



AGENDA INFORMATION
CITY OF MIAMI SPRINGS
CITY COUNCIL

Regular Meeting

Monday, March 28, 2011

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 Magali 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, March 28, 2011
7:00 p.m.**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Mayor Bain

Salute to the Flag: Audience participation
- 3. Awards & Presentations:**
 - A) Presentation of Distinguished Budget Award to Finance Director William Alonso
 - B) Proclamation of Recognition to Melanie Mann-Odin, Recipient of The Kennedy Center/Stephen Sondheim Inspirational Teacher Award
 - C) Presentation by Scott Jones Regarding Junior Golf
- 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) 03-09-2011 – Special Meeting
- B) 03-14-2011 – Regular Meeting

6. Reports from Boards & Commissions:

- A) 02-03-2011 – General Employees Retirement System – Minutes
- B) 02-03-2011 – Police and Firefighters Retirement System – Minutes
- C) 03-10-2011 – Board of Parks and Parkways – Minutes
- D) 03-15-2011 – Recreation Commission – Minutes
- E) 03-17-2011 – Historic Preservation Board – Cancellation Notice
- F) 03-21-2011 – Revitalization and Redevelopment Ad-Hoc Committee – Minutes
- G) 03-24-2011 – Code Review Board – Cancellation Notice
- H) 04-12-2011 – Recreation Commission – Cancellation Notice

7. Public Hearings:

- A) Second Reading – Ordinance No. 1013-2011 – An Ordinance of the City Council of the City of Miami Springs Deleting all References to the 36th Street Sub-District of the Airport, Marine and Highway Business District Contained in Article XV and in Code of Ordinance Sections 150-154, 150-155, 150-157, 150-158, 150-160 and 150-161; Establishing Code of Ordinance Section 150-164, Northwest 36th Street District; Providing Purpose; Permitted Uses; Permissible Principal Uses and Structures – Limitations as to Location; Accessory Uses and Structures; Permissible Accessory Uses and Structures - Limitations as to Location; Prohibited Uses; Setbacks, Lot Coverage and Floor Area; Height Limitations; Off-Street Parking and Loading; Specific Architectural Design Standards; Revitalization Specialist (RS); Development Review Procedures; Pre-Application Meeting; Development Review; Exemptions; Fees; Repealing All Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date (First Reading: 3/14/2011 – Advertised: 3/16/2011)

8. Consent Agenda:

- A) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$48.75 per Hour Regular Time and \$56.00 per Hour to Computer Electric for Electrical Services, pursuant to Section 31.11 (E) (6) (g) of the City Code, and Pursuant to the Contract Renewal Option Provided by the City's Existing Contract Bid # 04-08/09 for an Additional One Year Period, on an "As Needed" Basis, for City-wide Electrical Repairs
- B) Approval of Budget Transfers within Departments

8. Consent Agenda: (Continued)

- C) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in the Amount of \$8,000.00, on an “As Needed” Basis, to Titleist for Purchase of Driving Range Supplies Items for Resale, Pursuant to Section 31.11 (E) (6) (g) of the City Code

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Consideration of a Merit Increase for the City Clerk
- C) Approval of Letter of Agreement with the American Red Cross
- D) Recommendation that Council Approve a Marketing Plan for the Golf Course
- E) Wall of Fame at Community Center
- F) Consideration of New/Upgraded Communications Network (Tabled: 2/28/11)

10. New Business:

- A) Approval of GOB Interlocal Agreement with Miami-Dade County – Project Number 293-76634/Historic Preservation Fund – Curtiss Mansion Restoration

Resolution No. 2011-3508 – A Resolution of the City Council of the City of Miami Springs Authorizing the Proper Officers and Officials of the City to Execute an Interlocal Agreement Between the City of Miami Springs and Miami-Dade County for the City to Receive Funding for GOB Project Number 293-76634/Historic Preservation Fund-Curtiss Mansion Restoration; Directions to City Clerk; Effective Date
- B) Resolution No. 2011-3507 – A Resolution of the City Council of the City of Miami Springs Approving the Exemption of the Eurobuilding Hotel and Suites (Formerly the Wachovia Bank Building) from the Provisions and Procedures Contained in the District Boundary Regulations for the “Northwest 36th Street District”; Effective Date
- C) First Reading – Ordinance No. 1014-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-002, Definitions; By Adding Thereto a Definition for “Revitalization Specialist”; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

11. **Other Business:** None

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.



City of Miami Springs Interoffice Memo

DATE: March 24, 2011

TO: Mayor Billy Bain and Members of the City Council

FROM: James R. Borgmann, City Manager *JRB*

RE: Presentation to William Alonso: Distinguished Budget Presentation Award 2010

I am pleased to announce that, once again, the City has been given the Distinguished Budget Presentation Award by the Government Finance Officers Association. The award represents a significant achievement by the government entity. It reflects the commitment of the governing body and staff to meet the highest principles of governmental budgeting. In order to receive this award, we had to satisfy nationally recognized guidelines for effective budget presentation. The guidelines are designed to assess how well an entity's budget serves as:

- A policy document
- A financial plan
- An operations guide
- A communications device

Submitted budgets are given peer review to assess how well they meet these guidelines.

Please join me in congratulating William Alonso and the entire finance department, every department head and certainly you, the City Council, for the input and guidance that has led once more to the receipt of this award.

Agenda Item No.

City Council Meeting of:

MARCH 28, 2011

Reviewer Id _____
Name of entity _____
Record number _____

Document number _____
State/Province _____

Please rate each criterion and each overall category on the line preceding the description

1 = Information not present, 2 = Does not satisfy criterion, 3 = Proficient, 4 = Outstanding, N/A = not applicable
(Note that if a criterion is rated N/A, the narrative must indicate why the item does not apply.)

Policy Document (PD)

- * _____ PD # 1: Financial policies (mandatory)
- _____ PD # 2: Long-term non-financial goals & objectives
- _____ PD # 3: Short-term organization-wide initiatives
- * _____ PD # 4: Priorities and issues (mandatory)
- _____ PD # 5: Unit goals and objectives
- _____ Overall as a policy document

Financial Plan (FP)

- _____ FP # 1: Funds and fund structure
- * _____ FP # 2: Consolidated financial overview (mandatory)
- * _____ FP # 3: Three (four) year financial information (mandatory)
- * _____ FP # 4: Major revenues (mandatory)
- * _____ FP # 5: Changes in fund balance/equity (mandatory)
- * _____ FP # 6: Capital expenditures (mandatory)
- _____ FP # 7: Impact of capital improvements on operating budget
- * _____ FP # 8: Debt (mandatory)
- _____ FP # 9: Basis of budgeting
- _____ Overall as a financial plan

Operations Guide (OG)

- * _____ OG # 1: Description of functions (mandatory)
- _____ OG # 2: Performance measures
- * _____ OG # 3: Organization chart (mandatory)
- * _____ OG # 4: Summary position information (mandatory)
- _____ Overall as an operations guide

Communications Device (CD)

- _____ CD # 1: Budget issues
- _____ CD # 2: Other planning processes
- * _____ CD # 3: Budget process (mandatory)
- * _____ CD # 4: Charts and graphs (mandatory)
- _____ CD # 5: Relationship between functional units and financial structure
- * _____ CD # 6: Table of contents (mandatory)
- _____ CD # 7: Glossary
- _____ CD # 8: Statistical and supplemental information
- _____ CD # 9: Understandability and usability
- _____ Overall as a communications device

Return this rating sheet and your narrative comments to the Budget Awards Program in any of the following manners:

e-mail to: budgetawards@gfoa.org
fax to: 312-977-4806
mail to: Government Finance Officers Association
203 North LaSalle, Suite 2700
Chicago, Illinois 60601



City of Miami Springs, Florida

The Miami Springs City Council sitting in its dual capacity as the **LOCAL PLANNING AGENCY** held a **SPECIAL MEETING** in the Council Chambers at City Hall on Wednesday, March 9, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:01 p.m.

The following were present:

Mayor Billy Bain
Vice Mayor Jennifer Ator (Arrived at 7:02 p.m.)
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
City Planner Richard E. Ventura
City Clerk Magali Valls

2. Invocation: Councilman Best offered the invocation.

Salute to the Flag: The audience participated.

Councilwoman Ator arrived at this time.

3. Discussion Regarding N. W. 36th Street District Boundary Regulations and Proposed Ordinance Scheduled for First Reading on March 14, 2011: Ordinance No. 1013-2011 – An Ordinance of the City Council of the City of Miami Springs Deleting all References to the 36th Street Sub-District of the Airport, Marine and Highway Business District Contained in Code of Ordinance Sections 150-154, 150-155, 150-157, 150-158, 150-160 and 150-161; Establishing Code of Ordinance Section 150-164, NW 36th Street District; Providing Purpose; Permitted Uses; Permissible Principal Uses and Structures – Limitations as to Location; Accessory Uses and Structures; Permissible Accessory Uses and Structures - Limitations as to Location; Prohibited Uses; Setbacks, Lot Coverage and Floor Area; Height Limitations; Off-Street Parking and Loading; Specific Architectural Design Standards; Professional Revitalization Consultant (PRC); Development Review Procedures; PRC Preliminary Review Meeting; Development Review; Exemptions; Fees; Repealing All Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

City Attorney Jan K. Seiden stated for the record that Council is sitting in a dual capacity as the Local Planning Agency and City Council.

City Attorney Seiden referred to Section 150-054, 150-055 and 150-056, explaining that the new section of the Code would be 150-164 with subsections a, b, c, etc.

Lorraine Tappen, Senior Planner from Calvin, Giordano & Associates, Inc., explained that she was ready with a PowerPoint presentation and would introduce each section for the purpose of answering questions.

Ms. Tappen reviewed the history of what had taken place to date. She said that joint meetings were held with the City Council and the Revitalization and Redevelopment Ad-Hoc Committee and the Architectural Review Board and the Ad-Hoc Committee. In addition, members of the City Council, City Staff and Calvin, Giordano team members met with the Beacon Council to talk about N. W. 36th Street and the draft Code amendments were sent to Council for review.

Ms. Tappen stated that based on comments that were made during the workshops in regard to the parking requirements for multifamily residential use the requirement was changed to one parking space per bedroom, but no less than 1.5 spaces per unit. She explained that they reviewed the codes for other municipalities and added a requirement for guest parking. The allowance for compact spaces was removed from the draft.

City Attorney Seiden asked for an explanation of the “sum of all uses times 80%.”

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Ms. Tappen clarified that in a situation with a mixed-use building, the uses would be calculated based upon the square footage of the office space and the number of residential dwelling units in order to complete the total and take 80%.

Ms. Tappen further explained that the theory is that people are not using the different uses at the same period of time of the day. For example, people who live in apartments spend most of their time there from 5:00 p.m. to 9:00 a.m. the next day, while the offices are used between 8:00 a.m. and 9:00 p.m.

To answer Vice Mayor Ator's question, Ms. Tappen said that a compact space is one foot narrower than a regular space and the length is the same.

Mr. Tappen informed Council that the members of the Revitalization and Redevelopment Ad-Hoc Committee raised a concern about existing buildings and their parking issues. To address this issue, a provision was included in the draft so that if the use of the building is changed and the existing parking meets the current Code without any variances granted, the use could be changed to a more intense use without being required to add more parking.

The Architectural Review Board asked for clarification of the Development Review Procedure so that it is streamlined and easier to follow, according to Ms. Tappen. She said that the original draft included a review of the Professional Revitalization Consultant (PRC) but after speaking with the City Planner about the number of permits, they realized that the process should not be bogged down for minor improvements to properties. In this case, the City Planner would review the improvement in accordance with the architectural design standards in order to move small projects along faster.

In response to Vice Mayor Ator's question, Ms. Tappen clarified that anyone who repaints their building would have to come to the City to see if the color meets the approved color palette.

Ms. Tappen explained that the language of the Development Review Process was expanded. A major remodeling or new development project would require an initial meeting with the PRC to make sure that the developer has a full understanding of the purpose of the N. W. 36th Street corridor and the full definitions of the architectural design guidelines. Plans would be submitted to the City for review and once that is completed the PRC will look at the final site plans that would go to the Zoning and Planning Board. The Architectural Review Board would give their opinion to the City Council and after approval by Council the building permit would be issued.

Ms. Tappen stated that a "build to line" was added to the draft amendments in order to create the corridor itself, although not every building will automatically be built to that line as some existing buildings will not change for a long time. For new buildings, they would be 10-feet from the property line to bring them closer to the street with parking behind the buildings. This fits some of the criteria in the existing Code by not encouraging slow turns into the properties from N. W. 36th Street and there would be access to the properties from other streets.

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Ms. Tappen clarified that after tonight's Special meeting there would be two more readings of the ordinance to make sure that it fits the desires of the City Council. She said that after discussion, they would like a recommendation from Council, as the Local Planning Agency, to move forward on the ordinance and changes to the Code.

Mayor Bain suggested reviewing the proposed code amendments page by page. He asked if there were any comments related to Section 150-155. Permitted Uses.

Councilman Espino stated that the current Code does not include multifamily residential, except in the Abraham Tract area. The new permitted uses include multifamily residential up to 20 dwelling units per acre. He asked Council to consider if they wanted to include a provision for multifamily residential only as part of a mixed-use project and that would add a business component.

Vice Mayor Ator said there is not much of a chance to use the property on 36th Street for multifamily residential in light of the ability to go to a 3.0 FAR and the height limitation of three-stories or 40-feet.

City Attorney Jan K. Seiden said that he had more general conceptual questions and even though the Mayor has set a timeframe, the City has waited thirty years for these changes, and it should be done right. In developing the first sections, the consultant used a lot of what was already in the Code, but Council has to make a decision based upon the end result. Council probably wants to encourage large or medium scale development. His question is whether or not the permitted uses should be divided into different areas.

Councilman Espino said that the conversation with the Beacon Council raised the question of what the City is trying to accomplish for N. W. 36th Street and if it is medium to larger scale development, it must be determined what kinds of development would accomplish that goal. This could be medical or office complexes, hotels, and more intense uses. He would be more selective about the permitted uses.

City Attorney Seiden explained that perhaps the permitted uses needed to be sub-categorized or mixed together in some fashion.

Vice Mayor Ator stated that the Architectural Review Board members expressed their desire for a conceptual vision of N. W. 36th Street based on the district boundary regulations.

Councilman Espino asked to consider if Council is looking for the medium to larger scale development or would it be okay to have a mix of high and low density. He would like to see the former versus the latter.

Vice Mayor Ator asked if there are times when codes are created to include sub-categories.

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Mayor Bain stated that the concept is for larger buildings with the uses that would support the size of the building, not uses that would stand on their own. A hotel could have a bar and a restaurant within the hotel. He would like to eliminate some of the uses, like the car rental, or multi-family dwellings.

City Attorney Seiden explained that a car rental company could have an office in a hotel.

Mayor Bain felt that some uses should be eliminated from the list.

Councilman Best agreed with the Mayor and felt it would be appropriate to eliminate residential dwellings. He said that specifying only commercial uses would intensify the use of the building and the residents would benefit from a medical facility.

Councilman Best asked if Calvin, Giordano had considered access to the properties along N. W. 36th Street.

Ms. Tappen responded that there are stipulations that access would be from another street, rather than N. W. 36th Street.

Revitalization and Redevelopment Ad-Hoc Committee member Todd Stiff of 1255 Dove Avenue said that he would like the Committee to review the district boundary regulations because it would help Council in making their decisions. He is not comfortable with the Professional Revitalization Consultant (PRC) being written into the Code.

Council reviewed the list of permitted uses and agreed to eliminate certain uses; other uses were determined to be allowed in conjunction with a hotel or another structure.

Discussion ensued regarding parking garages and whether or not free standing garages should be included as a permitted use.

