton amended her motion as discussed. Board member Hill seconded the amended motion, which carried 4-0 on voice vote.

Board member Shonberger asked Council to read the publications she submitted on the impact of historic designation and to reconsider the last statement that designation may be seen as a detriment and a price reducing factor. The benefits and detriments would be a handout for anyone asking for more information. She said that anyone can download the studies by searching for information “impact of historic designation” in the computer.

B. Curb Appeal

Board member Hill nominated the following property owners for the “Curb Appeal” recognition at the following addresses: 971, 1061, 1102, and 1290 Dove Avenue; 975 and 1268 Ibis Avenue.

5) **Reports/Requests:**

A. **Council Liaison** (No report)

B. **Board members**

Discussion ensued regarding bright paint colors on houses and the Westward Drive bike path lighting and landscaping.

Chair Goodlett-Taylor was of the opinion that there is too much lighting on the Ludlam bike path. Board Member Shonberger does like the 80 additional trees that were planted on Ludlam by North Royal Poinciana.

Vice Chair Garton requested an update on the Golf Course designation plaques.

Board member Shonberger reported that the Miami Springs Historical Society will hold the annual Christmas Tour of Homes on Sunday, December 26th. She added that the Woman's Club held a turkey dinner to benefit the Miami Rescue Mission, which was a fabulous event that raised \$1360.00. Her husband Frank spoke at the Rotary Club meeting on Wednesday, November 17th.

Vice Chair Garton moved to cancel the December 16, 2010 meeting. Board member Shonberger seconded the motion, which carried unanimously on voice vote.

6) **Adjourn**

There was no further business to discuss and the meeting adjourned at 7:41 p.m.

Respectfully Submitted,

Suzanne Hitaffer
Clerk of the Board

Approved as written at meeting of:

The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council.

Proposed Letter to Homeowner upon commencement of the Designation process.

Dear Homeowner,

Your house has been placed under consideration for designation as a local historic site.

Designation is based on the following criteria of Section 153.20 of the City of Miami Springs Historic Preservation Ordinance (153).

- (A)(1) *Are associated with distinctive elements of the cultural, social, political, economic, scientific, religious, prehistoric, and/or architectural history that have contributed to the pattern of history in the community, the county, South Florida, the state or the nation;*
- (A)(2) *Are associated with the lives of persons significant in our past;*
- (A)(3) *Embody the distinctive characteristics of a type, period, style, or method of construction or work of a master; or that possess high artistic value, or that represent a distinguishable entity whose components may lack individual distinction;*

In the coming months the history of your house will be researched. You are invited to attend Preservation Board meetings (Usually held the third Thursday of the month at 7:00 p.m. at Miami Springs City Hall) and contribute your knowledge of the history of your house during this time. It would be helpful if you could pull the abstract from your title company and allow us to copy pertinent information.

If your house meets the standards for designation, a public hearing will be scheduled. At that point, you will receive a letter placing a moratorium on building or demolition of the house until the public hearing is held (Not more than 90 days). The public hearing is the time for you to express your opinion on the Designation of your house.

If designation of your house is approved, you will be offered a bronze plaque, at no charge to you. This plaque will identify your home as a historic site.

Sincerely,

Mary Ann Goodlett-Taylor, Chairman
Historic Preservation Board

IMPACT OF HISTORIC DESIGNATION

It is the public policy of the City to protect, enhance and perpetuate the buildings and structures, improvements, landscape features and archaeological sites and districts which represent distinctive elements of the City's, county's or region's cultural, social, economic, political, scientific, religious, prehistorical or architectural history.

The City complies with its stated public policy by safeguarding historic sites within the City, fostering civic pride by providing education on the accomplishments of the past, and by promoting, protecting, and enhancing individual sites within the City for the attraction and education of City residents and visitors to the Community.

In order to implement and comply with the foregoing public policy of the City, the Historic Preservation Board was created and empowered by the enactment of Code of Ordinance Chapter No. 153 and given the power, authority and jurisdiction to designate, regulate and administer to historic, cultural, archaeological and architectural buildings and structures, improvements, landscape features and sites and districts in the City.

The exercise of the jurisdiction and powers of the Board is mainly concentrated in its authority to "*designate*" individual buildings or structures, improvements, landscape features or sites and districts for historic preservation. The process and procedures of "*designation*" are contained, and more fully explained, within Article III of Code Chapter 153 (Sections 153-20 through 153-26). These provisions should be carefully reviewed by any property owner who is subject to "*designation*" to insure that all appropriate procedures and rights of appeal are followed and provided.

In addition to the foregoing, it is essential that property owners who are subject to

“designation” clearly understand the benefits and detriments that are a direct result of *“designation”*.

BENEFITS

- The prestige and recognition derived from being the owner of a designated building or structure, improvement, landscape feature, site or district from local, county, state and federal governments and regulatory agencies.
- The potential availability for the receipt of restoration or improvement grants from governmental entities or regulatory agencies.
- Participation in “official tours” of historically designated and preserved buildings or structures, improvements, landscape features, or sites or districts within the City.
- Possibility of qualifying for “tax relief” from governmental taxing authorities and agencies.
- *“Designation”* may be seen as an enhancement or price increasing factor to potential purchasers of the subject of designation.

DETRIMENTS

- Imposition of an automatic and immediate “moratorium” against any work being performed on or in the subject of designation upon the filing of a Staff Designation Report (Code Section 153-26).
- The requirement to secure a “Certificate of Appropriateness” from the Historic Preservation Board before erecting, altering, restoring, renovating, excavating, moving or demolishing anything in or on the subject of designation (Code Section 153-35).
 - ~ Regular Certificates (Code Section 153-36).
 - ~ Special Certificates (Code Section 153-37).
- Demolition related to anything in or on a subject of designation must be authorized by the issuance of a Special Certificate of Appropriateness by the Historic Preservation Board.

- No building permit shall be issued by any authorized building official for a subject of designation without the issuance of a Certificate of Appropriateness.
- A Certificate to Dig must be issued before any designated archaeological site may be excavated, filled, subjected to tree removal or any other activity that may reveal or disturb the site.
- All work performed pursuant to the issuance of a Certificate of Appropriateness shall strictly conform to the specific requirements of the Certificate which will be subject to verification by a Board representative and an appropriate building official of the City.
- Imposition of a fine of Five Hundred (\$500.00) Dollars a day, the issuance of other civil or criminal penalties, and requirement that all unapproved work be removed, may be authorized against any owner by the Historic Preservation Board for failing to comply with the provisions of Chapter 153.
- Designation may be seen as a "detriment" and price reducing factor to potential purchasers of the subject of designation.

Notwithstanding anything previously contained herein, owners of property that may be subject to designation by the Historic Preservation Board of the City should carefully review Code of Ordinance Chapter No. 153, advise their legal and financial advisors of the proposed designation, and contact any City official or department for any further information or documentation that may be required to fully comprehend the potential impact of Historic Designation.



City of Miami Springs
Ecology Board
Cancellation Notice

The Ecology Board Meetings of Tuesday, November 23, 2010 has been canceled in advance.

