



**AGENDA INFORMATION**  
**CITY OF MIAMI SPRINGS**  
**CITY COUNCIL**

**Regular Meeting**

**Monday, April 25, 2011**

**7:00 p.m.**

**Mayor Xavier Garcia**

**Vice Mayor Bob Best**

**Councilman Dan Espino**

**Councilman George V. Lob**

**Councilwoman Jennifer Ator**

**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 Xavier Garcia**

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

**Councilman Dan Espino  
Councilwoman Jennifer Ator**

**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, April 25, 2011 7:00 p.m.**

- 1. Call to Order/Roll Call**
- 2. Invocation:** Vice Mayor Best  
  
**Salute to the Flag:** Audience participation
- 3. Awards & Presentations:**
  - A) Presentation from County Commissioner Rebeca Sosa Regarding 36<sup>th</sup> Street
  - B) Certificate of Appreciation to Former Mayor Billy Bain
  - C) Certificate of Appreciation to Lt. Michael Cole for Thirty-One Years of Service to the City in the Police Department
- 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) 04-11-2011 – Special Meeting
- B) 04-12-2011 – Regular Meeting

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

- A) 04-06-2011 – Architectural Review Board – Minutes
- B) 04-13-2011 – Golf and Country Club Advisory Board – Cancellation Notice

**7. Public Hearings:**

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**Board of Appeals**  
Case # 25-V-10  
C. Robert Wojciechowski  
830 Plover Ave.  
Zoning: R-1C; Single-Family Residential  
Lot Size: 75 ft. x 124 ft.

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

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**7. Public Hearings:**

- A) Second Reading – Ordinance No. 1015-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-028, Architectural and Design Regulations; By Amending Subsection (F), Architectural and Design Guidelines, to Provide for a New Color Palette for all Commercial Development, Redevelopment, Renovation and Restoration Projects in the City, Except for the Northwest 36<sup>th</sup> Street District; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date
- B) Second Reading – Ordinance No. 1016-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-028, Architectural and Design Regulations; By Amending Subsection (F), Architectural and Design Guidelines, to Provide for a New Color Palette for the Northwest 36<sup>th</sup> Street District of the City; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

**8. Consent Agenda:**

- A) Recommendation that Council Award the Purchase of Fireworks for the July 4<sup>th</sup> Celebration to Firepower Displays Unlimited, LLC, in the Amount of \$15,000.00, Utilizing the City of Homestead Contract # 10-PR-020, as Provided in Section 31.11 (E) (5) of the City Code

**9. Old Business:**

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Golf Related Items:
  - 1. Summer Fees and Charges Recommendation
  - 2. Golf Professional Consultant Agreement with Scott Jones
  - 3. Agreement with Roger Piermarini
- C) Approval of Work Order No. 7 – Airport Golf District Boundary Regulations and Design Guidelines
- D) Status of Annexation Application with the County
- E) Code Compliance and Building Specialist Staffing
- F) Establishment of a Youth Advisory Board
- G) Discussion of Status of Westward Drive Charter Amendment Petitions

**10. New Business:**

- A) Discussion Regarding Chapter 33 of the Code of Ordinances
- B) Resolution No. 2011-3512 – A Resolution of the City Council of the City of Miami Springs Providing for the Third Amendment to the FY2010-2011 General Fund and Special Revenue and Capital Projects Fund Budgets; by Increasing General Fund Revenues from Unappropriated Reserves to Cover Authorized and Approved General Fund Expenditures; by Increasing the Law Enforcement Trust Fund Budget from Law Enforcement Trust Funds to Cover the Costs of Training Certification for Two New Officers; Providing Intent; Specifying Compliance with Accepted Budgetary Processes and Procedures; Effective Date

**10. New Business: (Continued)**

- C) First Reading – Ordinance No. 1017-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-046, Home/Business Occupational Use, Establishing Conditions of Eligibility; Specifying Operators; Permitting Limited Signage, Storage and Parking; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date
- D) Consideration of Advertising in Conference Issue of Quality Cities Magazine

**11. Other Business:**

- A) FY 2010-2011 Second Quarter Budget Status Report (Unaudited)

**12. Reports & Recommendations:**

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

**13. Adjourn**

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 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.  
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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.  
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DRAFT



## *City of Miami Springs, Florida*

The Miami Springs City Council held a **SPECIAL MEETING** in the Rebeca Sosa Theater at the Community Center on Monday, April 11, 2011, at 7:00 p.m.

### **1. Call to Order/Roll Call**

The meeting was called to order at 7:07 p.m.

The following were present:

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

Also Present:

City Manager James R. Borgmann  
Assistant City Manager Ronald K. Gorland  
City Attorney Jan K. Seiden  
Chief of Police Peter G. Baan  
Finance Director William Alonso  
Comptroller Alicia E. González  
Public Works Director Robert T. Williams  
Recreation Director Omar L. Luna  
City Clerk Magalí Valls

### **2. Invocation:** Councilman Lob offered the invocation.

**Salute to the Flag:** The audience participated.

### **3. Resolution No. 2011-3509 – A Resolution of the City Council of the City of Miami Springs Canvassing Returns of the Miami Springs General Election of April 5, 2011 and Declaring Results Thereof**

City Attorney Jan K. Seiden read the resolution in its entirety. He also read the official election results for the record.

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

Vice Mayor Best thanked everyone for attending the swearing-in ceremony, the end of Mayor Bain's administration and the beginning of Mayor Garcia's administration. It has been an interesting time serving with Mayor Bain for the last three terms and he feels that a lot was accomplished.

Vice Mayor Best credited Mayor Bain for his zeal, love for the town and his record that will go unblemished and untouched in the history books of the City of Miami Springs. He has gotten to know Billy better than he did before. Their love of baseball and the ability to get together for informal chats is something that he can now look forward to outside of the Sunshine.

Vice Mayor Best commented that many issues that Mayor Bain tackled were handled with such flair and so easily. It was easy for people to conduct business with him and they knew they would get results. He will miss his time with Mayor Bain and he hopes that the new Mayor will fill the shoes of a great man.

Councilman Espino stated that it has been a pleasure to serve for the past two years with Council and Mayor Bain. He has known Billy Bain since he was eleven years old when he coached his brother. He is a man of integrity and he knows that every vote he took and every statement he made came from his heart.

Councilman Espino explained that he looks forward to being able to engage Mayor Bain on issues that were otherwise precluded by the Sunshine Law. Even though Mayor Bain steps off the dais this evening, he certainly will not step out of service to the City of Miami Springs or out of our hearts.

Councilman Lob has known Mayor Bain for awhile and they have not been able to discuss City business during their fishing and hunting outings for the last two years. He explained that it was hard in the beginning and they wondered how it could be done, but they got through it.

Councilman Lob said that it has been his privilege to serve with Mayor Bain and he cannot think of anybody in Miami Springs that loves the City more than he does. He knew that when he was elected that he would do anything and everything for the City and he has. He will miss Billy, but he will enjoy talking to him when they are fishing and hunting.

Councilwoman Ator stated that she has been on Council for two years and she has enjoyed the time with Mayor Bain. He is a man of integrity and everyone knows how he stands on the issues and why he believes in what he believes; she will miss him very much. Councilwoman Ator thanked Mayor Bain for his service to the City.

Mayor Bain added he never thought that he would remain in office for eight years. He thanked Council and said that he appreciates them following his lead. He also had to follow their lead, which was sometimes hard for him and he appreciates the respect and what was accomplished.



Mayor Bain recognized Public Works Director Robert Williams who was not at the last meeting when he said goodbye to Staff. When he was first elected he received a lot of calls about Public Works and since Robert took over the job he stopped getting calls about the Department.

Mayor Bain said that he always forgets to thank the people who are closest to him, especially his family. Since this is his last meeting he wants to be sure to thank his brothers Larry, Glenn, and Mark and his sisters-in-law Vivette and Karen Bain. The children supported him in all the elections and his nephew said that it would seem funny not to have his uncle as the Mayor any longer. He also thanked his wife Grace who is the most important person and has always been there for him.