To answer City Attorney Seiden's question, Ms. Tappen stated that a green building certification should be allowed a floor area ratio (FAR) bonus of one. She would change the language to read: *"For a project to receive a floor area ratio bonus based on design, it must, at a minimum, be awarded one design bonus from each of the design categories and/or seek green building certification."*

Richard Sala of Calvin, Giordano & Associates, Inc. explained that the FAR bonus incentive is a reward because the developer gets something extra and in return the City will get a quality project with the goal of creating a functional, pedestrian friendly corridor.

Vice Mayor Ator said that it seems a developer would have to comply with each category of bonus incentives in order to achieve a 3.0 FAR.

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Mr. Sala pointed out that there is another part of the Code that must be met that would include a lot of the incentives anyway. He explained that they feel the incentives will work and if the developer totally objects then it is dealt with in the initial meeting.

City Attorney Seiden reminded Council that anything in Section 150 is subject to variance.

After further discussion regarding the FAR bonus incentives, no changes were made to the proposed language.

City Attorney Seiden commented that the current code included a provision for excluding architectural features or non-living space in the height calculations. He felt that the language should be repeated in the new district boundary regulations.

Ms. Tappen will check the definitions for FAR and building heights to make sure that the language is included.

City Attorney Seiden referred to Section 150-182 – Off-street parking, Section (B) explaining that the provision is very similar or exactly the same as the provisions for the Neighborhood Business and Downtown Business Districts. A phrase was added that “*However, this shall not be applicable to non-conforming structures.*” By definition, they are all legal non-conforming structures because none would have the right parking and he would recommend eliminating that sentence.

Ms. Tappen stated that she would look at the situation and see what parking is available because the assumption was that some of the buildings did have sufficient parking.

Ms. Tappen asked to continue the review with Section 150-183 – Architectural Design Standards.

City Attorney Seiden referred to Section (B) (1) that prohibits two identical façades within the N. W. 36th Street District. He said that the definition also includes reversed or “flipped” façades and he understands not wanting a “cooking cutter” look, but N. W. 36th Street is a big area. He suggested including a distance requirement between identical façades.

Councilman Espino felt that the provisions in Section (B) (2) and (3) were too stringent since major hotels might have corporate logos or branding that they incorporate into the design. He would recommend some flexibility in order to accommodate major hotels or businesses.

Mr. Sala said that there is a vision for revitalization and there are ways to work around the corporate needs. The developer should understand and honor the vision for the district and Calvin, Giordano has dealt with this situation in other areas.

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Councilman Espino believes that the flexibility is provided for in the Development Review Procedure.

City Attorney Seiden said that Section (C) – Pueblo Mission Architecture and (D) – Streamline/Depression Moderne Style Architecture require a statement somewhere at the end that states that examples of the architectural styles are available for inspection and review in the Building or City Planning Department.

Mr. Sala explained that there will be two or three different designs to look at in order to get an idea for the theme.

Councilman Espino explained that the Architectural Review Board will review the design that will be submitted.

Mayor Bain commented that it seems that if a project is large and good enough it would be approved; there is no need for the restrictions.

City Attorney Seiden stated that the standards should be set high enough to set a basis from which to work with, but at the same time allowing the options to deal with different situations. The purpose is to raise the taxable footprint of the City without destroying the character of the community.

Mr. Sala stated that there must be confidence on the part of the elected officials, the redevelopment agent, the Ad-Hoc Committee and the Architectural Review Board so that together the right projects will come together.

Rogelio Plasencia of 700 Morningside Drive indicated that there is an inherent conflict with the two architectural styles that are being proposed. He felt that the Pueblo and Streamline Moderne combination lacks harmony.

Mayor Bain asked Mr. Plasencia why he thought the two architectural styles would make a difference if someone was proposing to develop a building that would benefit the community.

Mr. Plasencia was of the opinion that there is such a strong difference between the two architectural styles that it would create a harsh effect. There are more modern styles within the depression era that are friendlier toward a glass/steel building. The Pueblo style can also be associated with Mediterranean architecture. He does not like the fact that the Code is being written to associate two foreign objects.

Mr. Sala agreed that Mr. Plasencia was correct in his observation but there is more involved in the process than brand new buildings. A façade improvement must be more flexible with more than one category for style and it must work best for the area, which is related to Pueblo.

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Mr. Sala explained that their original intent was only for a Streamline Moderne corridor that represents transportation and movement. Many of the existing buildings must be molded to a certain style and the City is known for the Pueblo style.

(Mayor Bain called for a 5-minute recess)

Mayor Bain said that maybe the Pueblo style could be taken out and another style could be included that would better match the Streamline Moderne style.

City Attorney Jan K. Seiden suggested a middle ground to say that new buildings would be the Streamline Moderne and the Pueblo Style would apply to existing buildings.

Vice Mayor Ator said that she personally likes the Streamline Moderne, but has been told by residents that they only approve of Pueblo.

Council agreed on the recommendation of the City Attorney that any new buildings would be Streamline Moderne and existing buildings could select either Pueblo or Streamline Moderne.

Councilman Lob pointed out that (E) (3) and (4) were duplications.

City Attorney Jan K. Seiden referred to Section 153-183 (F) (7), (9) and (10) that included references to the Professional Revitalization Consultant (PRC).

Councilman Espino said that he would like to change the terminology from PRC to Community Development Agent and this could be the consultant, Staff or a Department in order to allow some flexibility.

City Attorney Seiden explained that the chart outlining the review process would have to be considered. He added that there would be certain standards and the color palette and design standards would be approved by ordinance. He does not feel that the PRC would have any authority under the ordinance since it is not a government agency.

Mr. Sala said that as consultants, Calvin, Giordano & Associates, Inc. performs this service for all their clients per contract and it is no different than asking a City engineer.

Councilman Espino noted that Subsection (F) (7) stated that accent materials and colors are not limited to the approved color palette and that there should only be color variations from approved variances. He would change the language to limit materials and colors to the approved color palette.

City Attorney Seiden said that a number of things that could be modified within one process; there cannot be different processes.

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Vice Mayor Ator suggested and Council agreed to eliminate (F) (9) and the last six words in (F) (10) of Section 150-183.

Mayor Bain felt that the services of the Consultant would be approved on an “as needed” basis.

City Attorney Seiden said that there is no question that the Consultant must be involved in the process, as directed by Staff.

Councilman Lob said that he was not sure if including mandatory landscaping is taking away from parking spaces, as outlined in (P) (1) (c).

City Attorney Seiden commented that (Q) (11) under Signs is duplicitous and it was eliminated. He asked for a definition of Architectural Design Standards and if they are separate or incorporated within the district boundary regulations.

Discussion ensued regarding the advertising on amenities such as bus benches.

Councilman Espino wants to change the PRC to a more general term like Commercial Development Agent, regardless of who is responsible.

Mr. Sala recommended keeping the word “revitalization” or “redevelopment” in whatever term is decided because it should be specific to the redevelopment efforts.

City Attorney Seiden explained that the process is the key and Council must set the steps throughout the process based on the Code requirements. The Board of Adjustment could be included at any point, but logically it would come into play after some type of preliminary review. The last part of the process before permitting is a Zoning and Planning review, subject to an independent review by the City engineer from an infrastructure standpoint.

Mayor Bain suggested working through each step in the Development Review Procedure chart and extensive discussion ensued about the process.

The Mayor said that there should be a consensus on how the steps in the process can entice development and make the process easier for the developer.

Councilman Espino referred to his chart and suggested adding steps one, two and three to the existing process in the Code that does not currently have the flexibility of working with the developer and receiving the input from the Architectural Review Board.

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City Attorney Seiden explained that the only difference between his chart and Councilman Espino's is that Councilman Espino included an initial informational stage in step one. His own chart includes a step for preliminary submittal to the Building Department after the Architectural Review Board review.

Councilman Espino commented that in steps one and two there was a determination that City Staff participation would be decided on a case-by-case basis. He thought that the management is the Commercial Development Agent and this is critical in the first two steps. The other issue is whether or not the Architectural Review Board's recommendations are submitted to Council for approval like the Board of Adjustment.

City Attorney Seiden explained that the PRC has nothing to do with the approval process of the Architectural Review Board.

Vice Mayor Ator said that she had always supported the Architectural Review Board's request to be involved in the process and she believes they are qualified as representatives of Council.

Mayor Bain said that Council would receive the minutes from the Architectural Review Board and if there is any content within the minutes that Council feels is important then action would be taken. This issue was already discussed and even though the Board's opinion is valued, it should not be a standard within the review process. He reiterated that he would be open to their opinion and it is up to the appointing Council member to bring up these matters on a case-by-case basis.

Councilman Best agreed with the Mayor that the process should be streamlined so that developers are not scared to come here.

Councilman Lob said that if the Architectural Review Board has a strong opinion that it would be considered by Council.

Vice Mayor Ator asked to consider exactly how the process would work.

Mayor Bain pointed out that if Council were to receive the minutes prior to the agenda packet distribution, they could call the City Manager to request an agenda item.

The City Attorney said that according to Councilman Espino's chart, there would be independent meetings with City Staff and the Consultant and a mandatory preliminary review of the proposed schematics and designs before the project is submitted to the Architectural Review Board. If the Architectural Review Board disagrees with Staff and the Consultant, the question remains as to how this should be handled.

DRAFT

Further discussion ensued regarding the review process and the involvement of the Architectural Review Board.

Councilman Espino suggested changing the language to “minutes submitted to Council for review and action, if any.”

To answer Vice Mayor Ator’s question, City Attorney Seiden clarified that Council would have to vote to place a recommendation from the Architectural Review Board on the agenda. He added that if Council decides by majority vote that there are any issues that they feel should be further discussed in order to give direction to the developer, based upon the comments of the Architectural Review Board, then there is a further opportunity for that to take place and the developer or representative would be invited to participate in that process.

The City Attorney clarified that the Architectural Review Board is totally design related and that is why the step is proposed earlier in the process.

Architectural Review Board member Rogerio Plasencia stated that a developer who presents a set of schematic drawings to the City and goes through the process would want to have an approval before they invest in a full set of drawings.

Mr. Sala asked to consider what assurance the City gives a developer now before they invest in the plans for a project and the point is that there is no assurance.

Councilman Espino said that the question is what assurance a developer would have after they take the schematics and translate them into construction documents that there would not be a required architectural design change that requires them to revise the plans. The further assurance is part of the “front loading” of the process.

City Attorney Seiden said that Council would need to change the entire system to be like Coral Gables because their Architectural Review Board functions differently. A developer normally goes to any government entity and works with Staff on the plan review and they receive assurance that a project is within code. Approval is given from Staff and the Consultant that designed the Code and then there is a further review by the Architectural Review Board in an advisory capacity. The City does not have to provide any written document.

Mr. Sala explained that at the end of the preliminary review and the final review by Council, a development order is created and then the plans are submitted for review by the Building, Fire and pertinent departments. The development order from the site plan approval gives the developer the assurance so that he can proceed with the construction documents.

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Councilman Espino said that the idea is for the developer to get as many assurances as possible before going to construction documents.

City Attorney Seiden stated that in order to do this, Council would give authority to the committees and after the Architectural Review Board process there could be a development order issued by the Consultant or Staff based upon the first three stages. The development order could be subject to securing a variance, if necessary, and the developer would not prepare the plans until the variances are secured.

Mr. Sala explained that the final site plan approval would list all missing items and the documents and minutes from the various boards that should be included in the development order.

To answer Councilman Espino's question, City Attorney Seiden stated that if everyone is in agreement, approval could be given at one meeting and the worst case scenario is that it would be delayed to the next meeting. There would still be a potential Board of Adjustment/Zoning and Planning appearance, as necessary and the last three boxes remain the same.

City Attorney Seiden explained that originally he said that variances must be approved before the development order. Council is recommending the placement of the development order after the submittal to the Board of Adjustment. At the minimum, the development order will require a final site plan review by City engineers and City Council approval.

Mr. Sala stated that he was not quite sure about the site plan review or the Board of Adjustment proceedings. He asked if the Board's decision is final or if it can be appealed.

City Attorney Seiden explained that the decision of the Board of Adjustment can be appealed.

Mr. Sala said that everything should be done before it comes to Council for the final site plan review and then the development order is created. He emphasized that there is no other way to do it because Council is the final approval and then the development order is created.

Councilman Espino explained that there is no way that Council can receive the recommendations of the Architectural Review Board, the Board of Adjustment and the Zoning and Planning Board and consider the site plan and development order at one meeting.

City Attorney Seiden clarified that the suggestion is that all approvals be done at one point.

Councilman Espino stated that ideally he would agree with Mr. Sala, but sometimes issues are raised and items are postponed.

Discussion ensued about the Development Review Procedure and the various steps in the process.

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City Attorney Seiden clarified that after the Architectural Review Board review, it will come to Council if necessary and if the developer needs any approval from the Board of Adjustment he would be required to obtain a variance.

Councilman Espino said that fully prepared plans are not necessary to obtain a variance.

Councilman Espino stated that the first mandatory meeting is a coming together in order to determine what can be accomplished based on the Code or project development. The Architectural Review Board review is strictly about design and the next step would relate to variances as they pertain to specific items of the project, if any.

City Attorney Seiden said that the development order would come after the Board of Adjustment, subject to a ministerial Zoning and Planning site plan review.

Councilman Espino said that he wants a “catch all” because it has happened before, when everything was a “go”, something else was found.

City Attorney Seiden suggested adding a phrase that it is subject to any further reviews in the sole discretion of Council.

The City Attorney explained that the Zoning and Planning site plan review is performed by the City’s engineers who communicate directly with the developer to resolve any issues with the plans. The Zoning and Planning Board approval is strictly a ministerial act to show that the plan has gone through the process and the final letter from the engineer is put into the record before final approval by Council.

City Attorney Seiden stated that the only change to the ordinance for the Architectural Review Board are the words “review and action if any.”

Vice Mayor Ator mentioned that Council does not like the term Professional Revitalization Consultant (PRC) and they want it to be some other name.

Councilman Espino agreed that a broader term would apply.

Mr. Sala would like to use the term “redevelopment” or “revitalization” with whatever language is chosen. He suggested “Revitalization Specialist” because the language was included in the request for proposal (RFP).

City Attorney Seiden stated that the phrase “selected by Miami Springs City Council” is not necessary. If there is a single person at some point, the phrase “consists of planners, architect and engineers” would be in error.

Council agreed to use the term “Revitalization Specialist.”

Councilman Espino will modify the chart and submit it to Calvin, Giordano and Associates.

Councilman Espino pointed out that Section 150-185 (A) has nothing to do with the chart. It would only apply to cases that do not require City approval.

City Attorney Seiden felt that the language is vague. He is concerned that it is like an administrative variance and there is no Code provision for administrative variances. There are items that do not require a review and go directly to permitting. He suggested using the word “permit applications” instead of projects and they would be approved by the Building Department.

Mr. Sala said to keep in mind that it is a specialized redevelopment area; it is not a city-wide function. It is a guide for things happening within the redevelopment district and it allows an opportunity to look at those items on a case-by-case basis before securing the permit.

Councilman Espino felt that if something does not require full evaluation it should adhere to the letter of the Code, and if not, a variance is required.

City Attorney Seiden explained that an administrative City official does not have the authority to approve fence permits, sheds or replacement signs on their own. The Building Department would, as part of an application process, and City Staff would be replaced by Building Department.

Mr. Sala clarified that the City Planner would not be approving the permit. He is only checking to see how it relates to the Code so that it meets the color specifications and the right setbacks. The City Planner will make a recommendation for those permits in the redevelopment area that must conform to the new Code before it goes to the Building Department.

City Attorney Seiden referred to Section 150-186 and asked how the process would be identified.

Mr. Sala noted that it would be identified as a Revitalization/Redevelopment Pre-application meeting that is specialized for the District. The term Professional Revitalization (PRC) would be replaced by Revitalization Specialist (RS). He asked whether the developer or the City has the option to have the pre-application meeting.