Allene M. Paz
Secretary to the Board

cc: Mayor and Council
City Manager
Assistant City Manager
City Attorney
Ecology Board Members
Post



***Code Review Board
Cancellation Notice***

The Code Review Board meeting of Thursday, November 25, 2010 has been canceled due to the Thanksgiving Holiday.



Magali Valls, CMC
City Clerk

cc: Mayor and Council
City Manager
Assistant City Manager
City Attorney
Code Review Board Members and Secretary
Post

DRAFT



CITY OF MIAMI SPRINGS, FLORIDA

The **Architectural Review Board** met in Regular Session at 7:00 p.m., on Wednesday, December 1, 2010 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at: 7:10 p.m.

Present were: Vice Chair Kathy Fleischman
Bob Calvert
Juan A. Calvo
Rogerio Plasencia

Absent: Chairman Mark A. Trowbridge

Also present: Board Secretary Lina Bryon

2) Approval of Minutes: October 6, 2010

Board member Plasencia moved to approve the minutes as written. Board member Calvo seconded the motion which was carried 3-0 on voice vote.

(Vice Chair Fleischman did not vote because she was absent at the last meeting.)

3) Old Business:

A) Status of Signage Proposal and Implementation by the City

Board member Plasencia looked at the last minutes of October 6th and reminded the Secretary that during that meeting he requested the minutes of the presentation that he made before the City Council on September 20th.

The Secretary explained that she e-mailed them to the Chairman of the Board and that she thought that Mr. Plasencia would have them by now. She promised to e-mail him the documents tomorrow.

Board member Plasencia reiterated the importance of those minutes of September 20th. He said that they summarize what happened regarding the status of the Signage proposal and the Implementation by the City. He added that he does not have an update on that.

Vice Chair Fleischman asked if anybody in the Board has heard about the company that has been hired by the City of Miami Springs for the revitalization project. Board member Plasencia said that the name of the firm is Giordano, referring to Calvin, Giordano and Associates.

Board member Calvert mentioned a different group that has been recently created by the City Council and is called Ad Hoc Committee, referring to the Revitalization and Redevelopment Ad-Hoc Committee.

Vice Chair Fleischman asked if this Committee will be formed by regular citizens like the board members that are coming together for the revitalization of the downtown area.

Board member Calvert replied that first the City Council hired a company for the downtown revitalization and later, in another City Council meeting, following a 3 to 2 vote the Council moved to appoint a Committee, which in his opinion is going to perform the same function of Calvin, Giordano and Associates. Mr. Calvert explained that was a debate during that meeting because of the crossing paths of both groups.

Vice Chair Fleischman asked how all these two groups tie up with the Architectural Review Board and if the Board had set any kind of parameters for the City. The Vice Chair recognized all the personal time that the Board members have been giving to the Signage Project: She wonders if the City of Miami Springs is going to implement some of the things that the Board has proposed.

Board member Calvert noted that Calvin, Giordano and Associates might come up with a project totally different from the labor that the Board has developed in the last months, including signage.

Vice Chair Fleischman recognized that it could be possible and that the Board has not addressed any of the signage for 36th Street because that is a complete different section because of the way the Board split the areas in the Signage project, which actually includes the Downtown area, Westward, coming from Okeechobee, Ludlum Road and 36th Street.

Board member Plasencia stated that in his point of view, the most important thing is the skeleton that the Board has laid out in terms of language and ground work. He pointed out that this should be respected like a base for the work that will come in the future. Mr. Plasencia reiterated that the idea of the Board was to create an architecture that it is neutral, not married with any style and flexible enough that does not offend the past nor obstructs the future.

Vice Chair Fleischman stated that probably some of the members of the new Ad-Hoc Committee could be business people or members of the Chamber of Commerce dedicated to the business aspect of the revitalization.

Board member Plasencia disagreed. He recognized that it is good for the City to have more people volunteering and be involved, but he thinks that they should work accordingly because most of the community is concerned with any drastic or high speed change.

Vice Chair Fleischman agreed and recognized that she would not like a complete make over of the City. She clarified that this is only a review Board with no decision making power.

Mrs. Fleischman stated that at some point it would be great to meet and talk with the people of the Ad-Hoc Committee, the firm Calvin, Giordano and Associates and the Architectural Review Board Liaison Vice Mayor Ator.

Board member Plasencia stated that the Signage Project was presented before the City Council, it was approved at the special meeting and it was ready to implement, but he does not know what happened after that meeting.

Mr. Plasencia pointed out that since Calvin, Giordano and Associates is under contract they should have a clear scope of work that should be reflected in the contract. He thinks that as a Board they should have a copy of that contract in order to understand what their work is and to be informed when they go to a Council meeting. The Board members asked the Secretary about the best way to get a copy of the contract and she promised to talk with the City Clerk to see if she can provide a copy.

B) Style Guide: Next Steps

Vice Chair Fleischman asked about the Style Guide since it was a theme proposed by the Chairman, Mr. Trowbridge who was absent from this meeting.

Board member Plasencia said that it was a style guide for the whole City of Miami Springs but he does not want to discuss it now. He added that he is not sure of the role of the Architectural Review Board, as he stated in the last meeting of October 6, 2010, and is reflected in the minutes approved today.

Vice Chair Fleischman agreed, but she added that she has been on the Architectural Review Board since 2004, and this is the most productive year that the Board has had. She said that several restaurants have opened recently, as Rhode's Riverside Grill, Saoco Restaurant and the Soda Fountain at the Pharmacy at the circle.

Mr. Plasencia quoted the last minutes that were just approved and what he said regarding the definition and the power of the Board, making the Board more relevant. He recognized that this is the most important thing for him. He stated that the future of the Board should be the most relevant thing for all the Board members.

Mr. Plasencia suggested that the Board should look at the Architectural Review Board of the City of Coral Gables as a model.

Vice Chair Fleischman said that it is her understanding that the Board members of Coral Gables do not have to deal with Zoning and Code Departments and that they work with residential and commercial structures.

Board member Plasencia expressed his worries about any changes in this City and noted that the charm of the City of Miami Springs is very delicate and could change for worse very easily. He emphasized that he is not against change and he likes to move forward but it should be very carefully.

Board member Calvert talked about the new ordinance related to the shingle roofs and he said that it should come before the ARB before the approval.

Vice Chair Fleischman replied that the shingle roof ordinance deals with residential structures and this Board is not involved in that; the Board capacity is only commercial.

Vice Chair Fleischman asked the Board members if they wanted to collectively write a letter to the City Council asking about the Board role, if it is going to be expanded or integrated or reduced.

Board member Calvo agreed on writing the letter to the City Council. He recognized that sometimes he has a hard time because he is an architect and he does not know what he should do as a member of the Board. Sometimes he does not know if he should look for issues or just wait to do something like the Signage project.

Vice Chair Fleischman asked if the letter should ask if the Board will be able to move from its advisory capacity to something else.

Board member Calvo stated that even as an advisory board he would like to have some more involvement and more participation in an integrated manner. He clarified that the Board need definitions.

Vice Chair Fleischman suggested writing down the bullet points in a letter about which things they want more clearly defined. She asked the Secretary if the letter should be addressed to the Liaison, the Mayor or the Council members. The Secretary answered that the Board should make another presentation before the City Council the same way that Board member Plasencia did.