Mayor Bain said that holding office was a positive experience in his life, like a college education. This is because the residents elected him for four terms; they gave him the opportunity to serve and when he took the job he learned to love and respect the City and the people in the town. The job is about people and making it as easy for them as possible so that they can enjoy the City. He thanked everyone.

#### **4. Administration of Oath of Office to City Officials**

City Clerk Magalí Valls **administered** the Oath of Office to Vice Mayor Bob Best.

The Honorable Judge Robert F. Diaz **administered** the Oath of Office to Councilman Dan Espino.

Judge Diaz said that he has known Councilman Espino for about four years and when he first met him he noticed that he had a lot of energy, he was polite and he gets things done. The most important thing is that he wants to help people and accomplish things. He was glad to drive in traffic to be here and see his family again. The Judge said that with Dan Espino as Councilman, he would want to live in Miami Springs again.

City Clerk Magalí Valls **administered** the Oath of Office to Councilman George V. Lob.

The Honorable Judge Rubenstein stated that judges are very protective of where they live and she wants to let everyone know that she has lived in Miami Springs since 1989 and the commitment that Council makes to the City is what makes it a pleasure. She thanked Councilwoman Ator for her commitment to the City and for giving so unselfishly of her time. Jennifer has a full-time job as an attorney in addition to a full-time job taking care of her sons and her husband. The community has acknowledged its appreciation for Councilwoman Ator's hard work by re-electing her to office.

The Honorable Judge Judith Rubenstein **administered** the Oath of Office to Councilwoman Ator.

Mayor Bain recognized County Commissioner Rebeca Sosa who was present in the audience. He apologized for not recognizing her earlier.

City Clerk Magali Valls **administered** the Oath of Office to Mayor Xavier Garcia.

Mayor Bain stated that anytime there is an exchange, win, lose or draw, no matter who the opponent is, a person has to be able to learn to win and lose. He passed the gavel to Mayor Xavier Garcia who took his seat at the dais.

Mayor Garcia stated that he would like to give Council the opportunity to speak before closing the meeting.

Vice Mayor Best welcomed Mayor Garcia back to the dais. He said that he is looking forward to working with him for the next two years and will certainly welcome his input. He wished him well in his tenure.

Councilman Espino stated that he was privileged to serve for the last two years and also to be here tonight to receive the sacred charge of serving the community. He thanked everyone for sharing the evening with him and for their faith that was shown on Election Day. The results were overwhelming and he cannot express the humility and sense of reward.

Councilman Espino commented that it is one thing to elect someone for promises made and it is altogether different after they keep their promises. He thanked the community for acknowledging his record of promises kept and more importantly for the support during his first term in office and the help, advice and opinions during the campaign. The vote of confidence he received has refueled his fighting spirit and given him energy to continue to work to enhance the quality of life.

Councilman Espino explained that he does not take the election to be a popularity contest and the residents spoke clearly that they were looking for individuals who can provide solutions and they rewarded those candidates that they thought could deliver. He believes the votes he received were a reward for him being at the forefront of trying to deliver proactive solutions for the community and he appreciates this wholeheartedly. He will remain eager and willing to tackle the problems in the community despite their complexity.

Councilman Espino said that he will go forward focusing on the opportunities and challenges, instead of choosing to focus on simply the challenges that each opportunity to act brings. He knows that by moving forward in a proactive manner the options for the community are much better than waiting until the actions and decisions are made. Nothing is lost by striving toward perfection for Miami Springs, but everything is at risk if the focus is on the perfection of doing nothing. He looks forward to the community coming together.

Councilman Espino said that across generations, gender and ethnic gaps in Miami Springs, the things that tie the community together far exceed those that divide it, and he knows that Council will capitalize on those things in order to continue to improve Miami Springs and make it one of the best places to live in the entire United States.

Councilman Lob thanked everyone for the chance to represent them for another two years. He said that he takes his job very seriously and looks forward to tackling the challenges head on. Council wants to do what is right for the people in an effective and expedited manner without waiting for problems to happen. He said that they must work for the future of the City and he intends to do this.

Councilman Lob said that it had been a long campaign. He thanked his wife for her support and he looks forward to working and listening to the people's ideas.

Councilwoman Ator said that all the good comments had already been made and she would echo some of the things that had already been said. She thanked the community, although she has not lived here for thirty or forty years. She chose to move her family here 8-1/2 years ago and has never regretted that choice. She recognized her husband, children, mother and grandfather who were present.

Councilwoman Ator encouraged more people to watch the live web casting of the Council meetings, which is important. She said that she is looking forward to taking care of business as Council has a lot of substance on their plate. The former Mayor and Council have worked very hard, they accomplished a lot and are moving forward quickly. She thanked everyone very much.

Mayor Garcia thanked God for his grace and will that allows him to be present at this moment. He also thanked his wife Ileana who is very busy with the kids, a superstar registered nurse and a phenomenal wife.

Mayor Garcia never thought he would be the Mayor of Miami Springs or involved in politics. He realizes there are not many people with tough skin who are willing to represent the people. He is one person that has tough skin and he is happy to see the diversity on City Council. He said that Mayor Bain has left very big shoes for him to fill.

Mayor Garcia said that Billy Bain will continue to be "Uncle Billy" to his kids. Mayor Bain opened his eyes to things he never thought he would experience and has led him to see a different part of the community. He plans on living in Miami Springs for the rest of his life and thanked Mayor Bain for keeping Miami Springs as beautiful as it was in the past and will be in the future.

Mayor Garcia thanked his mom, stepfather, grandmother and family members who were present. He said that they are very proud of him and he promises not to disappoint or let anyone down. He will take care of the town and plans to live here for the rest of his life. He learned not to sign any pledges for anyone except for signing a generational contract to work as hard as possible to maintain and improve the quality of life for our children. He thanked everyone for coming.

**5. Adjourn.**

There being no further business to be discussed the meeting was adjourned at 7:46 p.m.

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Billy Bain  
Mayor

**ATTEST:**

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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, Florida*

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Tuesday, April 12, 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 Xavier Garcia  
Vice Mayor Bob Best  
Councilwoman Jennifer Ator  
Councilman Dan Espino  
Councilman George V. Lob

Also Present:

City Manager James R. Borgmann  
Assistant City Manager Ronald K. Gorland  
City Attorney Jan K. Seiden  
Chief of Police Peter G. Baan  
Finance Director William Alonso  
Public Works Director Robert T. Williams  
Recreation Director Omar L. Luna  
City Planner Richard E. Ventura  
City Clerk Magali Valls

### **2. Invocation:** Councilwoman Ator offered the invocation.

**Salute to the Flag:** The audience participated.

### **3. Awards and Presentations:**

None.

4. **Open Forum:**

**Jackson Memorial Hospital**

Omayra Hernández of 901 Swan Avenue, Samuel Ruiz of 5780 S. W. 18<sup>th</sup> Street, Debra Diaz of 816 N. W. 11<sup>th</sup> Street and Miguel Hoyos of 2790 S. W. 26<sup>th</sup> Street, introduced themselves as registered nurses at Jackson Memorial Hospital.

Mr. Ruiz asked for support from Council and the community for the hospital since it is going through changes and perils and they would like to maintain the hospital as a Florida institution, the same as the last 90 years.

Ms. Díaz explained that they are asking for pledges of support to help Jackson Memorial Hospital remain a public entity. They want to continue to offer the “cutting edge” care they give to all patients regardless of their ability to pay. They want support by signing pledge cards with a name and address as a record to show there are many people who are part of the community who want to keep Jackson Memorial the great hospital that it is.

Mr. Hoyos said that the reason for their request is that Jackson is not an institution that limits public service; it provides service to everyone in all communities. The Ryder Trauma Center accepts everyone; therefore, this is a community wide effort. He thanked Council for listening to their concerns.