Councilman Espino responded that a developer could attend an informal session and the process begins with the mandatory preliminary review as outlined in Section 150-186. The pre-application meeting is optional and the intent is to encourage attendance at that meeting.

City Attorney Seiden suggested using the language “Development Site-Plan Review.”

City Attorney Seiden asked to consider the fees outlined in Section 150-189 that reads: “Each application filed with the City shall be accompanied by the payment of a fee to be determined by the City depending on the scope of the project to cover the expenses incurred by the City and the consultant in processing and reviewing the application for development”. He said that a schedule would be developed that includes all costs and currently the City charges Building Permit application fees and trust fund payments for civil engineering reviews.

Mr. Sala recommended looking at the current fee schedule and adding a multiplier that might include outside costs based on an hourly rate or it could be a lump sum fee.

To answer Mayor Bain’s question, City Attorney Seiden confirmed that the first reading of the proposed ordinance would be held on Monday, March 14th.

Mr. Sala explained that changes can still be made at the first reading that will be ready for the second reading of the ordinance.

(Council voted on the motion for Work Order # 5 under Agenda Item 4 at this time)

City Attorney Seiden said that it should be on the record that the amendments and revisions made to the proposed ordinance are the recommendation of the Local Planning Agency (LPA) to the City Council.

Councilman Espino said “so moved” and Councilman Best seconded the motion. The motion was unanimously carried on roll call vote.

4. Authorization to Prepare District Boundary Regulations for the Abraham Tract District

This item was considered under Agenda Item 3.

Councilman Espino moved to approve Work Order # 5 for the zoning boundary regulations on the Abraham Tract. Councilman Best seconded the motion and it was carried 4-0 on roll call vote (Vice Mayor Ator was absent at roll call).

5. Adjourn

There being no further business to be discussed the meeting was adjourned at 10:30 p.m.

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.

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



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, March 14, 2011, 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
Police Captain Jon Kahn
Finance Director William Alonso
City Planner Richard E. Ventura
Grant Writer/Public Information Specialist Carol A. Foster
City Clerk Magali Valls

2. Invocation: Councilman Espino offered the invocation.

Salute to the Flag: The audience participated.

Councilman Lob came in at 7:05 p.m.

3. Awards & Presentations:

3A) Consideration of Funding Request by Sergeant Claire Gurney, President of the Fraternal Order of Police to Support the "Charles B. Stafford" Memorial Golf Tournament on Friday, April 1, 2011

Sergeant Claire Gurney, President of the Fraternal Order of Police, announced that the fifth annual Charles B. Stafford Memorial Golf Tournament would take place on Friday, April 1, 2010 at the Miami Springs Golf and Country Club. She said that the City had been gracious and generous over the past four years and they are requesting a donation for this year's tournament.

Councilman Best moved to approve a donation of \$2,000 for the Charles B. Stafford Memorial Golf Tournament. Councilman Lob seconded the motion, which carried 5-0 on roll call vote.

Sergeant Gurney invited the Mayor and Council to attend the opening ceremony before the Golf Tournament.

4. Open Forum:

Dog Park Regulations

Bill Beckerman of 1561 Hammond Drive wished to thank all concerned about the Dog Park and the new rules and regulations. The dog park attendees are very concerned about issues related to aggressive dogs and emphasized the importance of animals going to the park being neutered. He suggested that when the final signs posting the new rules are finished that the one rule in regard to neutered dogs be emphasized in red lettering. He said that the rules could be codified in order to be able to enforce the law.

Spring

Helen Lawrence of 641 Nightingale Avenue stated that everyone looks at the election signs in her front yard and spring has sprung which can be seen by the blooming yellow trees.

Library

Helen Lawrence said that the newly renovated Library has finally opened its doors and everyone should return their overdue books because the funds are needed.

5. Approval of Council Minutes:

5A) 02/28/2011 – Regular Meeting

Minutes of the February 28, 2011 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) 02/22/2011 – Ecology Board – Minutes

Minutes of the February 22, 2011 Ecology Board meeting were received for information without comment.

6B) 03/02/2011 – Architectural Review Board – Minutes

Minutes of the March 2, 2011 Architectural Review Board meeting were received for information without comment.

6C) 03/09/2011 – Golf and Country Club Advisory Board – Cancellation Notice

Cancellation Notice of the March 9, 2011 Golf and Country Club Advisory Board meeting was received for information without comment.

6D) 03/08/2011 – Recreation Commission – Minutes

Minutes of the March 8, 2011 Recreation Commission meeting were received for information without comment.

6E) 03/07/2011 – Board of Adjustment – Approval of Actions Taken by the Board at their Meeting of March 7, 2011, Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of March 7, 2011 were approved subject to the 10-day appeal period.

Councilman Espino moved the item. Vice Mayor Ator seconded the motion which was carried 5-0 on roll call vote.

7. Public Hearings:

7A) Second Reading – Ordinance No. 1010-2011 – An Ordinance of the City Council of the City of Miami Springs, Amending Code of Ordinance Section 32-100, Architectural Review Board-Established; By Revising the Authority of the Board in Reviewing Proposed Development Projects; Establishing Advisory Review Authority; Specifying Advisory Opinion of Board; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 2/28/2011 – Advertised: 3/2/2011)

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

Attorney Seiden stated that this is the second reading and public hearing. New language was added to Section (I) as requested at the Special Meeting that reads: *“All meetings of the Board shall be forwarded to the City Council for review and for consideration of any further action or appearance deemed necessary by the City Council.”*

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

Vice Mayor Ator said that at the end of the paragraph under Section (H) it reads that *“the Board may suggest or recommend such changes in said schematics or designs as in its judgment may be requisite or appropriate to the maintenance and standards of construction, architecture, beauty and harmony currently existing in the City.”* She recommended adding *“and as contemplated by the Code of Ordinances.”*

The City Attorney recommended changing *“harmony currently existing in the City”* to *“harmony currently existing in the City Code of Ordinances”*.

Vice Mayor Ator asked Council to reconsider her request to include the notice provision, but there was no consensus to do so.

Councilman Best moved to adopt the ordinance on second reading with the inclusion of the language as stated by the City Attorney. Councilman Espino seconded the motion which was carried 5-0 on roll call vote.

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7B) First Reading – Ordinance No. 1013-2011 – An Ordinance of the City Council of the City of Miami Springs Deleting all References to the 36th Street Sub-District of the Airport, Marine and Highway Business District Contained in Article XV and in Code of Ordinance Sections 150-154, 150-155, 150-157, 150-158, 150-160 and 150-161; Establishing Code of Ordinance Section 150-164, NW 36th Street District; Providing Purpose; Permitted Uses; Permissible Principal Uses and Structures – Limitations as to Location; Accessory Uses and Structures; Permissible Accessory Uses and Structures - Limitations as to Location; Prohibited Uses; Setbacks, Lot Coverage and Floor Area; Height Limitations; Off-Street Parking and Loading; Specific Architectural Design Standards; Professional Revitalization Consultant (PRC); Development Review Procedures; PRC Preliminary Review Meeting; Development Review; Exemptions; Fees; Repealing All Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

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

Councilman Lob commented that Professional Revitalization Consultant (PRC) should be changed to Revitalization Specialist (RS).

Attorney Seiden agreed with Councilman Lob and added that the PRC Preliminary Review meeting would become Pre-application Meeting in accordance with the new ordinance. There are two typographical errors on page twelve that he brought to the Consultant's attention.

Senior Planner Lorraine Tappen from Calvin, Giordano and Associates, Inc. stated that the uses were changed and some uses were prohibited as stand alone uses. She added restaurants and retail stores, no less than 2,500 square feet.

Councilman Best commented that Council did not want small conversions of restaurants to come in and "eat up" the property and a larger facility would make more sense. He thought that a restaurant of 2,500 square feet is a good size restaurant.

Vice Mayor Ator felt that the stand alone uses were contrary to the previous discussions as Council had talked about allowing the uses within a larger establishment.

Attorney Seiden asked Council to consider if 2,500 square feet is big enough to justify the space for a stand alone restaurant.

Mayor Bain added that perhaps the option should be left open for stand alone situations.

Councilman Espino said that the typical chain restaurant could not accommodate the type of density and improvements that Council wants for N. W. 36th Street in order to bring long-term financial gains to the City. He would approve of leaving it the way it was previously discussed.

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Councilman Lob suggested leaving the restaurant use in conjunction with another building.

Council **agreed** to eliminate 150-164 (B) (c) and (d) allowing restaurant and retail stores no less than 2,500 square feet.

Councilman Espino noted that dry cleaning and/or laundry would only be allowed as drop stores.

Ms. Tappen explained that the build-to-line was changed to fifteen feet to ensure that the buildings have some space for a canopy or overhang. A provision was added to allow architectural elements such as canopies or a port-cochere encroaching five feet into the setback.

City Attorney Seiden said that “setback” should be changed to “build-to-line” under (D) (1) (a) (vi). A canopy or port-cochere cannot encroach into the ten-foot setback.

City Attorney Seiden discussed the development review procedure for projects not requiring City Council approval such as painting, fences, sheds, sign faces, etc. He felt that the language should be more specific and suggested changing City Staff to City Planner and City Building Official.

Councilman Espino referred to the chart and explained that (2) (c) (d) and (e) are not stand alone steps and they should be subsections of (b) under the Development Review Procedures.

Vice Mayor Ator felt that the term Revitalization Specialist is too general and there is no definition of that position and how that person is selected.

Attorney Seiden explained that the Revitalization Specialist would be outlined under a City policy; it does not have to be codified. He agreed that it could be included in the general definition section.

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

Discussion ensued about combining Sections (1) and (2) under K – Development Review to make it more efficient with only one step for all items to be addressed.

Councilman Espino suggested leaving Section (1) to outline what is required for the mandatory preliminary review meeting and Section (2) to encompass the review process itself.

Vice Mayor Ator added that everything could be included under Section (1) with two separate subsections.

City Attorney Seiden agreed with Councilman Espino’s recommendation.

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City Attorney Seiden stated that the exemptions provisions under Section (L) are fine, but there is currently one building that is under development and that is the Eurobuilding that is going from the first phase to the second phase. The Architect of record met with him and the City Planner and pointed out that the way the ordinance is worded, any building or structure for which final site plan approval has not been obtained prior to the enactment of the ordinance, it would be subject to the new ordinance. In reality, the architect has drafted all his plans and documents and received approval from all departments based upon his existing plans and it would be unfair to make that project subject to the ordinance.

The City Attorney said that the ordinance could remain as written and a separate motion could be made to acknowledge that it is the policy of Council that that project will not be subject to the provisions of this ordinance no matter when the ordinance passes or when they obtain the site plan approval.

Attorney Seiden asked if Council wanted to leave the exemptions the way they are or to include a provision to deal with this particular property. He clarified that it is an existing building that will undergo new exterior renovations that would fall under the ramifications of the design features and processes of this ordinance.

City Planner Richard Ventura stated that phase one of the Eurobuilding Conversion was approved by the Zoning and Planning Board on August 3, 2009 and phase two was approved on December 16, 2009. Under the new land development regulations there could be a setback encroachment on Coolidge Drive, which he will follow up on with Architect Perez-Vichot. Mr. Perez-Vichot is submitting a parking variance for 43 spaces at the April Board of Adjustment, while under the new land development regulations this would not be required.

Mayor Bain explained that Mr. Perez-Vichot must go through the variance process and Council will consider the recommendation at the next meeting to set policy that the Eurobuilding project was approved before the ordinance was enacted and they can continue with the process.

City Planner Ventura clarified that after the April 4th Board of Adjustment meeting when the variance for 43 spaces is considered, a site plan presenting phase 2.5 will be presented and final site plan approval will be accomplished on April 25th.

City Attorney Seiden stated that he would schedule an item for the next Council meeting. He will prepare a memorandum and officially give notice on the record and it will be voted upon at the next meeting.

Mayor Bain noted that all references to PRC should be changed to RS.

The City Clerk called "point of order" explaining that the proposed ordinance requires a public hearing on the first and second readings.

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

Councilman Lob moved to approve ordinance No. 1013-2011, as amended, on first reading. Councilman Espino seconded the motion which was carried 5-0 on roll call vote.

The City Attorney stated that the amended ordinance will be available for public review and comments during the second reading on March 28th.

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for February 2011 in the Amount of \$11,920.50

There was no discussion regarding this item.

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

8B) City Council Authorization to Transmit Citizen petitions Regarding the Proposed Westward Drive Charter Amendment to the Miami-Dade County Elections Department for Determination of Sufficiency of Petition Signatures

There was no discussion regarding this item.

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

9. Old Business:

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

There were no appointments to the advisory boards.

9B) Golf Course Marketing Plan Update

City Manager Borgmann stated that Staff had met with four possible firms to assist with marketing and they narrowed it down to The National Golf Foundation and Michael Kahn with Golfmak, Inc. and they both offer an assessment study.

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City Manager Borgmann explained that Golfmak quoted \$2,500 for a 3-day assessment to look at all the operations, maintenance, advertising and marketing and would then provide an overview and recommendation for additional activities that they might be able to assist with. The National Golf Foundation offers the same, but their quotation was twice as much for a 2-day assessment.

City Manager Borgmann said that the Administration would come back at the next meeting with a recommendation.

Vice Mayor Ator stated that time was spent discussing the topic and Council was concerned about the marketing. She does not feel that there were concerns about the operation and she would instead suggest hiring someone whose strength is on the marketing side.

Assistant City Manager Gorland explained that both firms are very strong in regard to marketing and they both have great references. The gentleman from Golfmak mostly works with private courses instead of public courses. The company would need to provide a full assessment of the golf course operations; the assessment will be marketing oriented, but there must be an understanding of the product that they are being asked to market.

Councilman Lob agreed with the Assistant City Manager that there must be an understanding of what the Golf Course has to offer.

Mayor Bain recommended waiting until the end of the season before spending any funds for marketing. He felt it would be better to wait until the next budget year.

City Manager Borgmann said that the budget process for next year begins in June and a preliminary assessment would give Council and Staff some idea of what funds are needed for marketing and what areas should be the focus.

Vice Mayor Ator understands the Mayor's concern, but feels that the assessment should be done before the budget process.

Councilman Best felt that the assessment could wait until the end of the season.

Councilman Espino explained that the assessment is nothing more than a fact finding mission. He added that it would be May or June before it is finished.

By consensus, Council **directed** the Administration to place the item on the next agenda.

9C) Trash Pickup Plan for South Royal Poinciana

City Manager Borgmann stated that over the past several months a new method of collecting trash on South Royal Poinciana Boulevard in front of the apartments was tested. Approximately ten years ago a special assessment per unit of \$1.50 monthly was enacted for the purpose of picking up furniture, carpet, appliances, etc. from the right of way.

City Manager Borgmann explained that the Administration is recommending use of the existing codes and the fee structure for pick-up of bulk trash for a specific call. The association or property owner will be sent a bill based on either a half or full truck load. The City will continue to charge \$1.50 per unit and assess a special fee on an as-needed basis.

Vice Mayor Ator said that she receives the most complaints about this problem. She asked how much trash is being picked up now.

City Manager Borgmann stated that these are commercial units and the City does not pick up the garbage; private haulers are supposed to pick up both. The City is picking the bulk items that are placed in the swale and there is no information to determine the volume of trash.

Councilman Espino suggested implementing a policy to advise the condominium associations that bulk trash can only be placed in the swale on specific days.

Vice Mayor Ator would like to provide notice that if the trash is put out before the normal pick up that the City will pick it up for a fee because it is a health and safety issue.

Councilman Best commented that if the situation continues it certainly gives "teeth" to the association in terms of advising the residents that the charges could be passed on to them.

Councilman Espino said that Hunting Lodge Drive on the Golf Course side does not have an alley and trash could be there a full week and that would mean different treatment for the multi-family areas versus the residential areas.

City Manager Borgmann clarified that if a single-family resident puts out trash equal to a half or full load they would also be charged. The real problem is that the City does not collect commercial garbage and the burden falls upon the property owners.