After a question made by the Vice Chair, Board member Plasencia said that he could come up with many projects and tasks for the ARB, but he reiterated that his main concern is about how much power the Architectural Review Board has. He is afraid that the ARB is going to implement many things, efforts and ideas that do not go anywhere.

Mr. Plasencia gave an example of the Board of Adjustment as a board with legal capacity.

Board member Calvert replied that the Board of Adjustment is the only one with legal capacity.

Board member Plasencia pointed out that he is going to do his own research in cities that have their own Architectural Review Boards. He said that they should start there.

Vice Chair Fleischman said that if she wants to change the façade of a building downtown she needs to go to the City and needs architectural plans.

Mr. Plasencia said that it is necessary to pull a permit to change or remodel anything in the City and it is necessary to have a review board to preserve the style of the City.

Vice Chair Fleischman recognized that the main word in the letter that the Board is going to write is definition: To define the role of the Architectural Review Board.

Board member Plasencia reminded the Board members that they had a conversation like this with the City Attorney Jan K. Seiden, a little while back.

Board member Calvo said that the Architectural Board needs an Aesthetic Code and that the City of Miami Springs does not have one. He added that the Board should know what things are acceptable and what things are not.

Board member Calvo said that the Recreation Center went through and nobody asked for a commentary from the ARB. He said that the Board could work with the City in the design of lights, bike roads, sidewalks; all of these are design considerations. He added that he has a Master on Design.

Vice Chair Fleischman insisted that the Board should meet with Calvin, Giordano and Associates and the Ad-Hoc Committee.

Mrs. Fleischman said that the next meeting will be on January 5, 2011; she asked the Board members to bring to the Board all the aspects or bullets that they consider important to include in the letter for the City Council. She asked the Secretary to type the letter for them.

Board member Plasencia replied that will be better to have these minutes ready for the writing of the letter because this will be a summary of the bullet points. He asked for the minutes to be ready in a week and the Secretary responded affirmatively.

Vice Chair Fleischman agreed and added that if there is no deletion or addition in the minutes, the Board could highlight the most relevant aspects of them and submit to the City Council and the Mayor in January 2011. She reiterated that this Board needs to have a decision from the Council.

Board member Calvert asked if the Board is going to have somebody from Calvin, Giordano and Associates to meet with this Board or come to a meeting.

Board member Plasencia stated that he was told by the City Council that their request will be reviewed, but that as a member of a review Board he will like to have something more formal.

Vice Chair Fleischman asked everybody to come well prepared to the meeting of January 5, 2011.

4) **New Business: None**

5) **Adjournment**

Board member Plasencia made a motion to adjourn. Board member Calvert seconded the motion which was carried unanimously by voice vote.

There was no further business to be discussed and the meeting was adjourned at 7:59 p.m.

Respectfully Submitted,

Lina Bryon
Clerk of the Board

Approved as _____ during meeting of: _____

Words ~~stricken through~~ have been deleted. Underscored words represent changes. All other words remain unchanged.

"The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council".



**CITY OF MIAMI SPRINGS
FLORIDA**

**CANCELLATION NOTICE
CODE ENFORCEMENT BOARD**

The regular meeting of the Code Enforcement Board scheduled for Tuesday, December 7, 2010 has been canceled in advance due to lack of cases to be heard.

Tex Ziadie

Tex Ziadie
Building and Code Compliance Department Supervisor
Code Compliance Officer

cc: City Council
City Manager
Code Enforcement Board Members by E-Mail
Post



City of Miami Springs, Florida

Board of Parks and Parkways

CANCELLATION NOTICE

The Board of Parks and Parkways Regular Meeting of Thursday, December 9, 2010 has been canceled in advance.

A handwritten signature in cursive script, reading "Allene M. Paz", is written over a horizontal line.

Allene M. Paz
Secretary to the Board

cc: Mayor and Council
City Manager
Assistant City Manager
Board of Parks and Parkways Members
Board Secretary
Post



City of Miami Springs, Florida

CANCELLATION NOTICE

The Historic Preservation Board Regular Meeting of Thursday, December 16, 2010 was canceled in advance.

A handwritten signature in cursive script, reading "Suzanne S. Hitaffer", is written over a horizontal line.

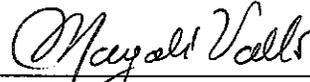
Suzanne S. Hitaffer
Secretary to the Board

cc: Historic Preservation Board Members
Mayor and Council
City Manager
City Attorney
City Clerk
Post



***Code Review Board
Cancellation Notice***

The Code Review Board meeting of Thursday, December 23, 2010 has been canceled due to the Christmas Holiday.



Magali Valls, CMC
City Clerk

cc: Mayor and Council
City Manager
Assistant City Manager
City Attorney
Code Review Board Members and Secretary
Post



Zoning and Planning Board

Cancellation Notice

The Zoning and Planning Board meeting of Monday, December 6, 2010 has been canceled in advance.

Lina Bryon
Board Secretary

cc: City Council
City Manager
City Attorney
City Planner
City Clerk
Zoning and Planning Board Members
Post



City of Miami Springs, Florida

Recreation Commission

CANCELLATION NOTICE

The Recreation Commission meeting scheduled for Tuesday, December 14, 2010 has been canceled in advance due to the Holidays.

Magali Valls, CMC
City Clerk

cc: City Council
City Manager
Assistant City Manager
City Attorney
Recreation Commission Members
Board Secretary
Post

DRAFT



The regular meeting of The Miami Springs Board of Adjustment was held on Monday, December 6, 2010 at 7:00 P.M. in the Council Chambers at City Hall.

1) Call to Order/Roll Call

The meeting was called to order at 7:02 p.m.

The following were present:

Chairman Manual Pérez-Vichot
Vice Chairman Francisco Fernández
Ernie Aloma
Kevin Berounsky
Ariana Fajardo
Alternate Bill Tallman

Also present:

City Attorney Jan K. Seiden
City Planner Richard E. Ventura
Board Secretary Lina Bryon

2) Approval of Minutes: November 1, 2010 regular meeting

Minutes for the regular meeting of November 1, 2010 were **approved as written**.

Board member Berounsky moved to approve. Board member Aloma seconded the motion, which carried unanimously on voice vote.

3) NEW BUSINESS

- A) Case # 24-V-10**
José and Ana Couto
267 Miami Springs Avenue
Zoning: R-1C; Single-Family Residential
Lot Size: 60 ft. x 127 ft.

Applicants are seeking a variance from Code Section 150-043 R-1C district (C) *Building Site area required*: To install an aluminum roof to the back of a home on an undersize lot.

City Planner Ventura read the applicant's statement:

"Lot is less than a legal-size lot at 60 feet in width. All legal setbacks will be met once the patio roof is installed".

City Planner Ventura stated that Section 150-043 - R-1C district (C) requires that single-family residential lot has a minimum average width of 75 feet in order to be eligible for a new installation. He reiterated that 267 Miami Springs Avenue has an average width of 60 feet.

The City Planner explained that there is an existing detached CBS building in the back corner and PVC shed in the back yard of the property, with the PVC shed being approximately 4 feet from the rear property line and the CBS shed is 4.35 feet from the side property line (but 5 feet from the rear property line). There is no record of a building permit in the Building Department file for either the shed or the detached building, but that does not mean that one was never issued as it is considerably old construction. There is also an air conditioning unit in the side yard of the property that is permitted (Permit # 507-67).