Vice Mayor Best asked to leave pledge cards in the back of the room for those people who would like to sign and return them.

5. **Approval of Council Minutes:**

5A) **03-28-2011 – Regular Meeting**

Minutes of the March 28, 2011 Regular Meeting were approved as written.

**Vice Mayor Best moved the item. Councilman Lob seconded the motion which was carried 4-0 on roll call vote, with Mayor Garcia abstaining.**

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

6A) **03-22-2011 – Ecology Board – Minutes**

Minutes of the March 22, 2011 Ecology Board meeting were received for information.

Councilman Lob commented that the minutes indicated that a memo was sent to Council from Dr. Mara Zapata regarding commercial recycling and he does not recall seeing it.

City Manager Borgmann stated that the Public Works Director and Staff were working on ideas for a commercial recycling program.

Councilman Lob wants to make sure that Council receives the information so that they can provide feedback to the Ecology Board.

**6B) 03-23-2011 – Education Advisory Board – Minutes**

Minutes of the March 23, 2011 Education Advisory Board meeting were received for information.

Councilman Lob commented that the minutes indicated that there was information available to establish a Youth Advisory Council. He asked the City Manager if anyone had contacted him yet.

City Attorney Seiden said that documentation was on file for the Village of Pinecrest that formed a Youth Advisory Committee by resolution, while the City of Hialeah formed their committee by ordinance. He recommended that Council should review the documents to get an idea of what they want to do using the information as a guide. Council should decide how the committee should be formed.

Councilman Lob explained that the Education Advisory Board recommended that each Council member appoint one member.

Councilman Espino added that the Education Advisory Board wanted each school to be represented.

City Attorney Seiden commented that the age group is important; the Village of Pinecrest requirement is for grade six through twelve or grade six through eight. Council could provide for them to meet once a month.

Councilwoman Ator explained that the Education Advisory Board suggested that the Youth Council meet quarterly. She requested copies of the information from the other cities as soon as possible and for an agenda item to be scheduled for the next meeting.

City Manager Borgmann offered to provide the information the next day and to schedule an agenda item for the April 25<sup>th</sup> meeting.

**6C) 04-04-2011 – Memorial Committee – Minutes**

Minutes of the April 4, 2011 Memorial Committee meeting were received for information.



Vice Mayor Best asked if the recommendation was sent back to the Recreation Commission.

City Attorney Seiden clarified that the Memorial Committee approved the establishment of a plaque on the existing memorial for Thelma Butler. The Committee members want to study the area before making a recommendation to Council in regard to fallen police officer Amanda Haworth.

City Attorney Seiden said that the Committee had considered some type of memorial at Stafford Park or a free standing memorial on Curtiss Parkway between the other two memorials. The Committee members were concerned about the Stafford Park location since the City does not own the property. The next Memorial Committee meeting is scheduled for Monday, May 2<sup>nd</sup>.

**6D) 04-04-2011 – Zoning and Planning Board – Minutes**

Minutes of the April 4, Zoning and Planning Board meeting were received for information without comment.

**6E) 04-05-2011 – Code Enforcement Board – Cancellation Notice**

Cancellation Notice of the April 5, 2011 Code Enforcement Board meeting was received for information without comment.

**6F) 04-04-2011 – Board of Adjustment – Approval of Actions Taken at their Meeting of April 4, 2011, Subject to the 10-day Appeal Period**

Actions taken by the Board of Adjustment were approved, subject to the 10-day appeal period.

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

City Attorney Seiden reported that an appeal was filed by one applicant who requested a variance. The applicant was encouraged to file an appeal because the Board members did not feel the request should be granted by variance; it should be done by change of legislation in regard to the size of separate utility sheds. Since it is a simple case, the Board of Appeals meeting can be scheduled on the April 25<sup>th</sup> agenda after the appropriate public notice.

City Attorney Seiden advised the applicant, who was present in the audience, that the appeal would be heard in two weeks. If for some reason the applicant cannot attend, he could send someone in his place.

Councilman Lob suggested looking at the entire shed ordinance.

City Attorney Seiden said that there is a list of Code items for review and he intended to update the list so that Council could begin considering the items during the regular meetings or in separate meetings.

Vice Mayor Best said that after reviewing the case, he feels it is a simple adjustment and it should be moved to the top of the list because it is an enhancement.

**7. Public Hearings:**

**7A) Second 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 (First Reading: 3-28-11 – Advertised: 3-30-11)**

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

Attorney Seiden stated that this is the second reading and public hearing on the proposed ordinance. There were no changes since the first reading.

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

C.R. Wojciechowski of 830 Plover Avenue stated that no one is going to invest in N. W. 36<sup>th</sup> Street when there are dump trucks in all three lanes going down the street and people cannot get around them. He would propose contacting Miami-Dade County to see if they can regulate the size of trucks and restrict them to the left lane. He said that it is difficult to turn off 36<sup>th</sup> Street into the community and it is vital to revitalization to get the trucks out of the right lane unless they are making deliveries.

Mayor Garcia closed the public hearing.

**Vice Mayor Best moved the item. Councilwoman Ator seconded the motion which was carried 5-0 on roll call vote.**

**8. Consent Agenda:**

**8A) Approval of the City Attorney’s Invoice for March 2011 in the Amount of \$12,710.25**

There was no discussion regarding this item.

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

**8B) Recommendation that Council Approve an Expenditure to Sunshine Trucking Corp., Utilizing Miami Dade Bid # 5986-4/11-4, in an Amount of \$15,000.00, on an "As Needed" Basis, as Provided in Section 31.11 (E) (5) of the City Code to Continue Alley and Swale Repairs Using Ballast and Lime Rock**

City Manager Borgmann explained that this item is within his spending authority, but Council approval is required because Council already approved \$25,000 and this is a request to increase the amount by \$15,000.

Councilman Espino requested a schedule of the alley repairs and the locations.

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

**9. Old Business:**

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

Mayor Garcia stated that he asked the City Clerk to draft a letter that he will be signing and sending to all the board members appointed by the Mayor's seat so he could evaluate all of them to make sure that they are the people he would like to serve on the advisory boards.

**9B) Site Plan Review – Case # 04-ZP-11 – Enrique Aguerrevere – 4299 N. W. 36<sup>th</sup> Street – Zoning: AHMBD; Airport, Highway, Marine Business District – Lot size: Approx. 272 ft. x 474 ft. – Minor Revisions to Previously Approved Phase II Site Plan (Case # 01-ZP-10, Approved on January 25, 2010) for Ongoing Renovations of an Existing Bank Building to a Hotel**

City Manager Borgmann stated that this item is a site plan review for Case # 04-ZP-11 regarding 4299 N. W. 36<sup>th</sup> Street in the Airport, Highway, Marine Business District (AHMBD) for ongoing renovations of an existing bank building to a hotel. The City Planner will present the item.

City Planner Richard E. Ventura stated that this would be the last major project approved under the old AHMBD zoning by previous action of this Council. The applicant is requesting approval of a final site plan for a bank to hotel conversion. The Zoning and Planning Board on April 4<sup>th</sup> moved to approve the requested site plan and it was carried unanimously. The location at 4299 N. W. 36<sup>th</sup> Street is the Wachovia Bank building that is in the final stages of being converted to a Eurobuilding Hotel and Suites.

The latest site plan involves minor changes to a previously approved site plan, which was Case # 01-ZP-10 heard by the Zoning and Planning Board and Council on January 4, 2010, according to Mr. Ventura. The proposed changes include the relocation of the existing bank to the west side of the building with hotel, restaurant, kitchen and bar adjacent and pool deck and dining area on the east side adjacent to Coolidge Drive. The parking garage at the ground level is being proposed with a larger portion of the alley being occupied and the parking garage at the second level will include a roof deck and the addition of ballroom/banquet halls. The proposed provision of parking has changed as a result of these modifications.