The City Manager clarified that the ordinance does not need to be changed. He suggested continuing with this plan and crack down on the full or half load charge. The property owner has the responsibility of maintaining the swale.

Councilman Best recommended serving notice that this action is taking place and City Manager Borgmann agreed to send letters.

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City Attorney Seiden stated that the Code provides for twice a month bulk collection to each multi-family residential property, but the City reserves the right to schedule collection services for each property as it deems appropriate. Each multifamily residential property shall be required to pay the City a collection fee of \$1.50 per unit per month for providing bulk collection.

The City Manager explained that each unit would be charged \$1.50 in addition to the additional pick-ups that the City is forced to make to keep the area clean.

Councilman Lob asked the Administration to include the fee schedule for reference with the letter to the property owners.

Council **directed** the Administration to notify the owners of the condominiums that the Code will be enforced for bulk trash pick up and that the City will continue with the regular trash pick up twice a month, and each multi-family residential property shall be required to pay the City a collection fee of \$1.50 per unit per month.

9D) Education Advisory Board Items for Discussion and Civics Week Progress

City Manager Borgmann stated that Civics week is coming up on April 25th. He reported that Ana Ferrer from the Middle School will be participating and there are no specific activities or formal requests at this time.

City Manager Borgmann explained that Miami Springs Senior High intends to invite guest speakers, presumably the Mayor, Council, Senior Staff, Administrators, etc. to speak to several classrooms. He asked anyone interested in speaking to let him know so that availability and numbers can be provided to the school. The students are planning to visit City Hall and other governmental buildings. The City has agreed to provide the transportation and their Risk Management Staff has approved use of the larger bus as long as it has a qualified driver. The Elementary Schools have not yet responded about their plans for participation, according to Mr. Borgmann.

The City Manager stated that the minutes of the Education Advisory Board reflected that the City Attorney would be asked to prepare an ordinance establishing a Youth Advisory Council. His suggestion is to amend the Education Advisory Board ordinance to create the youth board and have them participate in the Education Advisory Board process.

City Manager Borgmann explained that he did not have any information regarding the Youth Advisory Council, what its purpose would be, how they would be selected, when they would meet, etc.

Vice Mayor Ator said that Education Advisory Board Chair Mindy McNichols has a lot of information about the Youth Advisory Council.

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The City Manager reiterated his idea for the Youth Advisory Council to meet with the Education Advisory Board in order to give their input.

Discussion ensued as to whether or not the Sunshine Law would be applicable to the Youth Advisory Council.

Councilman Espino commented that there are many other municipalities that have Youth Advisory Councils and it is only a matter of seeing how they operate.

City Attorney Seiden said that one concern is that Miami Springs' schools have many students that are not residents of Miami Springs and the scope would have to be limited to residents.

Mayor Bain expressed his concern about allowing non-residents to participate on a City Board. He felt that being a resident should be included in the criteria. He does not understand why a board has to be created; they could come to a Council meeting or an Education Advisory Board meeting with an agenda item for them to present their issues.

Vice Mayor Ator was of the opinion that even if the Youth Advisory Council participated under the Education Advisory Board the Sunshine Law would apply.

City Manager Borgmann explained that the Sunshine Law would apply, but the Education Advisory Board staff would take the minutes and the meeting would be noted and recorded.

Councilman Lob and Councilman Best suggested checking with other cities to see how their Youth Councils operate.

Councilman Espino explained that the Youth Advisory Council is all about empowering students and getting them civically involved. He suggested seeing what other cities have done.

City Attorney Seiden stated that the Education Advisory Board Chair is well qualified to put together a proposal and she should get in touch with him.

The proposal for the creation of a Youth Advisory Board was **referred** back to the Education Advisory Board for more information.

9E) Adopt-a-Park Progress

City Manager Borgmann stated that at Council's request he conducted more research on the Adopt-a-Park program and every jurisdiction he found on the internet had variations of the North Port, Florida plan, including application forms, list of rules and regulations, legal releases, etc. He understands the desire for simplicity but everyone seems to be doing the same thing.

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The City Manager checked further into the Adopt-a-Highway programs, including the State of Florida and they are “hands on” projects. If Council is in agreement, the Administration will move forward with the project, including all necessary forms and releases to be approved by the City Attorney.

Vice Mayor Ator said that she attended the Board of Parks and Parkways meeting this month and they were not aware that Council had discussed the idea of an Adopt-a-Park program. The Board members would like to be consulted and she suggested sending the item to the Board of Parks and Parkways.

Councilman Best spoke with his appointee to the Board of Parks and Parkways and learned that she is very interested and hopeful that it would come to the Board for discussion.

Council referred the Adopt-a-Park program to the Board of Parks and Parkways for consideration.

10. New Business:

10A) Consideration of Memorial for Detective Amanda Haworth

City Manager Borgmann stated that an e-mail was received suggesting to find an appropriate memorial for fallen Police Officer Amanda Haworth. He does not have any specific recommendations unless Council would like to send the request to the Memorial Committee for their ideas.

The City Manager explained the possibility of establishing something at Stafford Park, which is named after one of Miami Springs’ fallen officers. It could be a true police memorial facility within the City’s boundaries; one field could be named after Officer Haworth and the other after Officer Castillo.

Mayor Bain stated that he would like to send the request to the Memorial Committee to come up with an idea for a recommendation for the local people in the community.

Councilman Best stated that the letter from Ms. Brooks mentioned that Amanda Haworth loved playing baseball with her son and she loved animals.

Mayor Bain added that the Haworth family was established in Miami Springs for a long time. He thought it would be a good idea to name the large park at Stafford after her.

City Attorney Seiden explained that the Memorial Committee generally needs a resume or detailed information from the person that is recommending the memorial, including the history of the person’s involvement with the City.

DRAFT

The City Manager commented that the information submitted by Ms. Brooks was sufficient information and the Mayor agreed.

Miami-Dade County Police Sergeant Lynne Brooks of 520 Falcon Avenue stated that the death of Amanda Haworth touched her and she wanted to do something in her honor. She explained that Officer Haworth's father has lived in the City of Miami Springs for a long time; he is a member of a local church in the community. Although Amanda did not live here, she visited the City a lot.

Ms. Brooks said that she was thinking of a memorial at the park across from the High School because it is the location of the dog park and the baseball field.

City Manager Borgmann commented that the big field at Dove Avenue Park is called Peavy Field.

Mayor Bain said that Council would ask for a recommendation from the Memorial Committee and Ms. Brooks would be notified when they meet so that she could present her ideas.

Ms. Brooks explained that she spoke with Mr. Haworth to see how he would feel about it and he gave his approval for the dedication of a park.

City Manager Borgmann added that Officer Castillo's wife is a graduate of Miami Springs Senior High School.

Vice Mayor Ator was of the opinion that a Police Memorial is a good idea, but she is concerned about locating it at Stafford Park because the City does not own the property.

Council referred the request for the memorial to the Memorial Committee.

10B) Board of Parks and Parkways Requests

City Manager Borgmann stated that he was asked to review the recommendations made by the Board of Parks and Parkways, as outlined in their minutes. He received a memorandum from the Chairman and provided a response.

The City Manager said that a picnic table was removed as it was a liability; the wooden benches could be repaired, they were repainted and the slats were replaced. The stone benches; racquet ball west wall was painted and the front wall is scheduled to be painted. He understands that Board Chairman Richey was making a request to Commissioner Sosa's office for the curbing around the library.

DRAFT

The City Manager explained that the Board also discussed 15 oak trees on Westward Drive and there was a question as to whether these were new tree plantings or replacements. Public Works Director Robert Williams will follow up on this request as well as the need to replace two oaks on Curtiss Parkway. In response, a list of 33 tree plantings was provided by Public Works.

City Manager Borgmann stated that the Board also mentioned the timers for the parkway lights and they will be adjusted to the daylight savings time.

Vice Mayor Ator said that Council does not receive the Board of Parks and Parkways minutes until the second Council meeting of the month, which delays the response to their requests. She offered to share some of the items that were discussed at the meeting of March 10th. The list provided includes 35 trees although the purchase order specified 33 trees, which is confusing. They also wanted to make it clear that their desire is for 33 trees in addition to the 75 trees funded by the grant.

Vice Mayor Ator explained that the Board members also had questions related to the upkeep of parkways and there was nobody present from Public Works to respond. She learned that someone used to attend their meetings until six months ago and she requested that someone from the City attend their meetings in the future.

City Manager Borgmann explained that the Board Secretary is a Public Works employee and she could report the questions that were raised at the meeting the very next morning.

Vice Mayor Ator said that there were many questions and the secretary does not have the authority to answer questions. The Board members are upset about the Butterfly Garden because Public Works cut back all the flowers that attract the butterflies.

City Manager Borgmann explained that there is a problem with the safety and security of the butterfly garden and people who are in the park.

Mayor Bain stated that there were many calls received about the park being neglected and it was so overgrown that it was a safety concern.

(Agenda Item 10F was considered before 10C)

(Mayor Bain called for a five-minute recess at 8:44 p.m.)

10C) Facility Agreement – Jazzercise

City Manager Borgmann stated that Council received an amended agreement on the dais. The only change was in the first paragraph to clarify that Brenda Knight is a licensed franchisee and referred to within the agreement as Jazzercise.

DRAFT

City Attorney Seiden explained that the basic agreement is with her individually and the agreement was revised to make it correct.

To answer the Mayor's question, City Manager Borgmann clarified that Brenda Knight pays the City \$400.00 per month.

Councilman Best moved to approve the revised agreement. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

10D) Agreement with the American Red Cross to Operate a Disaster Shelter for the City

City Manager Borgmann stated that one of the main purposes of the new Community Center and the funding that was received was directly attributable to the operation of the building as a potential after action disaster shelter. The City is not prepared to operate such a facility and the Red Cross has these agreements in place with everyone they operate a facility for.

The City Manager explained that the agreement is in draft form; it was reviewed by the City Attorney who had some comments. The City would be the entity in charge of the building and would advise the Red Cross what areas they would have available to assist people. The Red Cross would be responsible for the portable bathroom facilities, the food, etc.

City Manager Borgmann stated that he would like the Community Center go through a significant storm before considering the building for a "during event" shelter. This recommendation is based on past history of a category five building on the west coast that began to buckle during a storm and the people had to be moved out.

Mayor Bain asked if there would be a provision included in the agreement that the Red Cross would accommodate local residents first.

City Manager Borgmann responded that he doubts that there would be preference given to local residents based on the fact that the City received County and Federal monies for the construction of the building.

To answer Councilman Espino's question, City Manager Borgmann explained that Miami-Dade County Emergency Management Operations directs residents to local shelters in their neighborhoods and Miami Springs would be included as an "after action" shelter.

Vice Mayor Ator was concerned about having sufficient time to install the protective floor covering in the gymnasium.

DRAFT

City Manager Borgmann explained that everyone should be self-sufficient for at least 72-hours after a disaster and this allows government the time to assess, organize and respond. The flooring would be put down in the gym before anyone is allowed inside.

City Attorney Seiden assured Council that their concerns about the flooring were addressed in Subsection (3). The designated area in the facility is turned over to the Red Cross after the City has completed the preparatory work.

Vice Mayor Ator reiterated that it should be very specific that the City needs a certain amount of time to prepare the gymnasium.

City Manager Borgmann explained that Staff and the Red Cross would conduct a pre-assessment of the building.

City Attorney Seiden clarified that the City has control over the building until it is turned over to the Red Cross.

The final agreement will be submitted for Council approval at the next meeting.

10E) CITT Fund Analysis

City Manager Borgmann stated that there is a balance of Citizen Independent Transportation Trust Funds (CITT) totaling \$442,591 that represents the 80% transportation share that can be used for roads and sidewalks. There is a balance of \$197,871 in the 20% transit share that is used to cover the cost of the shuttle, traffic calming, signage and devices.

The City Manager reported the following pending projects totaling \$115,171.00:

- \$9,784.00 for Paving for the Springview Elementary Bus Stop
- \$1,456.00 for re-striping Miami Springs Elementary area
- \$22,877.00 for milling and paving along Osage Drive and Miller Drive
- \$50,204.00 for milling and paving areas of Ludlam and Linwood Drive to Whitethorn Drive and Oriole Avenue to Falcon Avenue.
- \$30,850.00 for various sidewalk repair projects from Hammond to Starling and Redbird to Meadowlark

City Manager Borgmann stated that there is a wish list of additional sidewalk and road projects.

Vice Mayor Ator explained that the Board of Parks and Parkways also discussed the replacement of the damaged bollard lights on Curtiss Parkway. They would like the City to maintain an inventory of replacement lights when the lights are hit or damaged since it is a beautification/safety issue.

DRAFT

Vice Mayor Ator added that the Board of Parks and Parkways would also like the City to implement a procedure for testing the lights to make sure they are working.

The City Manager clarified that the bollard lights were funded through a grant and he would check to see if CITT funds could be utilized for replacement lights.

To answer Mayor Bain's question, Finance Director William Alonso clarified that the City receives approximately \$30,000 per month from the CITT funds and the next seven months would generate \$224,000.

Mayor Bain would like the Administration to check the paving on Ludlam Drive by the convenience store where the water collects instead of running down to the drain.

10F) Agreement Extension with Curtiss Mansion, Inc.

City Manager Borgmann stated that the conclusion of the Curtiss Mansion restoration is getting closer and they are beginning the process of finalizing the details of Phase 2, which are the operating provisions to the original agreement. Such detail will be needed to be considered by Council in the near future. However, until that time, Curtiss Mansion, Inc. (CMI) needs to operate under the basic tenets of the agreement signed in September 2000, with extensions in 2003 and 2006.

Since the original agreement and the two extensions have expired, another extension must be granted, according to Mr. Borgmann. The agreement being presented for consideration is identical to the previous extensions. It is highly likely that as part of the City's budget process that will begin shortly, consideration will have to be given as to how the Mansion will be operated and funded.

City Manager Borgmann explained that the original agreement was signed prior to September 11, 2001 and the current economic turmoil with assumptions made during those economic times. Detailed estimates for an operating budget for the Mansion will have to be developed by CMI and the City and a new Phase 2 operating plan developed.

City Manager Borgmann noted one change to the agreement on page three. Instead of the extension ending December 31st it should be September 30th, with a new agreement to be in place as of October 1, 2011.

Councilman Espino moved to approve the extension agreement for CMI. Councilman Lob seconded the motion, which was carried 5-0 on roll call vote.

Mayor Bain asked CMI President Jo Ellen Phillips how the fundraising is going on the \$400,000.

DRAFT

Ms. Phillips responded that CMI is working and getting closer to acquiring the funds. She said that the sale of the brick pavers is commencing.

Ms. Phillips spoke with Rajeev Brown of Experience Aviation and they will begin serious advertising for the summer STEM Academy Program for middle and high school students. The expected grand opening is planned for June 1st.

10G) Progress Report Regarding Paving Done in the City

City Manager Borgmann referred to a list of projects explaining that there were areas that had been paved and other streets that are scheduled to be paved.

10H) Radar Sign Installation Progress

City Manager Borgmann reported that all the radar signs are installed in the various locations.

Councilman Best commented that the radar signs are good because they help to slow down the traffic in the appropriate locations.

10I) Batting Cage Report

City Manager Borgmann stated that a quote was received for \$12,000 and Little League President Otto Camejo was under the impression that the funds would be donated to the Little League so that he could fix the batting cages.

Assistant City Manager Ronald K. Gorland said that the City must get three quotes according to the purchasing requirements. He explained that Mr. Camejo is adamant that he and his team can do the repairs for much less and they want to apply the balance of the funds to other needs. He suggested holding a meeting with Mr. Camejo to find out exactly what he is proposing.

Councilman Espino stated that Mr. Camejo would be able to do the flooring and he was offering to take care of everything for a certain amount of money.