City Planner Ventura reiterated that this proposal is to construct an aluminum roof to the rear of the existing home. If constructed as proposed, the existing side yard setbacks would not change and the new rear yard setback would be 42 feet, which is within code requirements.

Staff therefore recommends approval of this variance request to construct an aluminum roof to the rear of the home at 267 Miami Springs Avenue, with the condition that the supporting post for the aluminum roof closest to the detached CBS building be at least 10 feet from the detached building and that the screening will not be included in this variance request.

Chairman Pérez-Vichot asked about any correspondence received and the City Planner said that the courtesy notices generated no response.

In response to a question from the Chairman, the City Planner replied that everything is in compliance in this case, but added that the screening might be an issue. Mr. Ventura explained that the applicants should sign a covenant with the City stating that the roof, once installed, will not be walled-in in the future in order to prevent its use as an additional living space.

City Attorney Seiden read the Section 150-010 (E) pertaining to flat roofs:

Flat roofs will be permitted on "open patios", without screening, in rear yard areas, which constitute non-living space, so long as the property owner agrees that the patio area will never be enclosed so as to constitute "living space", and will execute a recordable and appropriate "Covenant Running with the Land" to provide notice to future purchasers of the property and further assurance of compliance to the City.

Chairman Pérez-Vichot asked if screening is permitted or not.

City Attorney Seiden replied that screening is not permitted, but it can be varied if there is a hardship present based on current standards. The idea is that flat roofs are limited to provide open patio areas to provide protection from the sun, not to provide additional living space.

Board member Aloma suggested asking the applicants if they are planning to screen the patio or not.

José Couto of 267 Miami Springs Avenue said that their intent is to provide a covered area that is screened to keep the bugs out and be able to enjoy the outside of the house. He has no intentions to make the space a living area.

City Attorney Seiden advised that there are two variances, which are screening and the undersize lot.

Mr. Couto said that he is willing to sign any document necessary stating that he does not have any intention to convert that area into an additional living area.

City Attorney Seiden said that the covenant should be modified to say that it will not be blocked in as a living area with the screening if it is permitted.

Chairman Pérez-Vichot asked for any comments from the audience in favor or opposed to the proposed variance and there were no responses.

Chairman Pérez-Vichot asked for a motion.

Board member Aloma moved to approve the variance request. Board member Berounsky seconded the motion and it was unanimously carried by voice vote.

City Attorney Seiden that this Board only makes recommendations to Council who will review the minutes at their regular meeting on Monday, December 13th, but they will not discuss the case. He reminded the Applicant of the ten-day appeal period and advised him to see the City Planner after the appeal period so that a covenant can be signed in regard to not enclosing the patio besides the screening.

**B) Case # 25-V-10
C. Robert Wojciechowski
830 Plover Avenue
Zoning: R-1C; Single-Family Residential
Lot Size: 75 ft. x 124 ft.**

Applicant is seeking a variance from Code Section 150-011-Utility shed (B): To increase the size of an existing shed from 80 sq. ft. to 160 sq. ft.

City Planner Ventura read the applicant's statement:

"I need more storage area for tools (table saw, planer). Large ladders that are deteriorating from being stored outdoors which will render them unsafe. The yard tractor, shredder and other yard equipment stored outdoors is being deteriorated even though being covered. Hurricane shutters could also be stored indoors. By allowing the properly sized utility building will enhance the appearance of the premises and save equipment from the South Florida elements helping save dollars for replacement of equipment. The construction of a garage is cost prohibitive as I am not employed".

City Planner Ventura stated that Section 150-011- Utility shed (B) limits the size of a utility shed to no more than 100 square feet. This proposal is to expand an existing 8' x 10' (80 square feet) shed in the back yard of 830 Plover Avenue, to 10' x 16' (160 square feet). The City Planner reiterated that a search of the Building Department file for 830 Plover Avenue did not produce a permit for the existing shed.

City Planner Ventura said that 830 Plover Avenue is a legal-size lot and the 8' x 10' shed is the only structure presently in the back yard. Staff has reviewed the applicant's statement and has not identified a valid hardship that would support this variance request.

Staff therefore recommends denial of Mr. Wojciechowski's variance request to expand the existing shed. The only alternative Staff could offer is that Mr. Wojciechowski should utilize the provisions of Section 150-041 (2) for accessory structures, and build a second, separate detached structure for his needs.

Chairman Pérez-Vichot asked if there was any correspondence received regarding the proposed variance.

The City Planner responded that the 27 courtesy notices generated no response.

Chairman Pérez-Vichot asked if there is a plastic shed on the back of the other one, facing the alley.

Mr. C. Robert Wojciechowski of 830 Plover Avenue recognized that there is a plastic shed that contains paint cans, which would be eliminated.

City Attorney Seiden said that Council is going to deal with the rubber-made sheds at a future meeting after the first of the year.

Chairman Pérez-Vichot asked the applicant if he understands that a utility shed cannot be more than 100 square feet.

Mr. Wojciechowski acknowledged that he understood the size restriction. The building that he would like to purchase meets the Florida Code for 150 mph winds during a hurricane and it is very well constructed. It has a tile-roof with vinyl siding and is very attractive.

Chairman Pérez-Vichot believed the definition of a building that size would be similar to a structure.

City Attorney Seiden explained that when the ordinance was amended a number of years ago, a detached structure, not necessarily a shed, has to be designed in the same format and character.

Chairman Pérez-Vichot said that in this case, regardless of the structural value, it is limited to 100 square feet.

City Attorney Seiden stated that the cost difference between a shed and an accessory structure is enormous. It comes down to whether or not the Board feels that there is justification for a larger shed.

Discussion ensued regarding the number of sheds that are allowed per site.

Attorney Seiden clarified that each single-family residential home site may contain a maximum of two accessory structures so long as such structures comply with the construction locations, limitations and restrictions. Single-family residential home sites that already maintain a utility shed may only contain one accessory structure, which meets the construction location, limitations and restrictions.

City Attorney Seiden agreed that no more than one utility shed is allowed per building site under Subsection B, but you can have an accessory structure and a shed.

Chairman Pérez-Vichot explained that the applicant cannot install another shed in order to obtain the additional square footage.

The Applicant stated that his intention was to remove the plastic shed and install another shed to hold extension ladders.

The Chairman asked for any discussion or comments.

A gentleman who resides at 1121 Starling Avenue asked what the difference is between an accessory structure and a shed.

Chairman Pérez-Vichot responded that an accessory structure has to be built with the same character as the house with stucco finish and a tile roof.

City Attorney Seiden clarified that the structure can be attached; if it is detached it must be ten feet away from the main structure.

Mr. Wojciechowski stated that if he were to build a 10' x 16' structure with stucco finish if it would not be considered a shed.

Chairman Pérez-Vichot explained that the structure could be larger as long as it meets the requirements for lot coverage.

Board member Aloma added that as long as the structure is built with the same character as the house it would not be considered a shed; it would be considered an accessory structure; therefore, there is a different set of rules as far as size and lot coverage. There are different rules for sheds, which the Applicant is proposing to install.