City Planner Ventura explained that the applicant felt it was important to note that the proposed changes are within the setback requirements on Coolidge Drive as in the previously approved site plan. Additional renovations to the parking garage on the second level are within the existing structure. He reviewed the changes in detail with the project architect and they both agree they are minor changes to the site plan for phase 2.

City Planner Ventura explained the background of the project and the review of the proposed site plan for signage for the grand opening of the hotel in 2009. The project has been ongoing for almost two years. Staff strongly supports and encourages the applicant to take the final steps necessary to complete the project and provide a desirable addition to the 36<sup>th</sup> Street corridor and recommends approval of the final site plan # 2.5 with the following conditions:

The City Planner explained that a variance request was heard by the Board of Adjustment on April 4<sup>th</sup> and the number of proposed spaces is reflected in this site plan. The recommended approval was for a reduction of 43 spaces. A final approval of the site plan would be subject to the expiration of the appeal period at 4:45 p.m. on Thursday, April 14<sup>th</sup> for the approved parking variance and Staff's recommendation is conditional on no one filing an appeal to the parking variance.

**Vice Mayor Best moved to approve the site plan, subject to the expiration of the appeal period. Councilman Lob seconded the motion, which carried unanimously on roll call vote.**

**9C) Council Review for Consideration of Adoption of Optional Amendments One, Two and Seven to Miami-Dade County's Interlocal Agreement for Public School Facility Planning, as Recommended by the City of Miami Springs Education Advisory Board; per Florida Statutes Chapter 163.31777**

City Planner Richard Ventura stated that the optional amendments being offered by the School Board were previously adopted by the County and they were reviewed by Council at their meeting on February 28<sup>th</sup>. Council's recommendation was to send the optional amendments to the Education Advisory Board that met on March 23, 2011 and they voted unanimously to forward a recommendation for the following optional amendments:

Amendment 1: Section 9.2 (a) Capacity Methodology and Formula for Availability – Add to end of section the requirement to assess effects of geographic areas within one year.

Amendment 2: Section 9.2 (b) Level of Service Standard – Add after paragraph 4 that Miami-Dade County Public Schools is to submit annual reports by September 30<sup>th</sup>; also revise the next paragraph to read that Amendments to LOS standards must follow the amendment provision of the Agreement.

Amendment 7: Section 22 Taking and Vested Rights – Add new section that reinforces the fact that nothing in the ILA shall be construed or applied to effect a permanent or temporary taking of private property in violation of the U.S. Constitution or Florida Constitution.

City Planner Ventura said that a recommendation for the adoption for the three optional amendments is before Council at this time.

**Councilman Lob moved to adopt amendments one, two and seven. Councilman Espino seconded the motion.**

Councilwoman Ator was concerned about optional amendment one since the Interlocal Agreement would apply to all local governments and a 2/3 vote by the municipalities would not represent everyone.

City Attorney Seiden stated that he would like Council's direction to come back with a resolution. He commented that the problem with the entire agreement is that it is a requirement of the Florida Department of the Community Affairs. He does not understand how an agreement that is passed by 29 municipalities allows optional amendments because there would not be any consistency and it would be hard to enforce.

City Attorney Seiden suggested inviting Ana Rijo-Conde from the School Board to give further explanation about how the amendments apply to Miami Springs. He will prepare a resolution approving the three amendments so it will be ready should Council agree to adopt it.

Councilman Espino clarified that the optional amendments do not require 2/3<sup>rd</sup> approval by the municipalities; they are approved on a city-by-city basis.

Councilwoman Ator felt that the amendments were confusing and she would like to know more as to how they will impact the City.

**Councilman Lob withdrew his motion. Councilman Espino withdrew his second to the motion.**

Vice Mayor Best appreciated Councilwoman Ator's opinion and the City Attorney's explanation on the subject. He would welcome the School Board representative to come to a future meeting.

By consensus, Council **tabled** the item.

**9D) Agreement with Scott Jones to Provide Golf Instruction at the Miami Springs Golf Course**

City Manager Borgmann stated that Council was recently approached by local professional Scott Jones asking for permission to teach lessons at the Golf Course. At first, there was some hesitation because the City already has two teaching professionals: Mike Aldridge and Roger Piermarini. Mr. Jones' intent is not to compete with the current pros, but simply to have a location to teach his current clients from Calusa Country Club that is closing.

City Manager Borgmann explained that Mr. Jones has agreed to work only with his students and if a new client approaches him they would immediately be referred to the Pro Shop. The City would receive 10% of the funds paid to Mr. Jones per lesson and an arrangement would be made to allow a discount for reduced rates for him to use the Golf Course with his students. This is a good way to introduce new golfers to the City's Golf Course as a marketing tool. If Council agrees, a formal agreement will be prepared so that it can be presented at the next meeting.

Vice Mayor Best said that he is certainly in accord with the proposal and anything that can be done to enhance the Golf Course operation would be in the City's best interest.

Councilman Espino explained that Council received a proposal and directed the Administration to enter into an agreement; it is unfortunate that Council does not have the agreement this evening. Mr. Jones wants to bring additional players to the Golf Course and he does not know how many lessons are currently being conducted by Mike and Roger, but the more, the better. From his perspective, if Mr. Jones attracts someone that is beyond the students that he is teaching, it would not be appropriate for him to refer the new clients to the Pro Shop if his performance is better than that of Mike's or Roger's.

Vice Mayor Best agreed with Councilman Espino that the proposal is different than when it was first presented. He reiterated that it would be an enhancement and any new business he might attract would be in the best interest of the Golf Course. He would be in favor of an agreement with Scott Jones.

Councilman Lob asked if there is any rule that disallows three golf professionals at the same golf course.

City Manager Borgmann explained that both Mike and Roger were inherited by the City when the Golf Course was purchased. The proposal being presented tonight came from Scott Jones. He understands that there is a rule that a professional cannot go to another person's course and usurp lessons from that person.

Vice Mayor Best stated that Mr. Jones came back with a different proposal for that reason.

To answer Councilman Espino's question, City Manager Borgmann stated that he did not know how many lessons are currently being conducted by Mike and Roger. He knows that Scott Jones has thirty or forty clients that he would like to come to Miami Springs.

Councilman Ator said there is no question that Mr. Jones should be allowed to bring his clients to the Golf Course. Her kids were playing and a representation was made that the City does not have a youth golf program. She is still not sure because she was told that Roger is not really teaching and there is no agreement with him.

City Manager Borgmann clarified that Roger has been a part-time employee of the City for many years and does not have an agreement. He was formerly the Assistant Golf Director until the position was eliminated.

Vice Mayor Best felt that Mark Safreed was the leading edge of the Junior Golf Program.

City Manager Borgmann explained that Roger gives private lessons on his own time. When he is working for the City he is in the Pro Shop collecting fees.

Councilwoman Ator said that even though Roger is giving lessons on his own time there should be an agreement for that as well. She agrees that if her child was extremely interested in golf and wanted to approach Mr. Jones instead of Roger it would be discomfoting to be forced to do so. The golf professionals should have the freedom to contract their clients.

Councilman Espino stated that he does not know to what extent golf lessons are being given and he does not consider an agreement with Mr. Jones to be "muscling in" on turf if no lessons are being given right now.

Councilman Lob said that Mr. Jones would be bringing people here from outside the City and he should be allowed to teach his current customers.

City Manager Borgmann explained that Mr. Jones' proposal was revised after he spoke with the Administration and he indicated that he did not want to run afoul of any PGA rules so he would only teach his current clients.

Councilman Espino asked the City Attorney if he had reviewed the proposal from Mr. Jones.

The City Attorney responded negatively and City Manager Borgmann agreed to provide a copy for him.

Councilman Lob felt that Mr. Jones should be allowed to teach someone new from outside the City that looked him up and found that he was no longer teaching at Calusa Country Club. He would like to look into the matter further.

Vice Mayor Best said that in all fairness to Mike Aldridge he does not have a lot of time to give lessons.

Councilwoman Ator said that it would not be fair to the residents if they are not allowed to use the services of Mr. Jones.