Mayor Bain felt that Mr. Camejo should submit an official quote for the batting cage repair the same that is required for everyone else. The batting cage is the responsibility of the City and the Little League raises funds for their other needs.

DRAFT

Assistant City Manager Gorland stated that the intention of the Little League is to raise the funds for the improvements rather than the City doing the repairs; it must be clear who is going to do the work and then it would come back to Council for approval of a portion of the expense or the entire amount.

11. Other Business:

11A) Vote of Confidence for the City Attorney as Required by Section 8.01 (1) of the City Charter

Vice Mayor Ator moved to give a vote of confidence to the City Attorney. Councilman Lob seconded the motion.

Vice Mayor Ator stated that the City is very lucky to have the wealth of knowledge from City Attorney Seiden. She said that although they might not always agree, they have had very intelligent discussions about their disagreements and she appreciates his knowledge that he offers for a very good rate.

Councilman Lob thanked the City Attorney for his wealth of experience; the City is very lucky and he is glad to have him as the attorney.

Councilman Espino thanked the City Attorney for his service. He appreciates his experience and likes sparing with him occasionally because that is what allows Council to put forth effective policies.

Councilman Best joked that prior to 1762 the State of Georgia disallowed attorneys by British Code. He recommended the continuation of Attorney Seiden's services to the City as he is certainly above board in everything he does and he is more than satisfied with every communication he has had with him. He has legally advised and guided him during his six years as a Council member and would like him to continue to do the same.

Councilman Best said that it is advantageous and interesting that Mr. Seiden has held the position for so many years in terms of the history and his knowledge of the City. He offered his wholehearted support as a vote of confidence.

Mayor Bain stated that the City Attorney has his vote of confidence and he would reserve his comments for later.

City Attorney Seiden appreciated Council's comments and favorable words. He agrees with the Vice Mayor and Councilman Espino that every issue that is raised does not always require full agreement because that is what the process is all about.

DRAFT

Attorney Seiden commented that it is valuable that there is some perspective about what happened in the past and what will happen in the future. He recalled that many years ago the Administration used to joke about former Finance Director Don Nelson's defensive response and that was "That is always the way it was." This is not a good response since there must be an understanding of why things were done the way they were and why they should be different.

City Attorney Seiden stated that he enjoys working with the Mayor, Council and Administration and it has been very rewarding for him over the years and hopes to continue to do the same.

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

11B) Vote of Confidence for the City Clerk as Required by Section 8.01 (1) of the City Charter

Councilman Best stated that he has become better acquainted with City Clerk Magali Valls over the years and she is another stellar example of the City Staff. She is on top of things relative to Council's requests and has earned her Certified Municipal Clerk (CMC) certification that not everyone recognizes. She is a tremendous asset to the City in terms of the dissemination of information to Council and the City as a whole and complies with the statute for notification to the public.

Councilman Best said that he is very pleased to have Magali Valls as the City Clerk and hopes the relationship continues as it has to date. He offered his endorsement as a vote of confidence.

Councilman Espino stated that City Clerk Valls is a true professional in every sense of the word. She is extremely responsive, her attention to detail is unbelievable and she facilitates his ability to respond exceptionally well. He would dare anyone to find a better City Clerk in Miami-Dade County or anywhere else. The City is truly blessed to have Magali in Miami Springs and he hopes that she continues to serve the City for years to come. He offered his vote of confidence.

Councilman Lob stated that he could not say much more than what was already said about the City Clerk except that he hopes that she never leaves. He said that she definitely has his vote of confidence.

Vice Mayor Ator agreed with Councilman Lob that there is not much left to be said about Magali. She said that City Attorney Jan Seiden might not be perfect, but Magali is certainly perfect.

Vice Mayor Ator moved to give the City Clerk a vote of confidence. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

12. Reports & Recommendations:

12A) City Attorney

Annexation

City Attorney Jan K. Seiden stated that the proposed annexation was scheduled for hearing before the Infrastructure and Land Use Committee of the Miami-Dade County Commission on Wednesday, March 9th and it was postponed because some of the Commissioners were out of town. The meeting is re-scheduled for Wednesday, April 13th and hopefully by that time it will be simply a deferral request for all the four cities as it should be and there would be no consideration on the merits of the application.

Vote of Confidence

City Attorney Seiden thanked the Mayor and Council for their vote of confidence.

12B) City Manager

Beacon Council

City Manager Borgmann reported that the tour with the Beacon Council on Thursday, March 10th went extremely well. The tour included the 36th Street businesses, the Abraham Tract, churches, and schools. It was noted that one of the four public schools is an "A" school and the other three are "B" schools. The Beacon Council also toured the parks, the Community Center, the Curtiss Mansion and the various neighborhoods and housing availability. He said that they were very impressed and surprised to see what the City has to offer as a small community of 13,700 residents.

Election

City Manager Borgmann reminded everyone to vote on Tuesday, March 15th in the County election.

Library

City Manager Borgmann reported that the library is finally open and a Grand Opening celebration is scheduled for Monday, March 28th at 10:30 a.m. Today was a soft opening and Vice Mayor Ator was there with her children.

Popular Annual Financial Report

City Manager Borgmann stated that everyone should have received the Popular Annual Financial Report that was mailed to all residents. He commended Finance Director Alonso for putting together another quality document.

12C) City Council

Commercial Recycling

Councilman Lob referred to the Ecology Board and said that they are looking for feedback from Council on commercial recycling. He would like to give them an update on what has been discussed so far in order to get their recommendations.

Library

Vice Mayor Ator confirmed that the library is a wonderful facility with all new books in perfect condition. Her children enjoyed the visit to the library and there are many computers for public use, as well as internet access in the park.

Movie Night

Vice Mayor Ator said that All Angels movie night would be held this weekend in conjunction with the Cancer Relay for Life during a block of time from 12:00 midnight to 5:00 or 6:00 a.m.

Library

Councilman Espino reported that he went by the library and it is fantastic. There were at least fifteen people there including Martin Crossland. He is looking forward to the Grand Opening ceremony.

Little League

Councilman Espino said that the Little League Opening Day was a great event with Mayor Bain throwing a great pitch.

Meet and Greet

Councilman Espino thanked the Woman's Club for hosting the Meet and Greet candidates' luncheon.

Candidates Forum

Councilman Espino reminded everyone of the Candidates Forum that will be held on Wednesday, March 16th in the Rebeca Sosa Theatre at the Community Center.

Relay for Life

Councilman Espino reminded everyone of the American Cancer Society Relay for Life at 7 p.m. on Friday, March 18th until 1:00 p.m. on Saturday, March 19th. A number of festivities are planned for those not participating with a team, including food, games and entertainment. A very large community sale will be held on Saturday morning.

Dog Park Rules and Regulations

Councilman Best asked if with Council's indulgence if the City Attorney could come up with language to codify the Dog Park regulations prepared by Omar Luna, as mentioned by Mr. Beckerman during Open Forum.

Attorney Seiden said that he received the preliminary list of rules from the Administration and it should be codified in order to install the signage referencing to the ordinance. He is waiting for the final version of the rules and hopes to be able to draft the ordinance for the March 28th Council meeting.

Pelican Playhouse

Councilman Best reminded everyone that the Pelican Playhouse has a new play, "An Inconvenient Corpse" that will open on Friday, March 25th. Director Ralph Wakefield has done a nice job re-writing the play that is funny and custom tailored to Miami Springs.

City Clerk's Salary

Mayor Bain asked the City Manager to prepare a report for the next agenda on the City Clerk's salary history including the last date she received an increase. He said there is a new program in place that would not increase the top of the salary range for that position and he would like a "run down" of where she is and what she has done because she does a great job.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:31 p.m.

Billy Bain
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.

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

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**City of Miami Springs General Employees'
Retirement System
Minutes of the Meeting Held
February 3, 2011**

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
Francisco Arguelles, Trustee
Robert Whittington, Trustee
James Borgmann, Trustee

OTHERS PRESENT

Audrey Ross, Pension Resource Centers (PRC)
Allison Bieler, Cypen & Cypen
Brendon Vavrica, Thistle Asset Consulting
Grant McMurry, ICC Capital Management

SWORN INTO OATH OF OFFICE

The City Clerk swore in under oath of office the two new Trustee, Francisco Arguelles.

MINUTES

The board reviewed the minutes of the November 4, 2010 regular meeting.

MOTION: Mr. Whittington made a motion to approve the minutes of the November 4, 2010 regular meeting.

SECOND: Ms. Bowein seconded the motion.

CARRIED: The motion carried 5-0.

INVESTMENT MANAGER REPORT: ICC CAPITAL MANAGEMENT (GRANT MCMURRY)

Mr. McMurry stated that last quarters underperformance was primarily due to the one month of July, and for the quarter ending December 31, 2010 the same thing happened in the month of December. In December there was not much of a difference between stocks and sectors, but since then the market environment has changed. In 2010 small cap stocks did better, but as we go into 2011 we are already seeing the large cap stocks outperforming. Mr. McMurry explained that people are now starting to understand the concept that investing in the large Companies with the clean financials will reward them. Although he commented that his concern right now is in the bond market. Bonds were negative for the quarter which has not happened in a while, and rates are still low.

Mr. McMurry stated that we need to get the cash flows to come back into the market to get it stimulated again. Also the continuation of the tax structure will probably help keep stimulating the market as well. He commented that hopefully the market will continue to come back around as we are starting to see some changes going into 2011.

Lastly, Mr. McMurry announced that ICC Capital has bought out another investing firm called

Valley Forge out of Pennsylvania. The transition was completed in January. He explained that this company will help them out tremendously on the equity side since they are sector specific, in which ICC is not. Valley Forge does not do any fixed income at this time. Both companies are combining their models together on the equity side, which will be very beneficial to their portfolio. ICC is integrating their system into Valley Forge's which will help enhance their equity produce which will be ran out of the California office. Mr. McMurry stated that with this merge it will bring ICC to \$4B in assets under management, and the other company currently has about 100 clients with none in Florida.

INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (BRENDON VAVRICA)

Mr. Vavrica briefly reviewed the Callan periodic table of investment returns from 1991 to 2010. He pointed out that it is scattered throughout so you can not tell what stocks or sectors you should be in, in the future or at any given timeframe.

He reported that for the quarter growth did better then value, and fixed income had a negative return for all sectors. Mr. Vavrica reviewed the policy checklist and stated that the total fund is trailing behind for the 3 and 5 year period. As of December 31, 2010 there was 64% in equities, 312% in fixed and 5% in cash. The total fund net of fees outperformed at 6.69% versus the index at 5.49%, the total equities also outperformed the index at 12.14% versus 10.76% and the total fixed income was negative but ahead of the benchmark at -2.04% versus -2.17%. He commented that currently the equities are a little over weighted so they will be trimming back there shortly. Mr. Vavrica explained the risk versus return chart and commented that the Fund is laying in the bad quadrant, which means we are taking more risk and getting less of a return.

DISBURSEMENTS APPROVAL

Ratification of warrants processed since the November 4, 2010 meeting:

Warr. #	Payee	Amount	Invoice Date
284	Salem Trust Company 7/1/10 - 9/30/10 Custodian Fee)	\$1,684.07	10/15/10
	Mutual of Omaha (Inv# 000190265034 - November 2010 Life Insurance Fee)	\$95.04	10/22/10
	ICC Capital Management, Inc. (Inv #57530846- 10/1/10 - 12/31/10 Quarterly Management Fee)	\$16,589.18	10/5/10
	Resource Centers, LLC (Inv #10900- November 2010 Admin Fee)	\$1,350.00	10/29/10
	Thistle Asset Consulting, Inc. (Inv #20101015 - Performance Monitoring for the quarter ending September 30, 2010)	\$3,990.00	10/25/10
	FPPTA - 2011 Annual Membership Dues	\$600.00	11/2/10
	Holland & Knight LLP - Invoice #2574672 for professional services rendered through October 15, 2010 (Pension Plan Compliance Review).	\$1,465.40	10/22/10
285	Cypen & Cypen (Invoice #5678 - November 2010 Legal Fee)	\$1,000.00	11/1/10
	Mutual of Omaha (Inv# 000192418749 - December 2010 Life Insurance Fee)	\$95.04	11/12/10
	Holland & Knight LLP - Invoice #2563714 for professional services rendered through September 15, 2010 (Pension Plan Compliance Review - IRS Determination Letter).	\$553.00	9/24/10

286	Holland & Knight LLP - Invoice #2587644 for professional services rendered through November 15, 2010 (Pension Plan Compliance Review - IRS Determination Letter).	\$256.66	11/24/10
	Gabriel Roeder Smith & Company - Inv #113646 for services rendered through 11/30/10. (Benefit Calculation for Cardini = \$300, Charges for preparation of the 11/9/10 Actuarial Impact Statement = \$1,412 & Charges to date for the preparation of the 10/1/10 Actuarial Valuation Report = \$530)	\$2,242.00	12/10/10
	Resource Centers, LLC (Invoice #10956 - December 2010 Admin Fee)	\$1,450.00	11/30/10
	Cypen & Cypen (Invoice #5706 - December 2010 Legal Fee)	\$1,000.00	12/1/10
287	Holland & Knight LLP - Invoice #2598675 for professional services rendered through December 15, 2010 (Pension Plan Compliance Review - IRS Determination Letter).	\$481.52	12/27/10
	ICC Capital Management, Inc. (Inv #57531021- 1/1/11 - 3/31/11 Quarterly Management Fee)	\$17,645.35	1/7/11
	Resource Centers, LLC (Invoice #11002 - January 2011 Admin Fee)	\$1,350.00	12/30/10
	Cypen & Cypen (Invoice #5745 - January 2011 Legal Fee)	\$1,000.00	1/3/11

MOTION: Mr. Borgmann made a motion to approve Warrants 284 through 287.

SECOND: Ms. Bowein seconded the motion.

CARRIED: The motion carried 5-0.

BENEFIT APPROVALS

- o Application to exit the DROP
 - Deloris Walker
- o Application for retirement
 - Joseph Cardini

MOTION: Mr. Borgmann made a motion to approve the application to exit the DROP for Deloris Walker.

SECOND: Mr. Whittington seconded the motion.

CARRIED: The motion carried 5-0.

MOTION: Mr. Whittington made a motion to approve the application for retirement for Joseph Cardini.

SECOND: Mr. Borgmann seconded the motion.

CARRIED: The motion carried 5-0.

FINANCIAL STATEMENTS

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

OLD BUSINESS

N/A

NEW BUSINESS

N/A

REPORTS

- Chairman - N/A
- Attorney – Ms. Bieler briefly reviewed House Bill 303 which has since been withdrawn. She reviewed what the proposals were and stated that the State Union PBA worked with Costella to withdrawal the bill and work together to find some answers.

Ms. Bieler announced that the Plan now was an IRS compliance statement and the next and final step is to get the IRS determination letter issued. She explained that the amendments in the compliance statement will go to the State to be reviewed and then they will issue a determination letter.

Lastly she reviewed the letter from Mr. Cypen regarding a fee increase in the monthly retainer by \$500 per month. The board discussed the 50% fee increase and decided that they would accept half of the increase.

MOTION: Mr. Whittington made a motion to approve and accept the monthly retainer fee increase to Cypen and Cypen from \$1,000 to \$1,250 effective March 1, 2011.

SECOND: Mr. Borgmann seconded the motion.

CARRIED: The motion carried 5-0.

- Administrator – Ms. Ross commented that we are planning for the Audit and Valuation and hope to have both presented at the May meeting.

NEXT MEETING DATE

Thursday May 5, 2011 @ 8:30 AM

ADJOURN

The meeting adjourned at 9:38AM

Respectfully submitted,

Sherryl B. Bowein, Secretary

**City of Miami Springs Police and Firefighters'
Retirement System
Minutes of the Meeting Held
February 3, 2011**

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)
Allison Bieler, Cypen & Cypen
Brendon Vavrica, Thistle Asset Consulting
Grant McMurry, ICC Capital Management

MINUTES

The board reviewed the minutes of the November 4, 2010 regular meeting.