City Attorney Seiden stated that it would literally have to be a stucco building.

To address the Applicant's comment, the Chairman explained that the Board of Adjustment does not legislate and it would be up to Council to make the decision to change the code requirements.

City Attorney Seiden reiterated that Council will be looking at the shed ordinance in the near future.

The Applicant explained that he was trying to make an improvement and that he was not planning to do anything until next March.

City Attorney Seiden suggested that the variance request could be tabled since Council would be addressing the ordinance between now and March. He will bring up the issue of a larger, quality shed like the Applicant is proposing. Once Council makes a decision there might not be a need for a variance.

Board member Aloma moved to table the variance request until the Council comes up with a better idea. Vice Chair Fernández seconded the motion and it was unanimously carried by voice vote.

City Attorney Seiden informed the Applicant that if he decides not to wait to install the shed that he should get in touch with the City Planner to ask that the matter be placed on the agenda for consideration.

C) Case # 26-V-10
Melisa Vivas
1031 Ibis Avenue
Zoning: R-1B; Single-Family Residential
Lot Size: 75 ft. x 120 ft.

Applicant is seeking a variance from Code Section 150-017 Recreational vehicles (B) *Parking and storage*: To store a boat in the side yard of her property.

City Planner Ventura read the applicant's statement: *"I would like to be able to keep the boat on the side of the yard (behind a fence). We live on Bass Lake and therefore we have no entrance or alley to be able to put the boat in the back yard"*.

City Planner Ventura stated that Section 150-017 (B) (3) requires that "...If the recreational vehicle cannot be parked or stored in an enclosed structure or in the rear yard because of an obstruction which cannot be removed so as to permit parking of the vehicle...the property owner must apply for a variance to permit the recreational vehicle to be parked or stored ... in the side yard...not closer than three feet from any property line."

City Planner Ventura explained that the boat at 1031 Ibis Avenue is being maintained in the east side yard behind a 6' wood gate. The boat and trailer measure 21 feet in length and 8 feet in width. As the third case photo indicates, there is no wood fence running along the east side property line. The fourth case photo shows that the boat could be backed up further down the east side yard; but case photo number five indicates that the boat could not be re-placed into the back yard itself (and with the lake in back, re-placing it in there, even if possible, would only make it more visible to the other properties around the lake).

Staff therefore recommends approval of this variance request to maintain the boat in the east side yard of 1031 Ibis Avenue, but with the condition that the t-top be removed, if possible, and that the boat be pushed as far back as possible down the east side yard.

Chairman Pérez-Vichot stated that the boat is 8' wide and there is only 9' to the property line, leaving six inches on either side should the neighbor decide to put up a fence.

Melisa Vivas of 1031 Ibis Avenue stated that she spoke with her neighbor who was more than happy to accommodate the situation.

Chairman Pérez-Vichot said that there is no control should the house next door be sold and at that point there would be no access to the rear yard due to A/C units on the other side of the house.

Ms. Vivas explained that the boat could be pushed back to the end of the house behind the foliage. She added that the t-top could be disassembled as well.

Chairman Pérez-Vichot stated that the boat is not that visible from the street; his concern is not having space between the properties.

Ms. Vivas said that the neighbor actually disassembled his fence to allow the placement of the boat. She clarified that the gate is always closed.

To answer Chairman Pérez-Vichot's question, City Planner Ventura confirmed that no correspondence was received supporting or opposing the proposal.

Since the gate is shared with the neighbor, City Attorney Seiden explained that the Applicant would need to get something in writing from the neighbor to approve the request in order to protect the City. A variance has never been granted when there is no side screening.

Chairman Pérez-Vichot stated that the trailer is wider than the boat and it would not fit at all if a fence is installed by the neighbor. He would suggest getting a letter from the neighbor.

City Attorney Seiden reiterated that the letter from the neighbor should state that they have no objection to the boat being parked at that location and they approve the fact that it is not screened between properties.

Vice Chairman Fernández was concerned about granting a variance for property that the applicant does not control since the boat might be encroaching the neighbor's property.

City Attorney Seiden clarified that a variance cannot be granted for someone else's property.

Discussion ensued regarding the survey and whether or not the boat and trailer encroaches the neighbor's property.

Vice Chair Fernández stated that if the boat is 8' wide the trailer is probably 9' or 9-1/2' wide, which means that the Applicant cannot contain the boat within his property. The suggestion to get a letter from the neighbor is a prudent solution, but there is not enough information to grant the variance.

Chairman Pérez-Vichot said that the Applicant's statement indicates that the boat is 8' wide.

Board member Aloma stated that the concern is the trailer, not the boat.

City Attorney Seiden clarified that the variance cannot be granted if the boat and trailer does not fit on the Applicant's property. He suggested obtaining a certification from the surveyor that the boat and trailer is contained within the property line and a letter from the neighbor saying that they do not object to the fact that there is no screening.

City Attorney Seiden explained that the Board could grant the variance conditionally or they could table the variance pending additional documentation.

Further discussion ensued regarding the size of the boat and trailer based on the case photographs.

Chairman Pérez-Vichot said that he would like the additional information from the Applicant.

City Attorney Seiden explained that the Applicant should have the surveyor provide a certified statement that the boat and trailer fit within the property line and that the neighbor should provide a letter stating that they have no objection to the placement of the boat and trailer and the fact that there is no screening between the properties.

Board member Aloma moved to table the variance request pending additional information. Vice Chair Fernández seconded the motion and it was unanimously carried by voice vote.

4) **Other Business:** None

5) **Adjournment**

The meeting was duly adjourned at 7: 30 p.m.

Respectfully Submitted,

Lina Bryon
Board Secretary

Transcription assistance by S. Hitaffer

Approved as written on _____

The decisions of the Board of Adjustment may be appealed to the Board of Appeals pursuant to Code Section 150.113. Any person appealing any decision may need to ensure that a verbatim record is made of the proceedings, which record includes the testimony and evidence upon which the appeal is made. (F.S. 286.0105)

“The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council”.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS
PUBLIC HEARING - DECEMBER 13, 2010

in the XXXX Court,
was published in said newspaper in the issues of

11/24/2010

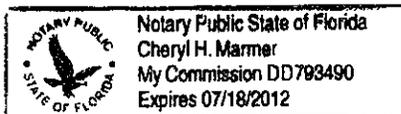
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

24 day of NOVEMBER, A.D. 2010

(SEAL)

MARIA MESA personally known to me



PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, December 13, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

✓
ORDINANCE NO. 1001-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1003-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 151-04, APPLICATION FOR BUILDING PERMITS, BY UPDATING AND CLARIFYING THE PROVISIONS THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE 2007 FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1004-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 34-15, HOLIDAYS AND COMPENSATORY LEAVE, BY REVISING, CLARIFYING AND EXPANDING THE PROVISIONS RELATED TO "FLOATING HOLIDAYS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1006-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS REPEALING CODE OF ORDINANCE SECTION 34-21, RETIREMENT, AND RESERVING THE SECTION FOR FUTURE RETIREMENT RELATED LEGISLATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

Anyone wishing to offer verbal or written comment regarding the proposed ordinances may do so at the public hearing. Copies of the proposed ordinances are posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valls, CMC, City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, she/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.
11/24