To answer Mayor Garcia's question, Mr. Borgmann clarified that Mr. Jones revised his proposal after speaking with Mike and Roger and this is what they agreed to.

Councilwoman Ator asked the Administration to find out if someone wanted to use the services of Mr. Jones if they would be allowed by the PGA rule.

Councilman Espino requested the presence of Mr. Jones at the next meeting, as well as Mike and Roger.

Councilwoman Ator would like to know the status of the youth golf lessons that Roger has been conducting.

City Attorney Seiden explained that the PGA rule is independent of the City, there have been non-exclusive contracts for other matters and the agreement could be subject to the PGA rule. He has an older version of a contract with Scott Jones and he also has the contract with Calusa Country Club.

Councilman Lob asked to find out more about the PGA rule.

Councilwoman Ator said that Roger was inherited when the Golf Course was purchased and there might be ways around the rule if the City designates two official golf professionals.

Councilman Lob commented that companies have certain territories, they are very strict about the rule and this could be something of a similar nature. He would like to know more about it before entering into an agreement.

Councilman Espino stated that it also is about performance and if someone is currently not performing they should be evaluated.

Council **directed** the Administration to bring back an agreement with Scott Jones to provide golf instruction and to review the PGA ethic rules.



## 9E) Report Regarding Basin 35

City Manager Borgmann referred to a print-out that was on the dais from Victor Herrera of Atkins Global (formerly Post, Buckley, Schuh & Jernigan) who has provided a suggestion. He read the following into the record:

*“As you are aware we have gone through multiple efforts to revise the proposed improvements for the Basin 35 project within the golf course. Purpose of the revisions were in an effort to reduce excessive costs due to the requirement of two large pumps and force main crossing Curtiss Parkway (based on engineer’s estimate). Approaches taken to reduce costs were evaluating other manufacturers, value engineering and the selection of material, and obtaining a detailed cost estimate from the contractor. All of these efforts did not net sufficient savings when compared to our engineer’s cost estimate (or the contractor’s estimate).”*

*In evaluating the 2001 stormwater master plan update, it was noted that the area of the golf course where this portion of the improvements are now proposed, falls in an area that was not identified as prone to flooding. The area prone to flooding is closer to the canal where DERM is requiring we remove the originally proposed structures. Based on this information, it is my recommendation that we reduce the improvements proposed in the area, and address any localized ponding with a shallow dry pond- which is permitted by DERM in the 10-day travel time.”*

City Manager Borgmann said that it seems the recommendation is to dig a big ditch in the ground for the water to settle and percolate into the ground. This is a less expensive solution if they will not allow the structure that would capture the most water without totally re-engineering the project and utilizing the pipe and drains through the pump methodology. He will go back to Mr. Herrera and request an estimate for installing a system that would capture the majority of the flood waters versus the ponding method.

City Manager Borgmann explained that the City has experienced three significant floods in 1991, 1999 and 2000 in the month of October. Since those floods, there were many meetings with South Florida Water Management District (SFWMD) and city representatives and in 2001 they changed the criteria for releasing stored water during times of high ground water. Prior to this, they would not release water until 24 hours before a storm and now they have a 48-hour rule. The lower the water table the less chance of flooding.

City Manager Borgmann said that in speaking with Public Works Director Robert Williams there are many areas in the City that no longer flood that were identified in the previous studies. There have been torrential downpours equal to the rain in 1999 and 2000, and the water was gone within twelve to twenty-four hours and that is acceptable for drainage.

City Manager Borgmann explained that if all the factors are still in place and if this is a better and less expensive solution, it will be fine. If a re-design is required to capture those waters to the west he will come back to Council with a cost estimate in the future.

To answer Mayor Garcia's question, the City Manager responded that the drainage ditches can be very effective and he has seen entire communities that use this design in northern or central Florida.

City Manager Borgmann further explained that \$24,000 remains in a grant from the SFWMD that is a 50/50 match. There is also an additional grant for \$250,000 that can be used for another project; Eight major areas were identified in the Stormwater Master Plan and the first four were completed. Basin 35 was eight on the list, which was the most expensive. The Hunting Lodge side is finished and this is related to the Golf Course side.

The City Manager reported that more research will be done, but the three areas that were identified have not had any drainage issues over the last ten years.

Councilwoman Ator asked if any funds had been spent on the project.

City Manager Borgmann explained that additional engineering was required for a system with solid pipe and a pump. There has not been any physical work done, but the removal of the existing perforated pipe in the ground is required.

Councilman Espino said that the question is how much the City has spent on the project.

City Manager Borgmann stated that part of the settlement with the engineering firm covered the pipes that were already installed and there should be funding for the removal of the pipes.

City Attorney Seiden explained that the City was credited with the re-use of some of the pipe and this will have to be evaluated. The engineers agreed to handle the removal process themselves; it would be their burden, not the City's and this was part of the agreement. The secondary study was part of the process and he is not sure if the City paid for this or not.

City Manager Borgmann clarified that the City had not paid for the secondary study, although there might be some engineering fees.

The City Attorney stated that if the engineers are recommending a third solution then it might require further discussion. They are responsible to do a substantial amount of work to remove the pipe.

Vice Mayor Best commented that the name of the engineering company had changed right in the middle of the negotiations.

City Attorney Seiden said that Victor Herrera seems to be very responsive, but all the people that the City has dealt with before are no longer employed by the firm.

*(Agenda Item 10D was considered at this time)*

**9F) Recommendation that Council Approve an Expenditure to Sports System Inc., the Lowest Responsible Bidder, in the Amount of \$4,095.00, for the Repair of the Batting Cage at Stafford Park, Pursuant to Section 31.11 (E) (C) (2) of the City Code**

Parks and Recreation Director Omar Luna recommended that Council move forward with the repairs of the batting cages at Prince Field and Stafford Park. He explained that there was an attempt to do the repairs in-house and based on the quotes for concrete, turf and installation it would have been more expensive.

Mr. Luna said that three quotes were received from reputable vendors and they offer an eight-year warranty on the turf, concrete, netting and installation. Since it is a turn-key operation, it will be much easier and more economical.

Mayor Garcia asked if the repairs would make the batting cages like new.

Mr. Luna responded that the fencing would be the same since it is in good condition, except for some areas that can be repaired by Public Works employees. The turf, netting and back drop mat will be new and the cages will look good.

Councilwoman Ator referred to Item 9G, noting that bids were received from the same companies for Prince Field, but the lowest bid is a different company. She asked if there was any reason for selecting two different companies since it might be easier dealing with only one contractor.

Mr. Luna responded that all companies were given the same specifications and he contacted reputable vendors that he had dealt with in the past. He split the jobs between companies in order to be able to save funds.

**Vice Mayor Best moved the item. Councilman Espino seconded the motion and it was carried unanimously on voice vote.**

**9G) Recommendation that Council Approve an Expenditure to Superior Park Systems, Inc., the Lowest Responsible Bidder, in the Amount of \$7,747.50, for the Repair of the Batting Cage at Prince Field, Pursuant to Section 31.11 (E) (C) (2) of the City Code**

This item was discussed simultaneously with Item 9F.

**Vice Mayor Best moved the item. Councilman Espino seconded the motion and it was carried unanimously on voice vote.**

Councilman Espino does not recall the batting cages being on the list of priorities. He wants to revisit short and long-term planning for Recreation and other departments in order to be prepared in the future.

City Manager Borgmann added that the two items for the batting cage repairs were within his purchasing authority, but Council is being asked to designate the fund balance for the two purchases.

Mayor Garcia complimented Mr. Luna for the Tot-lot repairs at Prince Field.

Mr. Luna explained that “Little Smart Arts” will be helping with the painting and will hold a project on May 1<sup>st</sup> with City Staff. He said that overall they are very happy with the repairs and the water fountain is also being replaced.