MOTION: Mr. Kahn made a motion to approve the minutes of the November 4, 2010 regular meeting.

SECOND: Mr. Duffy seconded the motion.

CARRIED: The motion carried 5-0.

INVESTMENT MANAGER REPORT: ICC CAPITAL MANAGEMENT (GRANT MCMURRY)

Mr. McMurry stated that last quarters underperformance was primarily due to the one month of July, and for the quarter ending December 31, 2010 the same thing happened in the month of December. In December there was not much of a difference between stocks and sectors, but since then the market environment has changed. In 2010 small cap stocks did better, but as we go into 2011 we are already seeing the large cap stocks outperforming. Mr. McMurry explained that people are now starting to understand the concept that investing in the large Companies with the clean financials will reward them. Although he commented that his concern right now is in the bond market. Bonds were negative for the quarter which has not happened in a while, and rates are still low.

Mr. McMurry stated that we need to get the cash flows to come back into the market to get it stimulated again. Also the continuation of the tax structure will probably help keep stimulating the market as well. He commented that hopefully the market will continue to come back around as we are starting to see some changes going into 2011.

Lastly, Mr. McMurry announced that ICC Capital has bought out another investing firm called Valley Forge out of Pennsylvania. The transition was completed in January. He explained that this company will help them out tremendously on the equity side since they are sector specific, in which ICC is not. Valley Forge does not do any fixed income at this time. Both companies are combining their models together on the equity side, which will be very beneficial to their portfolio.

ICC is integrating their system into Valley Forge's which will help enhance their equity produce which will be ran out of the California office. Mr. McMurry stated that with this merge it will bring ICC to \$4B in assets under management, and the other company currently has about 100 clients with none in Florida.

INVESTMENT CONSULTANT REPORT: THISTLE ASSET CONSULTING (BRENDON VAVRICA)

Mr. Vavrica briefly reviewed the Callan periodic table of investment returns from 1991 to 2010. He pointed out that it is scattered throughout so you can not tell what stocks or sectors you should be in, in the future or at any given timeframe.

He reported that for the quarter growth did better then value, and fixed income had a negative return for all sectors. Mr. Vavrica reviewed the policy checklist and stated that the total fund is trailing behind for the 3 and 5 year period. As of December 31, 2010 there was 64% in equities, 312% in fixed and 5% in cash. The total fund net of fees outperformed at 6.58% versus the index at 5.49%, the total equities also outperformed the index at 12.03% versus 10.76% and the total fixed income was negative and behind the benchmark at -2.22% versus -2.17%. He commented that currently the equities are a little over weighted so they will be trimming back there shortly. Mr. Vavrica explained the risk versus return chart and commented that the Fund is laying in the bad quadrant, which means we are taking more risk and getting less of a return.

DISBURSEMENTS APPROVAL

Ratification of warrants processed since the November 4, 2010 Meeting:

Warrant #	Payee	Amount	Invoice Date
236	ICC Capital Management, Inc. (Inv #57530845 - 10/1/10 thru 12/31/10 Quarterly Management Fee)	\$24,755.83	10/5/10
	Salem Trust Company (7/1/10 - 9/30/10 Custodian Fee)	\$2,513.19	10/15/10
	FPPTA - 2011 Annual Membership Dues	\$600.00	11/2/10
	Thistle Asset Consulting, Inc. (Inv #20101014 - Performance Monitoring for the quarter ending September 30, 2010)	\$3,990.00	10/25/10
	Resource Centers, LLC (Inv #10901 - November 2010 Admin Fee)	\$750.00	10/29/10
237	Cypen & Cypen (Inv #5677 - November 2010 Legal Fee) & (Inv #5705 - December 2010 Legal Fee)	\$2,000.00	11/1/10 & 12/1/10
	Resource Centers, LLC (Inv #10957 - December 2010 Admin Fee)	\$750.00	11/30/10
238	Cypen & Cypen (Inv #5744 - January 2011 Legal Fee)	\$1,000.00	1/3/11
	Resource Centers, LLC (Inv #11003 - January 2011 Admin Fee)	\$750.00	12/30/10
	ICC Capital Management, Inc. (Inv #57531020 - 1/1/11 thru 3/31/11 Quarterly Management Fee)	\$26,429.16	1/7/11
	FPPTA - Trustee School Registration for Gene Duffy (January 30 , February 2, 2011, St. Augustine)	\$450.00	1/13/11
	FPPTA - Hotel Reservation for Gene Duffy (January 30 , February 2, 2011, St. Augustine) Confirmation #324L95HJ	\$567.00	12/16/10
	FPPTA - CPPT Continuing Education Re-Certification Fee for Gene Duffy	\$30.00	12/12/10
239	FPPTA - Trustee School Registration for Ray Buckner (January 30, February 2, 2011, St. Augustine)	\$450.00	1/20/11

	Resource Centers, LLC (Inv #10861 - Fed Ex Overnight Shipping - Division of Retirement)	\$18.01	9/30/10
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MOTION: Mr. Kahn made a motion to approve Warrants 236 through 239.

SECOND: Mr. Duffy seconded the motion.

CARRIED: The motion carried 5-0.

BENEFIT APPROVALS

- o Application for retirement
- Edward Steel
- o Application to exit the DROP
- David Bechler
- o Application for distribution of DROP account (closeout)
- David Bechler

MOTION: Mr. Kahn made a motion to approve the application for retirement for Edward Steel.

SECOND: Mr. Buckner seconded the motion.

CARRIED: The motion carried 5-0.

MOTION: Mr. Kahn made a motion to approve the application to exit the DROP for David Bechler.

SECOND: Mr. Duffy seconded the motion.

CARRIED: The motion carried 5-0.

MOTION: Mr. Kahn made a motion to approve the application for distribution of DROP account (closeout) for David Bechler.

SECOND: Mr. Buckner seconded the motion.

CARRIED: The motion carried 5-0.

FINANCIAL STATEMENTS

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

OLD BUSINESS

N/A

NEW BUSINESS

N/A

REPORTS

- o Chairman - N/A
- o Attorney - Ms. Bieler briefly reviewed House Bill 303 which has since been

withdrawn. She reviewed what the proposals were and stated that the State Union PBA worked with Costella to withdrawal the bill and work together to find some answers.

Lastly she reviewed the letter from Mr. Cypen regarding a fee increase in the monthly retainer by \$500 per month. The board discussed the 50% fee increase and decided that they would accept half of the increase.

MOTION: Mr. Kahn made a motion to approve and accept the monthly retainer fee increase to Cypen and Cypen from \$1,000 to \$1,250 effective March 1, 2011.

SECOND: Mr. Buckner seconded the motion.

CARRIED: The motion carried 5-0.

- Administrator – Ms. Ross commented that we are planning for the Audit and Valuation and hope to have both presented at the May meeting.

NEXT MEETING DATE

Thursday May 5, 2011 @ 8:30 AM

ADJOURN

The meeting adjourned at 9:38AM

Respectfully submitted,

Oscar Garcia, Secretary

DRAFT



CITY OF MIAMI SPRINGS, FLORIDA

The **Board of Parks and Parkways** met in Regular Session at 7:00 p.m., on Thursday, March 10, 2011 in the Council Chambers at City Hall.

1. Call to Order/Roll Call

The following were present:

Chair Eric Richey
Vice Chair Jean Ansbaugh
Board Member Jorge Filgueira
Board Member Tammy K. Johnston
Board Member Irene Priess

Also present:

Board Secretary Aly Paz

2. Approval of Minutes

Chair Eric Richey requested changes to be made to the minutes of February 10, 2011.

Council Liaison Jennifer Ator, 901 Falcon Avenue requested to address the board regarding the previous minutes. She thinks the minutes should reflect what the board exactly talks about. She understands that the board members discussed multiple spaces along Westward Drive that need to be filled and the board is requesting oak trees to be planted there. Liaison Ator stated that 33 oak trees have been ordered and the board might suggest that those oak trees be planted in those empty spaces on Westward Drive. She also stated that Council approved a grant for 75 additional trees.

Chair Richey stated that the 2011 Street Planting Log from City Arborist Tom Nash actually has 35 trees listed, not 33. He explained there were actually 27 addresses listed but there were two trees at eight places.

Liaison Ator inquired if the places listed were the places the Board wishes to have the trees planted.

Chair Richey stated that eight are on the list for Westward Drive for this time and thought Mr. Nash may have already put some on Westward Drive. He also stated that the only oaks ever removed were for the gym.

Liaison Ator stated she understood why the Board wished to change their minutes. She knows that 33 trees were ordered because Council approved the invoice for 33 trees; they did not receive a list for placement. Within the next two meetings, Council received the grant proposal for 75 trees. She asked at that meeting about the 33 trees that were going to be ordered and the City Manager said the 33 trees were included in the grant. She said they should not be part of the grant because they were ordered prior to the grant proposal and the City Manager said that he would look into the matter. She emphasized that she wanted 33 oak trees plus 75 trees.

Chair Richey inquired if the grant was for 75 trees and Liaison Ator clarified that is what the grant asked for. He then stated that these are two separate things.

Liaison Ator explained that she has always been a big tree person and when they prepared the budget two years ago she inquired where the funds were for the trees. Mr. Nash did not have the answer at that meeting and he came back the next week and stated that the money is not in the budget because they apply for a grant every year and when the money is received it is placed in the budget for tree planting.

Liaison Ator stated that when they were working on this year's budget she inquired as to how many trees were planted in the previous year. Public Works Director Robert Williams told her they did not plant any trees. She knew this not to be true since she was there when they planted three of them on Arbor Day. Mr. Williams explained that the grant money was to replant trees at the golf course. She understood that it was because of the irrigation and the drainage project.

Liaison Ator said that she advocated for money in the budget for planting trees and \$20,000.00 was placed in the budget to actually plant trees. She does not want to find out at the next budget workshop that no trees were planted again this year. She asked before Christmas what the status was on the trees and she received a memo stating they were ordering 33 trees.

Chair Richey again asked if they were not talking about two different things. The City has budgeted \$20,000.00 for the oaks and is applying for 75 more trees. He knows that the City has planted trees this year, but inquired if the City had planted \$20,000.00 worth of trees.

Liaison Ator stated that if they have planted trees, they have not been through the budget.

Chairman Richey asked when the budget started and Liaison Ator informed him that the budget started October 1, 2010. He understands that the \$20,000.00 should be spent prior to October 1, 2011.

Liaison Ator explained that is why she asked what was happening with the trees.

To answer Chair Richey's question, Liaison Ator responded that they usually know when the grant funds are received before Arbor Day since she remembers speaking to Mr. Williams about the money at past Arbor Day celebrations.

Board member Priess stated that the list of addresses usually is for the replacement trees that are in front of residences where trees have been removed.

Chair Richey confirmed that Mr. Nash had told him this was so, with the exception of the trees on Westward Drive.

Liaison Ator inquired if there had ever been a list compiled of trees lost during Hurricane Katrina or Wilma that need to be replaced.

Chair Richey stated that has always been the case, except the pace has been slower than it might have been if there was more abundant money.

Liaison Ator noticed that some of the stumps were not even removed until last year.

Chair Richey stated that stumps are removed in a package after they have cut a number of trees and since the City did not have a stump grinder in the past they would wait and have them removed at one time.

Minutes of the February 10, 2011 were approved as amended.

Board member Irene Priess moved to approve the minutes. Board Member Jean Ansbaugh seconded the motion, which was carried unanimously by voice vote.

3. Old Business

A. Library Grounds

Chair Richey stated that he had not received any feedback from Council regarding the curbing along the driveway or to the request for the Board to investigate the status of the Butterfly Garden and any recommendations for improvement. He asked for this item to remain on the agenda for the next Board meeting.

Chair Richey would like to recommend again to Council that they direct Public Works to finish painting the exterior south wall of the racquetball court before the grand opening of the library.

Chair Richey informed the Board that he was told by Mr. Castro, the Miami-Dade County person in charge of the library restorations, that he requested the south wall to be painted also and that Public Works had agreed.

Chair Richey asked if Liaison Ator wished to address the Board about the Butterfly Garden.

Liaison Ator stated that she understands there is interest in revitalizing the garden and there is also interest from Mr. Bob Schwinger to adopt that garden. The Council inquired what kind of "Adopt the Park" program he had in mind so something formal could be considered. The Administration acquired information about the program and it was more complicated than anyone wanted it to be.

Liaison Ator stated that everyone thought that Mr. Schwinger just wanted to donate park amenities and did not want a complicated program. However, Mr. Schwinger does want to adopt the park and get volunteers together to keep it up. He would like to have some type of input, but has not approached Council with any type of grand plan. She suggested that the Board might talk to him and work with him on his project.

Chair Richey stated that he would like the Council to direct the Board to investigate what should be done in the Butterfly Garden as a group that is probably more informed on the area.

Liaison Ator said that she wanted Council to go over the things she and Chair Richey had discussed from the Board's last meeting in February and was told by City Manager Borgmann that they would be discussed at the next Council meeting. She explained that the items were not on the agenda and she asked if they were going to talk about them and was told they would next time.

Chair Richey had made specific recommendations to stop trimming the plants as if they were hedge, because they do not flower and that is the whole point of getting a butterfly. This is just one of the recommendations he made to Mr. Borgmann.

Liaison Ator stated that she does not understand why Mr. Nash does not come to this Board's meetings.

Chair Richey said he used to attend but does not come any more.

Chair Richey wanted to know where to go with this item. He asked if Liaison Ator could say at the Council meeting that the Board is enthusiastic about Mr. Schwinger's request but the Board would like to make certain that the decision about the Butterfly Garden is that it is a well-informed position. This Board still has the original plans and can modify them if they want to but at least there is a goal.

Liaison Ator said that she could speak to the Council, but one of her limitations is that even if she asked for this to be written up so she could talk about it, it is unlikely that she would have it in written form for everyone to read in advance and it would not get the same consideration. Most likely it would be considered at the meeting of March 28th.

Liaison Ator suggested Chair Richey should speak with Mr. Schwinger and if they come to a meeting of the minds, action could be taken at the meeting on the 28th. If she were to bring it up, the Mayor would say to place it on the next agenda and then at the next meeting it would be suggested that this Board and Mr. Schwinger should talk to each other and it would only delay any action.

Chair Richey stated that some form of preparation is needed before the grand opening of the library, because the Butterfly Garden looks bad and the benches are another issue. He suggested that Public Works fix the benches to level them so that they would remain upright. Mr. Castro actually took two of the benches from the palm glade area.

To answer Liaison Ator's question, Chair Richey stated that Mr. Castro took the benches for protection and he did not know if they had been returned yet or not. He reiterated that at least the benches could be straight and that the picnic table was removed.

Chair Richey asked if there is a future plan for the garden.

Liaison Ator stated that the grand opening of the library will probably not be until May, but the library is opening next week.

Board member Priess explained that the opening is next Monday, March 14th.

Liaison Ator agreed that the Butterfly Garden needed to be spruced up.

The Chair said he understood and was not talking about the first opening, but the grand opening. It is not a very pleasant place to be right now.

Liaison Ator agreed with Chair Richey that the garden should be spruced up for the grand opening since pictures would probably be taken.

Chair Richey stated that everything the County has done looks great and the Butterfly Gardens does not. The other issue with the Butterfly Garden is if our maintenance department takes care of it, and from what you said, Mr. Schwinger wanted to replant it and maintain it.

Liaison Ator clarified that Mr. Schwinger specifically said he would get volunteers together.

Chair Richey said that it sounds like good intention, but if we put the Public Works crew in there, they are going to cut it back.

Liaison Ator stated that in defense of the City employees, she thinks that it is a management issue. Employees have the ability to do what they are told, that is not a skill issue, that is a management issue and someone is responsible for that.

Chair Richey stated that the Board had been through this since he has been on this board.