10-3-180/1608300M

\$ 120.25

RIVER CITIES GAZETTE
Dolphin Publishing Company
PUBLISHED WEEKLY
MIAMI—DADE—FLORIDA

STATE OF FLORIDA)
COUNTY OF DADE) ss:

Before the undersigned authority personally appeared

Thomas N. Cortis
who on oath says that he/she is
Publisher

of the River Cities Gazette, a weekly newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issue(s) of

Nov. 25th 2010

Affiant further says that the said the River Cities Gazette is a newspaper published at Miami, in the said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; that the said newspaper has been entered as second class mail matter each week; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

John J. Cortis

Sworn to and subscribed before me this *26th* day of *November* A.D. *2010*

Maria Estevez

My commission Expires  MARIA ESTEVEZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD685192
Expires 6/18/2014

CITY OF MIAMI SPRINGS PUBLIC HEARING



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\$140.00

ORDINANCE NO. 1001-2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the City Tree Protection Program was previously amended to exempt certain fruit trees from the permitting, relocation, replacement and mitigation requirements of the Program; and,

WHEREAS, the wording of the prior exempting provision was thought to be too open ended in regard to fruit trees; and,

WHEREAS, the City Council requested that the subject provision be reviewed and considered for amendment by the City's Board of Parks and Parkways; and,

WHEREAS, the City Council has determined that the proposed revision of the subject Ordinance section recommended by the City's Board of Parks and Parkways is acceptable and is in the best interests of the City and its citizens:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 54-06, Tree Removal Standards, of the City Tree Protection Program, is hereby amended as follows:

Tree Protection Program

54-06. Tree Removal Standards.

The following standards shall be applicable to the removal of trees within the City:

- (A) ...
- (B) The following tree removal activities are specifically exempted from the permit, relocation, replacement and mitigation requirements of this chapter:
 - (1) ...
 - (2) ...
 - (3) ...
 - (4) ...
 - (5) ...
 - (6) ...
 - (7) ...
 - (8) ~~Removal of specimen or non-specimen fruit trees on residential properties, such as mango, avocado, strangler fig, almond, podocarpus, and all other trees in this category.~~
 - (8) Removal of specimen or non-specimen mango and avocado trees.
- (C) ...
- (D) ...
- (E) ...
- (F) ...
- (G) ...
- (H) ...

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

(THIS SPACE INTENTIONALLY LEFT BLANK)

PASSED AND ADOPTED by the City Council of the City of Miami Springs,

Florida this 13th day of December, 2010.

The motion to adopt the foregoing ordinance was offered on
second reading by _____, seconded by _____,
and on roll call the following vote ensued:

Vice Mayor Ator	" _____ "
Councilman Best	" _____ "
Councilman Espino	" _____ "
Councilman Lob	" _____ "
Mayor Bain	" _____ "

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 11/22/2010
Second reading: 12/13/2010

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

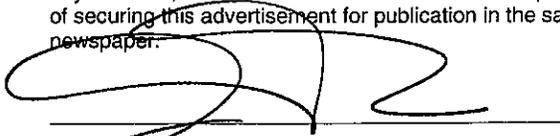
Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS
PUBLIC HEARING - DECEMBER 13, 2010

in the XXXX Court,
was published in said newspaper in the issues of

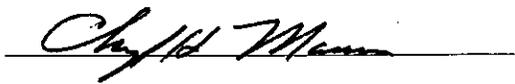
11/24/2010

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this

24 day of NOVEMBER, A.D. 2010



(SEAL)

MARIA MESA personally known to me

NOTARY PUBLIC
STATE OF FLORIDA
Notary Public State of Florida
Cheryl H. Marmor
My Commission DD793490
Expires 07/18/2012



PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, December 13, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

ORDINANCE NO. 1001-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

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Magali Valls, CMC, City Clerk

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11/24

10-3-180/1608300M

120.25

RIVER CITIES GAZETTE
Dolphin Publishing Company
PUBLISHED WEEKLY
MIAMI—DADE—FLORIDA

STATE OF FLORIDA)
COUNTY OF DADE) ss:

Before the undersigned authority personally appeared

Thomas N. Coats
who on oath says that he/she is
Publisher

of the River Cities Gazette, a weekly newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issue(s) of

Nov. 25th 2010

Affiant further says that the said the River Cities Gazette is a newspaper published at Miami, in the said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; that the said newspaper has been entered as second class mail matter each week; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

John J. Coats

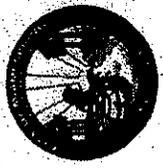
Sworn to and subscribed before me this 26th day of November A.D. 2010

Maria Estevez

My commission Expires 6/18/2014
MARIA ESTEVEZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD895192
Expires 6/18/2014



CITY OF MIAMI SPRINGS PUBLIC HEARING



The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, December 13, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

ORDINANCE NO. 1001-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1003-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 151-04, APPLICATION FOR BUILDING PERMITS; BY UPDATING AND CLARIFYING THE PROVISIONS THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE 2007 FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1004-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 34-15, HOLIDAYS AND COMPENSATORY LEAVE, BY REVISING, CLARIFYING AND EXPANDING THE PROVISIONS RELATED TO 'FLOATING HOLIDAYS'; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1006-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS REPEALING CODE OF ORDINANCE SECTION 34-21, RETIREMENT, AND RESERVING THE SECTION FOR FUTURE RETIREMENT RELATED LEGISLATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

Anyone wishing to offer verbal or written comment regarding the proposed ordinances may do so at the public hearing. Copies of the proposed ordinances are posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valks, GMC, City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.

\$140.00

ORDINANCE NO. 1003-2010

City Council Meeting of:
12-13-2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 151-04, APPLICATION FOR BUILDING PERMITS, BY UPDATING AND CLARIFYING THE PROVISIONS THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE 2007 FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department reviewed Code of Ordinance Section 151-04 for consistency with the 2007 Florida Building Code; and,

WHEREAS, since the aforesaid Ordinance was enacted in accordance with the provisions of the 2001 Florida Building Code, a number of provisions required revision, clarification or restatement; and,

WHEREAS, the proposed code revisions, clarifications and restatements have been presented to the City Council for review and consideration; and,

WHEREAS, the City Council determined that it is in the best interests of the City and its citizens to adopt a revised, clarified and restated version of Code of Ordinance 151-04:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 151-04, Application for Building Permits, is hereby amended as follows:

Sec. 151-04. Application for Building Permits.

(A) In accordance with the foregoing, the following maintenance and repair work shall not require the issuance of a building permit so long as the work is in compliance with the aforesaid specified conditions:

- (1) . . .
- (2) ~~Installation or repair of roof gutters and downspouts which does not cause runoff to adjacent properties.~~
- ~~(3)~~(2) . . .
- ~~(4)~~(3) General maintenance and repairs in areas of work specified in, and regulated by, the Florida Building Code ~~2004~~ 2007.