*(Agenda Item 10E was considered at this time)*

## **10. New Business:**

### **10A) First Reading – Ordinance No. 1015-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-028, Architectural and Design Regulations; by Amending Subsection (F), Architectural and Design Guidelines, to Provide for a New Color Palette for the City; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date**

City Attorney Seiden stated that he placed copies of an alternate ordinance and resolution on the dais in regard to Agenda Items 10A and 10B. The agenda packet includes an ordinance and resolution dealing with the proposed color palette that would be applicable to all commercial development, redevelopment, renovation and restoration projects in the City.

City Attorney Seiden explained that it was not the Consultant’s intention for the color palette to fit that description and it would only be applicable to the Northwest 36<sup>th</sup> Street District. He said that once Council decides how to proceed he would read the appropriate titles. The alternative ordinance and resolution are not numbered; the title specifies if the color palette is for 36<sup>th</sup> Street or the entire City.

Councilman Espino stated that a color palette for N. W. 36<sup>th</sup> Street was certainly discussed, as well as code enforcement and the applicability throughout the City. The City Planner had said that the color palette for 36<sup>th</sup> Street could be more restrictive than the color palette for Westward Drive. He suggested approving a basic color palette that could be added to when other districts are addressed.

Lorraine Tappen, Senior Planner with Calvin, Giordano & Associates, Inc. said that Mario Cartaya could explain how the colors were developed and they will present an idea for a workshop meeting on May 9<sup>th</sup> to discuss more of the aesthetics for Downtown.

Mario Cartaya stated that they looked at the Streamline Moderne and Pueblo/Mission architectural styles to determine the colors they would use for the palette. Some of the colors for the Moderne are not recommended for Pueblo such as the light blues, gray and teal colors. He said that 80% of the colors will still apply to the Pueblo/Mission style. He explained that another palette is recommended that eliminates some colors and introduces new ones with more burnt amber or brown colors.

Councilman Espino mentioned that there are other districts in the City like the Neighborhood Business District. Code Enforcement is yet to be determined by Council although he would push for it and he does not think there should be four separate color palettes. He would like a color palette that could be used throughout the City in order to be able to begin enforcement as soon as possible.

Mr. Cartaya clarified that the intent is to have a color palette for N.W. 36<sup>th</sup> Street and another for the rest of the City.

Councilwoman Ator commented that N. W. 36<sup>th</sup> Street is divided into three parts. She is frustrated because the color palette was lost. Her proposal would be to adopt the Pueblo/Mission style for the entire City and the Streamline Moderne for 36<sup>th</sup> Street.

Mr. Cartaya explained that colors could always be added as an addendum for specific types of buildings.

Councilwoman Ator explained that both color palettes could be adopted for N. W. 36<sup>th</sup> Street and the Pueblo/Mission colors could be for the other commercial districts in the City as they exist today.

City Attorney Seiden stated that the Consultants feel there is no need for a color palette for the Abraham Tract because it is built out, but there are plans for a color palette for the Airport Golf District.

Ms. Tappen said that they had not begun discussions about the Airport Golf District.

Councilwoman Ator reiterated that the entire color palette on the left and right side of the page could be used for N. W. 36<sup>th</sup> Street.

Councilman Lob commented that the colors could be changed as required.

City Attorney Seiden explained that Council could adopt the alternative ordinance and alternative resolution because they deal with 36<sup>th</sup> Street and that is what is relevant this evening. He would bring back a separate resolution and ordinance for all other districts except the Golf and Abraham Districts.

Councilwoman Ator reiterated that one resolution could be for all commercial areas except for 36<sup>th</sup> Street.

Councilman Lob explained that Councilman Espino wants to expedite a color palette for the City.

Councilman Espino stated that there are two color variations. Councilwoman Ator is recommending both palettes for N. W. 36<sup>th</sup> Street and only the left side as a default for the entire City.

Mr. Cartaya agreed with Councilwoman Ator that the left side could apply to everyone because they are standard pastel colors.

City Attorney Seiden stated that he would revise the ordinance between the first and second reading. He understands that there is a N. W. 36<sup>th</sup> Street color palette and all other areas will be the default left side.

Councilwoman Ator asked to consider Resolution 2011-3510 that would apply to the left side of the color palette. She suggested language "as otherwise provided in the Code" and include the entire color palette as 36<sup>th</sup> Street.

*(Agenda Item 10B was considered at this time)*

City Attorney Seiden read the title of the companion ordinance as follows:

*"An ordinance of the City Council of the City of Miami Springs amending Code of Ordinance Section 150-028, Architectural and Design Regulations; by amending Subsection (F), Architectural and Design Guidelines, to provide for a new color palette for all commercial development, redevelopment, renovation and restoration projects in the City, except for the Northwest 36<sup>th</sup> Street District."*

**Councilwoman Ator moved to approve Ordinance 1015-2011 on first reading. Vice Mayor Best seconded the motion, which carried 5-0 on roll call vote.**

**10B) Resolution No. 2011-3510 – A Resolution of the City Council of the City of Miami Springs Adopting a Color Palette for All Commercial Development, Redevelopment, Renovation and Restoration Projects in the City; Authorizing the Maintenance of the Color Palette for Reference and Review; Establishing the Longevity of the Color Palette; Effective Date**

City Attorney Jan K. Seiden read the resolution, as amended, by title:

*"A resolution of the City Council of the City of Miami Springs adopting a color palette for all commercial development, redevelopment, renovation and restoration projects, except for the N. W. 36<sup>th</sup> Street District in the City; authorizing the maintenance of the color palette for reference and review; establishing the longevity of the color palette; effective date."*

**Councilwoman Ator moved to adopt Resolution No. 2011-3510 as amended. Councilman Espino seconded the motion and it carried unanimously on roll call vote.**

City Attorney Seiden read the title of Resolution No. 2011-3511 as follows:

*“A resolution of the City Council of the City of Miami Springs adopting a color palette for all commercial development, redevelopment, renovation and restoration projects in the Northwest 36<sup>th</sup> Street District; authorizing the maintenance of the color palette for reference and review; establishing the longevity of the color palette; effective date.”*

**Vice Mayor Best moved to adopt the resolution. Councilwoman Ator seconded the motion and it was carried unanimously on roll call vote.**

City Attorney Seiden read the title of Ordinance No. 1016-2011 on first reading:

*“An Ordinance of the City Council of the City of Miami Springs amending Code of Ordinance Section 150-028, Architectural and Design Regulations; by amending Subsection (F), Architectural and Design Guidelines, to provide for a new color palette for the Northwest 36<sup>th</sup> Street District of the City; repealing all ordinances or parts of ordinances in conflict; effective date.”*

**Councilwoman Ator moved Ordinance No. 1016-2011 on first reading. Councilman Espino seconded the motion.**

City Attorney Seiden stated that the ordinance provides that this type of document shall be maintained in the Building Department and City Planner’s office.

To answer Councilwoman Ator’s question, Mr. Cartaya clarified that the color numbers are from Benjamin Moore and any painter can look at the numbers to see the different colors and the proportions to make the same colors. He can also provide a board that has the actual paint chips on it.

**The motion was carried unanimously on roll call vote.**

Councilwoman Ator asked for a color palette that is titled “Commercial Areas” instead of Pueblo/Mission style.

*(Agenda Item 10F was considered at this time)*

**10C) Discussion Regarding the Recommendations of the Revitalization and Redevelopment Ad-Hoc Committee and the Photographs Depicting Bad Code Violations on Westward Drive**

Discussion ensued regarding the DVD of the Westward Drive Code violations that was shown at the Revitalization and Redevelopment Ad-Hoc Committee meeting.

Mayor Garcia stated that Council does not need to view a DVD or CD to realize that there are issues in the Downtown area. It is a difficult situation since the Code Enforcement Staff is short-handed and one position was vacated and not filled. He asked if there is consensus to possibly hire someone for the open position in order to be able to enforce the Downtown commercial areas.

Councilman Lob recalled discussion about the possibility of hiring two part-time employees instead of filling one full-time position. He would like to have a cost comparison of hiring two or three part-time employees versus a full-time employee.