To answer Liaison Ator's question, Chair Richey explained that his proposal is to have someone who is well trained to take care of the Butterfly Garden.

Liaison Ator said that is exactly what she is saying and someone has to be held responsible and the question is who is to be held responsible.

Chair Richey stated that Public Works Director Robert William would be responsible.

Liaison Ator thought that the message needs to come from the Council that somebody is going to be held accountable.

Chair Richey stated it could be a very pretty place and it should be properly maintained.

Liaison Ator stated that her experience with Mr. Williams is that he is very responsive and he has tried very hard to do whatever Council asks.

Chair Richey agreed to meet and speak with Mr. Schwinger so the Council does not have to wait for two months.

Liaison Ator was confident that Mr. Schwinger, who has really expressed this interest, will agree to be involved. She stated that certainly the Board's participation to work together helps Council with their issue with Mr. Schwinger and the "Adopt a Park" plan. If the Board recommends a plan that Mr. Schwinger agrees with it would certainly take that burden off of the shoulders of the Council members.

B. Bollard Lights along Curtiss Parkway Walk Path

Chair Richey opened discussion on the bollard lights.

Liaison Ator asked if he has seen any improvement and he stated that the timer has been fixed and they put yellow caution tape around those lights that are not burning.

Liaison Ator asked about the yellow caution tape and he explained they have to mark them to know which ones are not working and they are working on them.

Chair Richey wants Council to budget money to buy some lights and store them for replacement purposes. He can take her right now and walk her down two blocks and show her many problems.

Liaison Ator asked if the problem was the physical container and he said it is.

Liaison Ator asked if the city had originally purchased them and Chair Richey stated they were purchased through a grant and he did not know their cost, but they are exactly the same as the newly installed ones on Curtiss Parkway and Ludlam Drive paths.

Liaison Ator is sure that CITT money can be used for the lights. It is not budgeted money and would not have to wait until the next budget cycle. The Council has on the agenda for this week the report on the remainder of the CITT monies.

Chair Richey expressed his concern about the problem with three to five bollard lights being out at any given time on Curtiss Parkway and can imagine what Ludlam Drive will look like.

Liaison Ator stated that there have been many complaints because there are too many lights on North Royal Poinciana. Because they are so bright and there are so many they even turn them off at midnight and as they replace the bulbs, the bulbs they are going to are a lower wattage.

Chair Richey explained that one of the problems is that no one notices when the lights are out because no one works at that time.

Liaison Ator stated that people will call to report the lights that are out.

Chair Richey suggested that it would require some man hours to work on the lights every single month. The lights need to be marked when they are out by a trustworthy person and that would be a City employee.

Liaison Ator suggested that maybe the answer is to discuss it with Public Works and if they might agree to have them turned on during regular hours to check or have a Public Service Aid go once a month to check and mark the ones with the red plastic tape.

Chair Richey agreed that once a month would be good, but to have them out longer than a month is a disservice to the community and there are so many of them out now. He explained that he wants the discussion to take place at the Council meeting so the lights get the kind of attention that the Board members cannot give.

Liaison Ator said that she asked for the item to be discussed at the February 14th meeting in order to have it placed on the agenda two weeks later and it was not put on the agenda. She again asked for it to be placed on the next agenda as a report of what had been taken care of.

C. Grant for Street Tree Planting

Board member Jorge Filgueira moved to recommend to Council that in addition to the \$20,000.00 budgeted for the purchase of trees for City planting we recommend that the 75 trees be added to the trees that were purchased from that \$20,000.00. Board Member Tammy Johnston seconded the motion, which was carried unanimously by voice vote.

Liaison Ator informed the Board that the full \$20,000.00 was not used to purchase the 33 oak trees.

D. Landscaping in Front of City Hall

Chair Richey said the Board would like to know if the Public Works Department is making any plans for landscaping in front of City Hall and if they would run that plan by the Board so they could make recommendations.

Liaison Ator suggested that what the Board really needed to do is recommend that someone from Public Works start coming to their meetings.

Chair Richey would like the minutes to reflect that we would request that Council assign a member of Public Works to attend our meetings.

Liaison Ator asked when someone used to attend this meeting, if it was Mr. Nash. Chair Richey informed her it was the previous directors Maria Davis and Denise Yoezle with Mr. Nash and once Ms. Yoezle left they did not have a Public Works Director. Mr. Nash attended for awhile who was the Assistant to the Public Works Director and is our City Arborist.

Liaison Ator stated that either of those people would be okay, since they are both management and no overtime would be involved.

E. Removal of Pine Trees at Prince Field

Chair Richey stated that the last time this was discussed was in Mr. Borgmann's office in a meeting with City Attorney Jan Seiden, Mr. Williams and Mr. Nash to discuss the white fly infestation. The question was asked what the plan was for replacement and Public Works agreed to look into it.

Liaison Ator stated that Mr. Borgmann did bring up this item to Council but it was agreed not to remove them until there was a plan for replacement.

Chair Richey requests that this item remain on the agenda.

Board member Priess inquired what the status of the trees was and if they were damaged since they have been topped previously.

Board member Filgueira agreed to check out the trees and see if any of his neighbors have seen termites in the trees.

Liaison Ator does not think he would have to prove that very many of them were bad in order for the City to feel as if they need to make a real effort to determine what the breadth of the problem is. If they thought that there were two of them with a problem, they would just take those two out. If they thought that thirty percent were a problem then it would become much more of a priority and all of them might as well be removed.

4. New Business: None

5. Adjournment

There being no further business to be discussed, the meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Aly Paz
Board Secretary

Approved as _____ during meeting of: _____

“The comments, discussion, 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

The **Recreation Commission** met in a Special Meeting at 7:00 p.m., on Tuesday, March 15, 2011 in the Council Chambers at City Hall.

1) Call to Order/Roll Call

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

The following were present: Chairman John Shapiro
Dr. Stephanie Kondy
Jorge Santin
Beth Tilman

Absent: Vice Chair Clark Rinehart

Also present: Board Secretary Lina Bryon

2) Approval of Minutes

- i. Minutes of January 12, 2011 meeting were not approved because Board member Tilman and Board member Kondy were absent at the meeting of January 12, 2011.
- ii. Minutes of March 8, 2011 meeting were approved as **written**.

Board member Kondy moved to approve the minutes. Board member Santin seconded the motion which was carried unanimously on voice vote.

3) Old Business:

A) Creation of a "Wall of Fame" at the Community Center

Chairman Shapiro praised the discussions held by the Board members about the "Wall of Fame" during the last meeting and he asked the Board to follow up on the conversations about the Memorial.

Board member Santin suggested simple metal plaques for the individuals that are selected for the "Wall of Fame". He explained that the plaques will have a low price and will be easily approved by the City Council.

Chairman Shapiro agreed and suggested to keep the word "Memorial" out, because this word mainly refers to deceased people.

Board member Santin and Board member Kondy agreed with changing the word "Memorial".

Board member Tilman pointed out that she has a personal bias against buying trophies or plaques, she reiterated that the plaques fall off; they never match and are dusty and boring. She explained that the Board could find somebody to paint the walls at a very low price and it could be prettier and different, like the painted wall at the Recreation Center in the Walking Track; she loves the idea of a mural.

Chairman Shapiro liked her idea but clarified that the same artist should do all the paintings.

Board member Kondy agreed with him.

Board member Tilman replied that it does not have to be the same artist. She explained that if you look at it over a course of time it will be reflective of one year, and then of another year, and then the next year and so on. The painting would be different, but they all will have a uniform size and they could be distinguished based on the year.

Chairman Shapiro replied that the artwork will have to be sealed.

Board member Tilman agreed and explained that there are several ways to preserve the wall because the names do not change.

Board member Santin liked the idea, but he noted that it is the Council who has the last word on the recommendation and the item should be open for discussion. The Board could make a recommendation and wait for the Council's direction.

Board member Tilman reiterated that the mural is atypical and people will like it. A plaque is like somebody is selected for being the Employee of the Month.

Board member Santin reiterated that the Board could only make recommendations to the Council.

Chairman Shapiro stated that by the end of the meeting they must have specific recommendations to the City Council, like the cost of the plaques versus the cost of the paintings and the right location; the jogging track or the wall at the entrance of the Recreation Center.

Board member Santin and Board member Kondy felt that the white wall at the entrance of the Recreation Center is the ideal location.

Board member Tilman also liked it and said that the presentation should include a little ceremony.

Chairman Shapiro agreed.

Board member Santin suggested discussing the guideline criteria.

Chairman Shapiro praised the discussions about the criteria that the Board members had at the last meeting and said that he agreed with everything, especially the selection of non-resident people.

Board member Tilman pointed out that the importance of the selection is based on what people do for the community, not if the person is a resident or not.

Chairman Shapiro said the Board should be inclusive, not exclusive.

Board member Santin highlighted the importance of at least two letters of recommendation for the nominees and everybody agreed by consensus.

The Board members and the Chairman read the Guidelines of the Code referring to the **Memorial Committee** and changed them to apply to the **Recreation Commission**; this segment is contained at the part of the Code referring to "*Boards, Commissions, Committees*". The following language reflects the changes the Board made during the meeting:

Article IV. COMMUNITY CENTER WALL OF FAME. RECREATION COMMISSION

Sec. 32-21. Duties.

The Recreation Commission is charged with recommending to City Council appropriate candidates for induction into the Miami Springs Community Center Wall of Fame.

Sec. 32-22. Rules of Procedure.

In the performance of these duties the Recreation Commission and the City Council shall be governed by the following rules of procedure:

- A) Recommendation for a selection for a candidate may be sought only upon petition of a Miami Springs citizen or citizen group, or by majority vote of the City Council. Nominations from citizens or**

- citizen groups may be made in person at each Recreation Meeting or via the City Clerk in writing.
- B) The Recreation Commission shall consider all petitions and requests for consideration from City Council as noted in Section A at the next Recreation Meeting.**
 - C) Recommendations of the Recreation Commission shall be considered by the City Council at its next regular meeting following receipt of the Board's recommendation.**
 - D) All honorees established under the procedures prescribed by this section shall stand for a minimum of ten years before a name may be removed by majority vote of the City Council. However, a honoree may have a name removed at any time subsequent to a public hearing specifically called to consider the matter, and the rendering of an affirmative four-fifths votes of the City Council for such removing of dismantling.**
 - E) The Recreation Commission shall utilize the following criteria in evaluating eligibility for nomination:**
 - 1. That a person under consideration may be alive or deceased.**
 - 2. That a person must have contributed in some significant manner to the City in the areas of Parks and Recreation of the City.**
 - 3. That a person with ties to the City must have distinguished themselves in acts, actions or activities within the City.**
 - 4. That although compliance with the criteria set forth in subsection 1 herein is required; the failure to comply with any other single criteria is not fatal to consideration so long as at least a combination of two of the other criteria is met.**
 - 5. That notwithstanding anything contained herein to the contrary, the City Council may approve recognition by a four-fifths vote, even if a person proposed for recognition fails to meet any or all of the aforesaid criteria previously set forth herein.**

Chairman Shapiro made a motion to propose the City Council approval for the "Wall of Fame" in a mural type format at an entry wall of the Community Center following the criteria set forth at the Board meeting this evening. Board member Santin seconded the motion and it was carried unanimously.

3) New Business:

B) Consideration of Rescheduling the April 12, 2011 Meeting

The Recreation Commission Board agreed to hold their next meeting on Tuesday, May 10, 2011 at 7:00 p.m.

5) Other Business: None

6) Adjournment

Board member Shapiro moved to adjourn. Board member Santin seconded the motion which was carried unanimously on voice vote.

There was no further business to be discussed and the meeting was adjourned at 8:00 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.

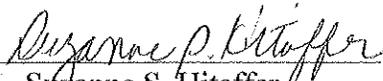
"The comments, discussions, recommendations and proposed actions of City Citizen Advisory Boards do not constitute the policy, position, or prospective action of the City, which may only be established and authorized by an appropriate vote or other action of the City Council".



City of Miami Springs, Florida

CANCELLATION NOTICE

The Historic Preservation Board Regular Meeting of Thursday, March 17, 2011 was canceled in advance.



Suzanne S. Hitaffer
Secretary to the Board

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



REVITALIZATION AND REDEVELOPMENT AD- HOC COMMITTEE

The meeting of the Miami Springs Revitalization and Redevelopment Ad-Hoc Committee was held on Monday, March 21, 2011 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: Laz Martinez
 Arturo Rabade
 Wade Smith
 Todd Stiff
 Joe Valencia (*arrived at 7:19 p.m.)

Also Present: City Manager James R. Borgmann
 Assistant City Manager Ronald K. Gorland
 City Planner Richard E. Ventura
 Deputy City Clerk Suzanne S. Hitaffer

2. Approval of Minutes: February 21, 2011 Meeting

The minutes of February 21, 2011 were approved as amended.

Committee member Smith moved to approve and Vice Chair Stiff seconded the motion.

City Planner Ventura clarified that the minutes reflected his comments, but he would like to add that the third work order for Calvin, Giordano and Associates will be a traffic assessment of Westward Drive between the Circle and the Library.

The motion carried 4-0 on voice vote.

3. Discussion Regarding the Draft Ordinance for the N. W. 36th Street District Boundary Regulations

Chair Martinez explained that the Vice Chair had requested this agenda item for review of the changes that were made by Council at the Special Meeting of March 9, 2011.

Committee member Smith noted that a correction is needed in box two of the Development Review Procedure chart since it repeats City Staff. He said that Council made minor changes and it looks like the ordinance will be adopted at the March 28th Council meeting. He recommended that all Committee members should attend the meeting to show support.

* Joe Valencia arrived at this time.

At the request of Chair Martinez, City Manager Borgmann reported on the meeting and tour of the City facilities, the Golf Course, the Abraham Tract and N. W. 36th Street with the Beacon Council. He explained that the focus of the Beacon Council is on bringing businesses to South Florida, especially Miami-Dade and now they know that Miami Springs is a great place to reside and they were very impressed.

Chair Martinez mentioned that later in the process after the Abraham Tract district boundary regulations are in place it would be a good idea to hold a developer's conference to advise larger scale developers of the changes that were made. He said that the Beacon Council is the second step in the process after first getting some projects on site.

City Manager Borgmann agreed that a developer's conference is a good idea and worth Council's consideration.

Discussion ensued regarding a large tract on N. W. 36th Street that is for sale and potential development into a much larger use.

Vice Chair Stiff stated that under the right conditions the City might give up a street that is only a block or two long, but the water and sewer does not belong to City now and the developer would have to relocate those lines.

City Manager Borgmann added that the developer would have to move the lines as well as construct a lift station and upgrade the fire flow standards.

Committee member Smith noted that he placed a call to Florida Power and Light because there is a power station that is accessible through a fence off of Oakwood Drive and it is a security risk.

The City Manager offered to check with the City's contact at Florida Power and Light.

Chair Martinez asked if there were any comments regarding 36th Street that could be presented to Council for the second reading of the ordinance.

Vice Chair Stiff asked if property tax assessments were based on the current use of the property or highest and best use. He recalled that it was a ballot issue within the last six to eight years to dictate that property would be assessed at its highest and best use.

Chair Martinez informed the Committee members that the work order was approved for the Abraham Tract and the proposed recommendations will be another area for review. He felt that it is a natural course to suggest that Council consider another work order for the Golf District.

Committee member Valencia pointed out that the build-to-line in the proposed ordinance is a good idea for N. W. 36th Street because it will define the street and create a uniform facade. He felt that some of the bonus incentives could be greater because they would provide for better street conditions, while there are others in question because they do not translate to a better looking urban condition.

Mr. Valencia felt that the pedestrian amenities bonus on page 15 could be increased from .25 to .50 and in order to encourage more hotel rooms the bonus of .01 per hotel room could be higher. He added that the bonus for landscape maturity could be more than .25 to encourage better trees. He noted that there is not a lot of room for landscape improvements in the right-of-way and perhaps there could be a credit for planting mature trees next to the sidewalks.