(B) Except as specified therein, the following maintenance and repair work shall not require the issuance of a building permit nor compliance with any of the aforesaid conditions:

- (1) . . .
- (2) ~~Installation of kitchen cabinets, vanities or paneling on existing walls inside residential units. However, any plumbing or electrical work to be performed in connection with such installation does required a permit.~~
- ~~(3)~~(2) . . .
- ~~(4)~~(3) . . .
- ~~(5)~~(4) Roof repairs of less than three squares (300 square feet) or repairs for less than a cost of \$300.00 which do not include anything structural or the use of a hot mop.
- ~~(6)~~(5) . . .
- ~~(7)~~(6) General maintenance and repairs in areas of work not specified in, and regulated by, the Florida Building Code ~~2004~~ 2007.

(C) The following is a listing of general maintenance and repair work that may not exceed the cost of five hundred (\$500.00) dollars, but nevertheless requires the issuance of a permit before any maintenance, repair or other work may be initiated:

- (1) All structural work.
- (2) All installations of windows and doors.
- (3) All drywall work.
- (4) All stucco work.
- (5) All roof fascia work.
- (6) All electrical work, except simple fixture replacements.
- (7) All plumbing work, except simple leak repairs.

- (8) All mechanical/air conditioning work, except for coil cleaning services costing less than \$500.00.
- (9) All roofing work over three(3) squares or \$300, and all roofing work with a hot mop or involving structural matters.
- (10) All cabinet replacements.
- (11) All fencing repairs where support posts or poles are being replaced.
- (12) All installations or roof gutters and downspouts.

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

(THIS SPACE INTENTIONALLY LEFT BLANK)

PASSED AND ADOPTED by the City Council of the City of Miami Springs,
Florida this 13th day of December, 2010.

The motion to adopt the foregoing ordinance was offered on
second reading by _____, seconded by _____,
and on roll call the following vote ensued:

Vice Mayor Ator	" _____ "
Councilman Best	" _____ "
Councilman Espino	" _____ "
Councilman Lob	" _____ "
Mayor Bain	" _____ "

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 11/22/2010
Second reading: 12/13/2010

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

Ordinance No. 1003-2010

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida



PUBLIC HEARING

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/w/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS
PUBLIC HEARING - DECEMBER 13, 2010

in the XXXX Court,
was published in said newspaper in the issues of

11/24/2010

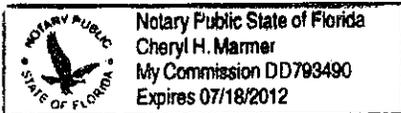
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

24 day of NOVEMBER, A.D. 2010

(SEAL)

MARIA MESA personally known to me



The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, December 13, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

ORDINANCE NO. 1001-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1003-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 151-04, APPLICATION FOR BUILDING PERMITS, BY UPDATING AND CLARIFYING THE PROVISIONS THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE 2007 FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1004-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 34-15, HOLIDAYS AND COMPENSATORY LEAVE, BY REVISING, CLARIFYING AND EXPANDING THE PROVISIONS RELATED TO "FLOATING HOLIDAYS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

ORDINANCE NO. 1006-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS REPEALING CODE OF ORDINANCE SECTION 34-21, RETIREMENT, AND RESERVING THE SECTION FOR FUTURE RETIREMENT RELATED LEGISLATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

Anyone wishing to offer verbal or written comment regarding the proposed ordinances may do so at the public hearing. Copies of the proposed ordinances are posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valls, CMC, City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, she/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.

11/24

10-3-180/1608300M

12025

STATE OF FLORIDA)
COUNTY OF DADE) ss:

Before the undersigned authority personally appeared

Thomas N. Cortis
who on oath says that he/she is
Publisher

of the River Cities Gazette, a weekly newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issue(s) of

Nov. 25th, 2010

Affiant further says that the said the River Cities Gazette is a newspaper published at Miami, in the said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; that the said newspaper has been entered as second class mail matter each week; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

John J. Cortis

Sworn to and subscribed before me this *26th* day of *November* A.D. *2010*

Maria Estevez

My commission Expires

MARIA ESTEVEZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD985192
Expires 6/18/2014

CITY OF MIAMI SPRINGS PUBLIC HEARING



The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, December 13, 2010, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

ORDINANCE NO. 1001-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

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ORDINANCE NO. 1004-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 34-15, HOLIDAYS AND COMPENSATORY LEAVE, BY REVISING, CLARIFYING AND EXPANDING THE PROVISIONS RELATED TO "FLOATING HOLIDAYS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

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Anyone wishing to offer verbal or written comment regarding the proposed ordinances may do so at the public hearing. Copies of the proposed ordinances are posted for public review on the bulletin board located next to the elevator on the first floor at City Hall.

Magali Valls, CMC, City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.

\$140.00

ORDINANCE NO. 1004-2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 34-15, HOLIDAYS AND COMPENSATORY LEAVE, BY REVISING, CLARIFYING AND EXPANDING THE PROVISIONS RELATED TO "FLOATING HOLIDAYS"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the City Administrative Staff reviewed and discussed the Code provisions related to employee holidays; and,

WHEREAS, although the provisions in the City Code and the PBA Contract, related to "floating holiday", are similar, the City Code section does not include a pro-ration provision as provided in the PBA Contract; and,

WHEREAS, the City Administrative Staff has recommended that Code of Ordinance Section 34-15(A)(1)(k) be revised, clarified and expanded in accordance with the related provision contained in the PBA Contract; and,

WHEREAS, the City Council has determined that it is in the best interests of the City and its citizens to revise, clarify and expand the provisions contained in Code of Ordinance Section 34-15(A)(1)(k):

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 34-15, Holidays and Compensatory

Leave, is hereby amended as follows:

Sec. 34-15. Holidays and Compensatory Leave.

(A) Legal holidays.

- (1) Full-time civil service and non-civil service employees who are otherwise eligible and entitled in the ~~classified service~~ shall be paid for legal holidays ~~authorized by these rules~~. Authorized paid holidays shall include:

- (a) ...
- (b) ...
- (c) ...
- (e) ...
- (f) ...
- (g) ...
- (h) ...
- (i) ...
- (j) ...
- (k)

Floating Holidays. ~~Three floating holidays will be accrued and credited to the employee's leave bank in January each year; new employees will be credited their floating holidays on their entrance date. All floating holidays will be used during the calendar year earned; if not used by year end (December 31) they will be forfeited.~~ The accrual, vesting, and use of floating holidays shall be in accordance with the following provisions:

1. Employees on the city employment rolls as of December 31st of each year shall accrue and be credited with three (3) floating holidays on January 1st of each succeeding year in which they remain employed by the City.
2. Employees hired on or after January 1st of each year shall accrue and be credited with floating holidays in accordance with the following:
 - Employees hired between January and March of any year shall accrue and be credited with three (3) floating holidays which will not vest nor be used until the employee has completed three (3)

Ordinance No. 1004-2010

months of employment with the City.

- Employees hired between April and June of any year shall accrue and be credited with two (2) floating holidays which will not vest nor be used until the employee has completed three (3) months of employment with the City.
- Employees hired between July and September of any year shall accrue and be credited with one (1) floating holiday which will not be used until the employee has completed three (3) months of employment with the City.
- Employees hired between October and December of any year shall not be credited with any floating holidays.

3. All floating holidays must be used during the calendar year in which they were accrued and credited or they will be lost and forfeited.

(2) ...

(B) ...
(1) ...

Section 2: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 3: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Miami Springs,
Florida this 13th day of December, 2010.