Mayor Garcia asked the City Manager to schedule an agenda item for the next meeting for Council to discuss the options for one full-time employee or two part-timers and the cost analysis.

Councilwoman Ator agreed that the cost will make a difference, but one of the issues in regard to Code Enforcement is that there needs to be consistency. She said that even if it would cost more for a full-time person there should be consistency.

Mayor Garcia stated that it would be better to have more than one set of eyes and the Code Enforcement Officers could be alternated instead of one person being assigned to the Downtown area. All employees should be trained equally whether they are full-time or part-time and there should be consistency of enforcement.

Councilman Espino thanked the Revitalization and Redevelopment Ad-Hoc Committee for taking on this issue. The Committee members were considering code enforcement as an alternative that would not cost the City any money and it would require the property owners to do their part. The photographs show ongoing violations on N. W. 36<sup>th</sup> Street and Westward Drive and people tend to have blinders on when they travel down the street.

Councilman Espino explained that the conditions are significantly worse than he even considered, including mold, mildew, graffiti, cracking and peeling paint, sign violations, etc.

Vice Mayor Best stated that Code Enforcement was changed to Code Compliance years ago and the activity has been relatively non-existent due to the fact Council wanted the department to work with the property owners. The problem has not changed in the last six years. There are absentee landlords and unless there are some "teeth" in the enforcement it is not going to work.

Councilman Espino stated that the color palette would apply only if someone decides to paint their building. Most of the buildings on Westward Drive have ongoing violations and he would ask Council to consider setting a timeframe within which all buildings must comply. The incentive for compliance would go toward offsetting the fines that go along with the violations. Some buildings have not been painted for many years and the property owners should share the burden of revitalization going forward.



Councilman Lob also felt there should be a timeframe or standard for painting the buildings such as every five years in the commercial area.

Councilwoman Ator recognized the Revitalization and Redevelopment Ad-Hoc Committee for bringing up the issue in regard to code enforcement. She said that sometimes things are put aside unless the citizens complain or make these kinds of suggestions. She credited the Ad-Hoc Committee members for their service.

City Manager Borgmann added that the City and the Chamber of Commerce started a program and did not get much cooperation from the business community.

Councilwoman Lob reiterated that a time limit should be set for compliance prior to enforcement. He agrees that the first approach should be friendly and a list of violations can be provided to the property owners.

City Attorney Seiden stated that Code Enforcement Officers should go through a training program and that cost should be considered.

City Manager Borgmann clarified that there is a certification program that is not a requirement.

City Attorney Seiden added that there is an ordinance that provides for façade approved designs for Downtown.

Councilwoman Ator noted that there used to be three full-time Code Compliance positions and now there is only one.

City Manager Borgmann stated that the Building Department eliminated one position and there is an unfortunate situation with one employee who has medical issues. The Code Compliance Officer has to help at the desk.

Council **directed** the Administration to schedule an item for the next meeting to compare the pros and cons of hiring a full-time code compliance officer versus two part-time officers.

Carl Malek of 172 Curtiss Parkway commented that the agenda item states “bad” code violations. He questioned if there were any good code violations.

Councilman Espino stated that a more appropriate word would have been “severe”.

Vice Mayor Best commented that the surveillance is so lean right now and they would only be looking at those violations that are the worst.

**10D) Recommendation that Council Approve an Expenditure for \$144,000, Over Five Years, to Comcast, for Fiber Optic Data Communication, a Sole Source Provider, Pursuant to Section 31.11 (E) (6) (c) of the City Code**

City Manager Borgmann stated that City Staff has been working diligently to upgrade the communication system, including the data lines to the internet. He thanked Councilman Lob for his participation on the committee and for his technical knowledge.

Information Technology Manager Jorge Fonseca explained that the City has been working with an old 1.5 meg line the last eight to ten years that is shared between 111 users and it is very slow. The upgrade to the data network will cost a little more than what the City is paying now, but the cost is offset by the voice or telephone system. The new system will save money over the next five years.

City Manager Borgmann clarified that the City can no longer get replacement parts for the telephone system handsets and it has become obsolete.

Mr. Fonseca stated that the total cost of the data package is \$144,000 and the City is currently paying \$1,948 per month; the new package will cost \$2,250 per month and there will be a huge difference in speed since it is 1.5 megs compared to 100 megs or 66% faster. He added that connection to the offsite SunGard system is really slow during the day.

Councilwoman Ator explained that the bottom line is that it will cost \$27,000 more over five years for data but \$55,000 less for voice.

**Vice Mayor Best moved the item. Councilman Lob seconded the motion.**

City Attorney Seiden stated that a reason should be included in the record as to why Comcast is a sole source provider.

Mr. Fonseca explained that the fiber network qualifies as a sole source because Comcast is the only company that can provide a 100% dedicated fiber network for the City. Many companies can provide a fiber network, but it is a shared system between many companies and this will be the City's exclusive network.

Assistant City Manager Gorland mentioned that after five years the cost per month goes down once the contract is initiated.

Councilman Lob stated that he supports the recommendation because what the City currently has is very old and most people have a faster connection at their home. There is no doubt in his mind that the data system is very much needed and very well worth the expense.

Assistant City Manager Gorland commented that the network is needed to go to the voicecom system. The City is in the process of preparing a Request for Proposal (RFP) for a voice communication system.

Mayor Garcia asked the Administration to make sure that training is included in the RFP for the system.

**The motion was unanimously carried on roll call vote.**

**10E) Recommendation that Council Award City Bid # 02-10/11 to Chi Alarms, Inc., the Lowest Responsible Bidder, in the Amount of \$27,774.00 for City Hall Fire Alarm System Upgrade, Pursuant to Section 31.11 (E) (1) of the City Code After 9f and 9g**

City Manager Borgmann read the title of the award.

Procurement Specialist Tammy Romero stated that in 2009, the City received code violations for the fire alarm system because it was not hooked up to the required fire suppression system. Bids were requested at that time with the intention for an RFP with a design/build plan. Several companies attended a pre-bid meeting in April 2010, and there were many technical questions. Building Official Edwin "Skip" Reed agreed there were many areas that needed to be addressed and the Administration decided to disregard the bid process at that time.

In the best interests of the City, it was decided to develop a set of plans for the repairs to the fire alarm system, according to Ms. Romero. The City secured engineer Tom Armstrong of TCAPA, a highly recommended firm that specializes in fire alarm systems that was the lowest most responsive quote. He bid on three phases of the project: planning, bidding and construction.

Ms. Romero explained that in September 2010, two sets of finalized plans were delivered by Mr. Armstrong after several months of communication. The delay was due to securing partial plan review and approval by Miami-Dade County and the Fire Department. There were issues in regard to the elevator recall, which is not required for buildings that are two stories or less.

Ms. Romero stated that once the plans were ready, the City went out to bid again and notification was sent to forty-seven companies of which twenty-one firms attended the mandatory pre-bid conference and thirteen bids were received on March 22<sup>nd</sup>. The committee was comprised of Building Official "Skip" Reed, the engineer Tom Armstrong and herself. She said that they met on two different occasions to evaluate the bids and it was determined that seven of the thirteen companies were deemed non-responsive due to lack of required information. The committee members unanimously agreed that Chi Alarms was the lowest, most responsive bidder.

Councilwoman Ator asked if the funds were included in the budget.

Finance Director William Alonso clarified that funds were included in the budget two or three years ago.

Councilman Espino commented that it is not clear if they are apportioning funding from other items to cover this expense. He does not recall budgeting for this specific item.

Vice Mayor Best was under the impression that the funds had been carried forward since 2009.

Finance Director Alonso clarified that in the current year's budget there is \$50,000 under Public Services – Building Maintenance to upgrade the fire alarm system. There was also \$45,000 for the elevator replacement that was eliminated and the funds remain in the undesignated fund balance.