City Manager Borgmann explained that in order to receive credits the developer must provide elements from each one of first four design categories and the fifth is a bonus for green buildings. The developer will present their plan for review by Staff, advisory boards and Council followed by negotiations for various incentives.

Committee member Valencia stated that N. W. 36th street will never be pedestrian friendly and if the intent is to create more pedestrian traffic it would have to be on the back side adjacent to the residential neighborhoods. He added that he supports the design bonus for green buildings, but it is heavily weighed because it does not translate to a good urban street. The intent is good since it will save energy, but normally the improvements are related to electrical and mechanical systems and all buildings should be green.

Mr. Valencia thought that another credit could be included for a compact automated parking garage that takes up less land and street frontage and it would create a better street façade. He said that the definitions for the Streamline Moderne architectural style should be tighter and better defined because the description is confusing. He understands that visual brochures will be given to developers and feels that the proposed ordinance is a good document, but the definition could be tighter.

Councilman Espino acknowledged Mr. Valencia's comment about the vision for N. W. 36th Street and felt that it was very important. He said that the vision was addressed by Council when considering the permitted uses. Calvin, Giordano had included restaurants and retail stores in the permitted uses and it was decided that those uses should be incorporated with larger uses in order to encourage higher density.

Councilman Espino felt Mr. Valencia's recommendations were good; he will bring them to Council for consideration. He added that the natural progression in the Golf District will be weighted more heavily because of the scale in that area.

Chair Martinez agreed that Mr. Valencia brought up good points about the pedestrian amenities, but was not sure if there is time to incorporate changes. He said that there would have to be a requirement that abutting residential would require a walkway or bike path behind the buildings because N. W. 36th Street is a dangerous street for pedestrian traffic.

Committee member Rabade mentioned that Lincoln Road was closed to make it a pedestrian walkway and perhaps something similar on a smaller scale could be done in the back of buildings away from the traffic on 36th Street.

Councilman Espino advised the Committee that he did not want multi-family on N. W. 36th Street even if the Charter allowed it because it would be counterproductive to the intent for higher density. Multi-family would be allowed toward the rear of the properties and it could facilitate a pedestrian walkway or bike path.

Vice Chair Stiff noted that mixed-use development of residential uses up to 20 dwelling units per acre must be built on the northern half of the property if the property is adjacent to N.W. 36th Street, as outlined in (B) (1) (i).

Vice Chair Stiff asked how the Revitalization Specialist would be contracted by City and what prevents them from being contracted by a developer at the same time.

Councilman Espino explained that the Professional Revitalization Consultant only referred to the Consultants and it was changed to Revitalization Specialist and that is an agent of the City that handles this topic. Currently it is Calvin, Giordano and they are paid by individual work orders according to a contract for those services. He cannot say whether or not this precludes them from being contracted by a developer.

City Manager Borgmann stated that there will be an ordinance presented for first reading at the March 28th meeting in regard to the Revitalization Specialist. The definition of the position will be placed in the Code.

Vice Chair Stiff expressed his concern that the consultant should not work for two masters.

Councilman Espino assured Mr. Stiff that it would have to be addressed if it were to come up, although he does not see the Revitalization Specialist proceeding in that manner. He explained the development review procedure includes City Staff and Calvin, Giordano in the informational session and mandatory preliminary review. The Architectural Review Board is also involved and their recommendations are sent to Council for consideration. He added that there are check points within the process and it might take one or two projects to completely work it out.

City Manager Borgmann explained that the ordinance will be a work in progress and it can be amended if needed. He said that the first projects should give the developers the understanding that the City wants them to succeed without any obstacles.

Committee member Smith commented that many of the existing building owners should be more concerned about the appearance of their properties.

Committee member Rabade referred to pages 8 and 22 under the site planning section. He noted that item five in section (A) states that all utilities should be placed underground. He asked if this relates to proposed development or existing buildings because it states "all utilities."

Vice Chair Stiff explained that it is a subsection that relates to site plan development.

City Manager Borgmann explained that existing utilities would stay and new development would be underground.

Discussion ensued regarding the inadequate fire flow on N. W. 36th Street that would have to be improved by the County before development takes place.

Committee member Valencia suggested that the district boundary regulations for N. W. 36th Street could be tested by giving the document to either Florida International University or the University of Miami. Most schools are looking for real projects and they might be willing to take on the design exercise.

Chair Martinez agreed with Mr. Valencia that using the universities would be a great tool and it could help to find any flaws in the Code.

Vice Chair Stiff moved to recommend that Council approve the district boundary regulation ordinance for N. W. 36th Street. The motion was seconded by Committee member Smith.

Chair Martinez asked about the comments made by Mr. Valencia.

Vice Chair Stiff explained that all the comments would be on the record and Councilman Espino is taking notes. The ordinance can always be changed by the next Council as they see fit. He likes the idea of checking with the universities to see if they want to consider the new regulations as part of a classroom exercise, but it should not bog down the process.

Committee Member Valencia said that his intent was not to bog down the process; they were only suggestions.

Chair Martinez said that he is fine with passing the ordinance the way it is and he is all for giving Council a vote of confidence.

Committee member Valencia reiterated that he was only presenting his comments; he is not suggesting that any changes should be made.

Committee member Smith commented that it was clear during the meeting discussions that the bonus points are flexible; they are only a starting point.

The motion was unanimously carried on roll call vote.

4. Discussion Regarding the Use of Citizen's Independent Transportation Trust (CITT) Funds

Chair Martinez stated that the goal is to make improvements with as little money as possible and the Citizen Independent Transportation Trust (CITT) funds are one source of funding tied to the transportation process that does not reduce the budget. The Committee wants to be informed about the process so that the funds can be used to make an impact and the City Planner was asked for more information on the possible uses for the funds.

City Manager Borgmann explained that the Committee received a copy of a memorandum from 2008 listing what projects would qualify for CITT funding. Staff always notifies the CITT Staff to let them know that the City is considering a specific project so that they can respond as to whether or not it is an allowable expense. On two occasions, the City sent a proposal for a surface parking lot, including bus stop locations, and they came back with a negative response; they would only fund a small percentage of the project. He said that if the City was able to abandon Nakhoda Drive to the alley it could double the size of the area for a parking development with retail on the bottom floor.

Chair Martinez mentioned an example of a multi-use facility that was constructed with private funds with a penthouse on the top floor that generates revenue. He wondered if the City could take advantage of a facility that allows parking and also generates revenue.

Chair Martinez asked if any thought had been given to parking signage since there is some confusion as to the location of municipal parking.

City Manager Borgmann responded that signage is included as part of the revitalization process. The Architectural Review Board presented plans that Council has approved for directional signage and it was temporarily put aside because of the focus on N. W. 36th Street. He clarified that the signage would qualify for CITT funding.

Committee member Valencia said that another consideration is the completion of the connector to Downtown Miami at the Miami Intermodal Center (MIC). He explained that there is a bus that takes people from Miami Springs directly to the airport and it would be beneficial to be able to park in Miami Springs, take the bus to the terminal and connect with the train that goes Downtown.

The City Manager reported that the new bus by location was moved from Canal Street to Nakhoda Drive utilizing CITT funds.

To answer Chair Martinez's question, City Manager Borgmann explained that CITT funds are received on a regular basis. The City is required to show that the funds are budgeted. He explained the situation with the fund allocation to the three new cities. The latest proposal from the County would benefit the small cities like Miami Springs as opposed to the larger cities.

Chair Martinez commented that there are many transportation changes happening and he wants to make sure the City benefits from the CITT funds.

City Manager Borgmann explained that the City is required to spend 80% of the CITT funds on transportation improvements and 20% on transit (shuttle). Every City had to provide a budget number for these types of projects when the program was implemented and this is called the maintenance of effort. The new proposal from the County is to reduce transit to 10% and eliminate the maintenance of effort requirement.

Chair Martinez asked if there were any projects beyond signage and parking that relates to CITT funds.

The City Manager explained that major road resurfacing had taken place over the last ten years and eventually the roads will have to be milled and that would involve significant dollars. He encouraged the Committee members to bring forth their ideas for CITT projects and he would check to see if they qualify.

Committee member Smith referred to the Architectural Review Board's recommendation for signage. He suggested that some type of intermediate signs might be considered for identifying parking locations as there are many lots that are not used.

Chair Martinez stated that the signage recommended by the Architectural Review Board was presented before the Consultants were hired. The Consultants expressed their concern because the signage did not have a theme or branding as it relates to revitalization.

Councilman Espino explained that a vision for Westward Drive had not been addressed. He said that Calvin, Giordano was advised that the City had already approved a logo and slogan, as well as some of the work from the Architectural Review Board. There was some discussion about implementing the signage adopted by the Architectural Review Board and the Consultants mentioned that there could be technical requirements that needed evaluation. There was consensus that Calvin, Giordano should review the technical situation, including the lighting design to make sure they are in sync.

5. Discussion Regarding a Short-term Plan for Code Enforcement Related to Property Maintenance

Chair Martinez stated that there are short term ideas for improving properties. He presented a slide show with photographs of several existing buildings in the City that are in need of maintenance. His main idea was to show that many buildings could benefit from re-painting and then he noticed that many situations are related to enforcement and safety issues.

Discussion ensued regarding the various properties as the photographs were presented.

Chair Martinez explained that code enforcement is one way to improve the properties that would not impact the budget. He added that the poor condition of the Downtown is not appealing to new businesses and it is not fair to those property owners that maintain their buildings.

Chair Martinez stated that the intent is not to put undue stress on property owners and the Chamber has a partnership with Lowe's for paint. He emphasized that a color palette should be approved and that Code Compliance can have a positive effect on improving the commercial properties.

Chair Martinez said that he would like the Committee to make a recommendation to Council to help the City Staff enforce the rules for commercial properties from a paint and aesthetic perspective.

City Manager Borgmann understood that the Lowe's painting project is dead and as part of that project the City was going to send Code Compliance Staff with the Chamber representatives as they visited each building and presented a complimentary code compliance check list. He informed the Committee members that Council did not want to be heavy handed on the businesses and he agreed that all properties that were shown in the slide show could be given violation notices. In addition, the Code Compliance staff was reduced from four to two people.

The City Manager and Assistant City Manager continued to explain the history of code enforcement in the City and the current situation in the Code Compliance Office.

Committee member Smith expressed his concern about enforcing the Code of Ordinances.

Chair Martinez would like to encourage Council to provide the staff to take care of violations.

Councilman Espino said that most people who complain to him do not take their complaints to City Hall. There was a consensus at the Candidate's Forum that these types of problems must be taken care of on Westward Drive. He felt that the majority of the community is noticing the problem and the Ad-Hoc Committee should express their concerns to Council.

Committee member Smith suggested presenting the slides to Council after the election and explain to them that the Committee was charged with being a "sounding" board for commercial revitalization improvements.

Committee member Valencia commented that after seeing the photographs he agrees that the condition of the buildings is a very sad situation and it does not reflect the type of town in which he purchased property and is raising his kids.

Chair Martinez added that some of the business owners had complained about the condition of the buildings. He said that someone who owns a commercial property should be responsible and the City is sending the wrong message by not enforcing the Code. Chair Martinez agreed that code enforcement is a staffing and philosophical issue.

City Manager Borgmann reiterated that the Administration had been advised by Council not to be harsh on the businesses.

Assistant City Manager Gorland agreed that Code Compliance needs the support and the manpower, but there are limitations as to what can be enforced. He added that because the City does not have an approved color palette the property owners could paint their buildings an offensive color. There have been situations when owners were fined on a daily basis for non-compliance, liens were placed on the properties and the owners do not care.

City Manager Borgmann explained that fines had accumulated, liens were placed on the properties and when the owners complained about the fines to the Code Enforcement Board the fines were reduced so that the properties could be sold.

Committee member Valencia commented that some municipalities will paint the buildings and place a lien on the property.

Further discussion ensued regarding the history of Code Enforcement in the City.

Councilman Espino stated that if he is re-elected he will address the shutter moratorium, color palette, window front coverings, code compliance for signage, paint, mildew, structural, code compliance staff, and unilateral, remedial action after violations have gone unnoticed.

Chair Martinez offered to give the Administration the CD of the slide show presentation so that it can be shown to Council. He is glad that he decided to take the pictures because it really brings the problem to light.

Committee member Smith stated that he would like the Ad-Hoc Committee members to be present at the Council meeting when the slide show is presented so that they can offer their support for the effort.

City Planner Ventura informed the Committee members that Work Order # 2 for Calvin, Giordano and Associates includes the color palette.

Further discussion ensued regarding possible solutions to the code enforcement problem in the City.

Vice Chair Stiff recommended waiting for the approved color palette before the property owners are cited.

Chair Martinez emphasized that everything possible should be done to expedite an approved color palette.

City Manager Borgmann explained that the University of Miami worked on a redesign of the storefronts on Westward Drive that included various colors but the color palette cannot be found.

Committee member Smith moved to encourage Council to give Code Compliance the manpower to enforce improvement of the condition of the buildings throughout the City that are in existence at this time, limited to the commercial properties, and give Code Compliance the ability to enforce the codes as they stand. The motion was seconded by Committee member Rabade and it was carried unanimously on voice vote.

Assistant City Manager Gorland explained that the Codes are very antiquated.

City Manager Borgmann stated that the City has a Code Review Board that receives assignments from Council.

Councilman Espino added that the City Attorney had previously recommended the assistance from an expert if the task is to rewrite the entire Code of Ordinances.

Chair Martinez asked the Committee members to set the agenda for the next meeting. He would personally like to discuss the Golf District that is a controversial area surrounding the Golf Course. There is more residential in this area, there are density issues and a gateway component on Curtiss Parkway. He would hope to have more public participation and recommends that Council issue the next work order to the consultants for this district.

Chair Martinez explained that it would work to the Committee's advantage for the members to conduct research and receive community feedback prior to the work of the consultants.

City Planner Ventura clarified that the boundaries of the Airport Golf District are Curtiss Parkway, Fairway Drive and Deer Run.

Chair Martinez stated that the Committee could also discuss the Abraham Tract even though it has work order status. He is still amazed that many people are not aware that this area is part of Miami Springs.

Chair Stiff clarified that the FAR for the Golf District is limited to 1.0. He asked the City Planner if any of the existing buildings in the district are more than 1.0 FAR.

City Planner Ventura stated that the 1.0 FAR had been in existence since the adoption of the Comprehensive Plan in December 1998. He does not believe there are any buildings more than two stories in height.

Vice Chair Stiff said that there is a four-story condominium behind the church. He would like the City Planner to compile statistics for the Airport Inn across from Burger King, including the size of the property, the FAR, etc. in order to provide a frame of reference.

Chair Martinez announced that the next meeting is scheduled for Monday, April 18th.

Chair Martinez also asked the City Planner to look into the options for incorporating a gateway on Curtiss Parkway because Virginia Gardens is on one side of the street. He wondered if the gateway would have to be located at the point where Miami Springs is on both sides of the street.

6. Adjourn

Committee member Smith moved to adjourn. Committee member seconded the motion, which carried unanimously on voice vote.

The meeting was duly adjourned at 9:52 p.m.

Suzanne S. Hitaffer
Clerk of the Board

Approved as _____ on _____

“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”.



CANCELLATION NOTICE

CODE REVIEW BOARD

Due to the fact that the City Council has not directed the Code Review Board to review any ordinances this month, the regular meeting of Thursday, March 24, 2011 has been canceled in advance.

A handwritten signature in cursive script, reading "Magali Valls", is positioned above a horizontal line.

Magali Valls, CMC
City Clerk

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



City of Miami Springs, Florida

Recreation Commission

CANCELLATION NOTICE

The Recreation Commission meeting scheduled for Tuesday, April 12, 2011 has been canceled in advance. The next meeting will be held on Tuesday, May 10, 2011 at 7:00 p.m.

Magali Valls, CMC
City Clerk

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