The motion to adopt the foregoing ordinance was offered on
second reading by _____, seconded by _____,
and on roll call the following vote ensued:

Vice Mayor Ator	" _____ "
Councilman Best	" _____ "
Councilman Espino	" _____ "
Councilman Lob	" _____ "
Mayor Bain	" _____ "

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 11/22/2010
Second reading: 12/13/2010

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

Ordinance No. 1004-2010

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

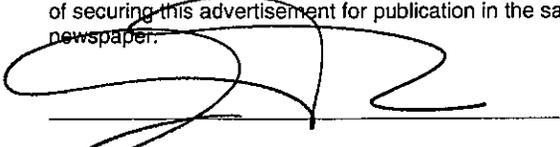
Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS
PUBLIC HEARING - DECEMBER 13, 2010

in the XXXX Court,
was published in said newspaper in the issues of

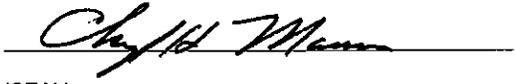
11/24/2010

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this

24 day of NOVEMBER, A.D. 2010



(SEAL)

MARIA MESA personally known to me

NOTARY PUBLIC
STATE OF FLORIDA
Notary Public State of Florida
Cheryl H. Marmer
My Commission DD793490
Expires 07/18/2012



PUBLIC HEARING

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ORDINANCE NO. 1001-2010 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 54-06, TREE REMOVAL STANDARDS, BY LIMITING THE EXEMPTIONS PROVIDED BY THAT SECTION TO MANGO AND AVOCADO TREES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

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Magali Valls, CMC, City Clerk

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11/24

10-3-180/1608300M

#120.25

RIVER CITIES GAZETTE
Dolphin Publishing Company
PUBLISHED WEEKLY
MIAMI—DADE—FLORIDA

STATE OF FLORIDA)
COUNTY OF DADE) ss:

Before the undersigned authority personally appeared

Thomas N. Coats
who on oath says that he/she is
Publisher

of the River Cities Gazette, a weekly newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issue(s) of

Nov. 25th 2010

Affiant further says that the said the River Cities Gazette is a newspaper published at Miami, in the said Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Dade County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; that the said newspaper has been entered as second class mail matter each week; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this *26th* day of *November* A.D. *2010*

Mania Estevez

My commission Expires  **MANIA ESTEVEZ**
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD995192
Expires 6/18/2014

CITY OF MIAMI SPRINGS PUBLIC HEARING



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Magall Valls, CMC, City Clerk

If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. §286.0105).

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\$140.00

ORDINANCE NO. 1006-2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS REPEALING CODE OF ORDINANCE SECTION 34-21, RETIREMENT, AND RESERVING THE SECTION FOR FUTURE RETIREMENT RELATED LEGISLATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the City Human Resources Director has conducted a review of the Code of Ordinances related to civil service and retirement; and,

WHEREAS, the Director has advised that Code of Ordinance Section 34-21, which provides mandatory retirement ages for City Employees and Police Officers, has been superseded by Federal Law; and,

WHEREAS, the provisions contained in Code Section 34-21, that were enacted in 1977, are no longer enforceable by the city, its employees or police officers; and,

WHEREAS, the City Council has determined that it is both proper and appropriate to follow the advice and counsel of the City Human Resources Director and repeal Code of Ordinance Section 34-21:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:

Section 1: That Code of Ordinance Section 34-21, Retirement, is hereby repealed in its entirety as follows:

~~Sec. 34-21. Retirement.~~

- ~~(A) General Employees. The retirement age for general employees shall be age 65.~~
- ~~(B) Police Officers. The retirement age for police officers shall be age 55.~~
- ~~(C) Service after retirement age, limit. Any member may be continued in City employment beyond his attainment of age 65 or 55 years, as the case may be, subject to the following conditions:~~
- ~~(1) He requests to be continued in service by filing written application with the City Manager.~~
 - ~~(2) He submits medical evidence satisfactory to the City Manager as to his physical fitness to continue in service, the cost of the medical examination to be borne by the applicant.~~
 - ~~(3) His continued service is approved by his department head and the City Manager, provided that no continuation in service shall be for a period longer than one year.~~
 - ~~(4) At the expiration of any continuation period, the member may be continued in service for renewed periods, upon completing the procedure above described. No continuance of employment shall extend beyond the member's attainment of age 70 years.~~

Section 2: That Code of Ordinance Section 34-21 shall act as a code section placeholder and be identified as 34-21. Reserved for Future Retirement Related Ordinances.

Section 3: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 4: That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Miami Springs,
Florida this 13th day of December, 2010.

The motion to adopt the foregoing ordinance was offered on
second reading by _____, seconded by _____,
and on roll call the following vote ensued:

Vice Mayor Ator	" _____ "
Councilman Best	" _____ "
Councilman Espino	" _____ "
Councilman Lob	" _____ "
Mayor Bain	" _____ "

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 11/22/2010
Second reading: 12/13/2010

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

DEC 13, 2010

The City of Miami Springs
 Summary of Monthly Attorney Invoice
 Orshan, Lithman, Seiden, Ramos, Hatton & Huesmann, LLLP

December 6, 2010 for November

<u>General Fund Departments</u>	<u>Cost</u>	<u>Hours</u>
Office of the City Clerk	94.50	0.70
Human Resources Department	1,444.50	10.70
Risk Management	540.00	4.00
Finance Department	1,788.75	13.25
Building, Zoning & Code Enforcement Department	1,086.75	8.05
Planning		0.00
Police Department		0.00
Public Works Department	33.75	0.25
Recreation Department	47.25	0.35
General - Administrative Work	6,851.25	50.75
Sub-total - General Fund	<u>\$11,886.75</u>	<u>88.05</u>
<u>Enterprise Fund Divisions</u>		
Sewer Operations Fund		0.00
Water Operations Fund		0.00
Sanitation Fund		0.00
Stormwater Fund		<u>0.00</u>
Sub-total - Enterprise Funds	\$0.00	0.00
<u>Special Revenue, Trust & Agency Funds</u>		
Golf Course Operations		0.00
L.E.T.F.		0.00
Due from Pension Funds		<u>0.00</u>
Sub-total - Special Funds	\$0.00	0.00
GRAND TOTAL: ALL FUNDS	\$11,886.75	88.05

12/6/2010 3:52 PM

City of Miami Springs			
Attorney fees			
Month	November		
Period	2 2010		
		<u>Debit</u>	<u>Credit</u>
001 0601 514 3111			
001 0601 514 3101		11,886.75	
550 5950 519 3101			
560 5970 519 3101			
410 3301 533 3100			
420 3501 535 3100			
430 3401 534 3100			
180 5801 572 3101			
180 5802 572 3101			
150 5010 519 3101			
610 0000 519 3101 PL0103			
650 2011 521 3101			
001 0000 131 7000			
001 0000 101 0100			11,886.75
550 0000 101 0100			
560 0000 101 0100			
410 0000 101 0100			0.00
420 0000 101 0100			0.00
430 3401 534 3100			
180 0000 101 0100			
150 0000 101 0100			
661 0000 101 0100			
650 0000 101 0100			
669 0000 518 3101		0.00	
669 0000 207 0100			0.00
		11,886.75	11,886.75