**Councilwoman Ator moved to accept the recommendation to award bid # 02-10/11 to Chi alarms. Vice Mayor Best seconded the motion, which carried unanimously on roll call vote.**

**10F) Consideration of Work Order No. 6 with Calvin, Giordano & Associates, Inc. Regarding the Airport Golf District**

Councilman Espino stated that Calvin, Giordano & Associates, Inc. is finished working on 36<sup>th</sup> Street; they are working on the Abraham Tract and it would be a natural progression to go to the Airport Golf District. He requested the agenda item for discussion and to give direction to come back to Council with a Work Order.

By consensus, Council **agreed** they would like to move forward with the Airport Golf District.

\*\*\*\*\*

Lorraine Tappen, Senior Planner, Calvin, Giordano & Associates recommended holding a Workshop Meeting on May 9<sup>th</sup> to talk about the aesthetics on Westward Drive.

Councilman Espino stated that a City Planning or Retreat Day could be scheduled to address multiple planning areas in the City. He feels the topics will require a lengthy discussion.

Vice Mayor Best felt that Councilman Espino's suggestion was another matter. He asked if it would work in conjunction with the May 9<sup>th</sup> Regular Meeting.

Ms. Tappen said that the discussion on the retreat could be addressed on May 9<sup>th</sup>. She will ask Richard Sala, Mario Cartaya and the team to talk about what the agenda might be for the retreat.

\*\*\*\*\*

**11. Other Business:**

None.

**12. Reports & Recommendations:**

**12A) City Attorney**

**Chapter 33 of the Code of Ordinances**

City Attorney Jan K. Seiden referred to a memorandum regarding Chapter 33 of the Code of Ordinances and asked Council to review it and place the matter on the agenda for discussion as it is a very antiquated section that deals with ethical provisions that have been dealt with by the County ordinance and should be adopted in total. Since Council is bound by State ethics by law it might be something that Council should consider removing from the books.

City Attorney Seiden received a call from a Washington law firm about the political contribution provision that has not been enforced.

Councilwoman Ator commented that it might not be enforceable since it is a contradiction to State law.

**Annexation Meeting**

City Attorney Seiden announced that Mayor Garcia is making his first official appearance tomorrow on behalf of the City at the Miami-Dade County Commission meeting for annexation.

**12B) City Manager**

**Civics Week**

City Manager Borgmann reported that Civics Week begins on April 25<sup>th</sup>. He will be meeting with various school representatives to determine what programs they have planned. The City bus will be utilized all week to transport the kids around town and one activity that will fall within the timeframe is the Arbor Day celebration on April 28<sup>th</sup> and they will be invited to attend.

**Arbor Day Celebration**

City Manager Borgmann announced that the Arbor Day celebration will take place on Thursday, April 28<sup>th</sup> at the George Washington Park in front of the Library.

### **Ludlam Paving**

City Manager Borgmann reported that the unsatisfactory paving job on Ludlam is being re-milled and re-surfaced again at the contractor's expense.

### **Illuminated Street Signs on Traffic Lights**

City Manager Borgmann stated that there are new illuminated street signs on traffic lights in the City that were installed by the County.

### **Swearing-in Ceremony**

City Manager Borgmann reported that the City Council swearing-in ceremony that took place on Monday, April 11<sup>th</sup> is now on the City's website.

### **Springs River Festival**

City Manager Borgmann said that everyone had a good time at the festival and there were no major problems. He enjoyed the festival very much.

### **North Royal Poinciana Lane Closure**

City Manager Borgmann announced that beginning on May 6<sup>th</sup> and running 24 hours a day for 14 days, the North Royal Poinciana Boulevard traffic flow will be impacted due to the closing of one lane. There is a 96-inch raw water main near Crane and the County has hired an outside contractor to seal the interior of the pipe as it is corroding. The noise should be minimal since the work will be performed underground inside the pipe. There will be generated portable lighting at night and trucks and supplies will be staged on the South Florida Water Management area. The site manager has provided contact numbers if there are any problems or complaints.

Councilwoman Ator asked the City Manager to place the information on the website.

### **City Manager's Position**

City Manager Borgmann announced that he will send a memorandum in regard to his future with the City.

## **12C) City Council**

### **Council Liaison Appointments**

Councilwoman Ator asked if anyone was interested in changing the Council Liaison appointments. She explained that she does not want to change if that is okay with everyone else.

Council **agreed** to keep the same liaisons to the advisory boards.

City Attorney Seiden reminded the Mayor and Council that they are liaison persons and not members of the board; they should not be participating in the meeting to the extent that 50% of the comments are made by the Council Liaison.

Councilwoman Ator reiterated her request to have a representative from Public Works attend the Board of Parks and Parkways meeting to answer questions. She noted that Assistant City Manager Gorland always attended the Recreation Commission meetings when she was on the board.

### **Springs River Festival**

Councilwoman Ator congratulated the Springs River Festival Committee for a great job. She had a nice time and participated in the “dunk tank”.

### **Salsa Workshop**

Councilwoman Ator said that she failed to recognize Councilman Espino at the last meeting for his outstanding Salsa Workshop; there is a small fee to participate and the funds go charity. She said that he is a good teacher and good salsa dancer. She thanked him for volunteering his time.

### **Optimist Club Fishing Tournament**

Councilman Lob reported that the annual Optimist Club fishing tournament will be held on July 16<sup>th</sup> and the event will take place at the Circle this year. He thanked the artist that donated the photograph for the event flyer.

### **Springs River Festival**

Councilman Lob said that the weekend was wonderful in spite of his injury. He had fun and also participated in the “dunk tank”. The Optimist Club did very well with their sale of the tuna and stone crab claws.

### **Dade Days**

Councilman Espino reported that he attended Dade Days in Tallahassee on April 6<sup>th</sup> and 7<sup>th</sup>. The legislature was in general session and was unavailable for half the day. There are contentious budget issues and apportionment is dominating. He made a recommendation to Bob Levy and the Miami-Dade County League of Cities to hold Dade Days earlier during the legislative session. He will bring copies of the Miami-Dade County League of Cities legislative priorities.

### **Springs River Festival**

Councilman Espino reported that the Springs River Festival was great and he was glad to see so many community organizations participating. He sincerely appreciates that the new Chairperson made it a priority to reach out to the organizations.

### **Literacy Week**

Councilman Espino will be reading to the kids at the library on Thursday, April 14<sup>th</sup>.

### **Planning Workshop**

Councilman Espino felt that it would benefit the City to hold a planning workshop similar to what other cities have done. The workshop would be open to the public and some cities allow Council to bring their own delegates that break down into committees, marshal together and ratify the results in a meeting. He would like Council to consider his idea because it would serve to expedite some of the work.

### **Election**

Councilman Espino said that there was great turnout for the election and it is a pleasure to serve on Council. He was happy for the engagement, the turnout and for being elected again. Last night's installation was a very classy event and he would hope that future Councils will continue with this policy.



## **City Manager**

Councilman Espino said that it caught him off guard when he heard comments from people that the City Manager was going to be departing from his position in December and he wanted to share this with Council because the comments were made by reputable residents. If the City Manager plans on making a representation by e-mail he would appreciate it because if there is going to be a change he would like to talk about it sooner than later.

## **Mayor Garcia**

Vice Mayor Best welcomed Mayor Garcia back to the dais.

## **Springs River Festival**

Vice Mayor Best said that the festival was a great success and he has heard a few good stories over the last few days. The Lion's Club did the best they have ever done with the corn sale.

## **Jackson Hospital Forms**

Vice Mayor Best said that he was not sure what to do with the pledge forms for Jackson Memorial Hospital. He will give his to the City Manager and forms will be placed in the City Hall lobby.

## **The Wrecking Crew Film**

City Manager Borgmann referred to a flyer he left on the dais regarding a documentary that will have an exclusive South Florida screening at the Rebeca Sosa Theatre. A portion of the proceeds will go toward the Pelican Players and the Chamber of Commerce who will assist in the production of the evening. The movie is about the studio musicians that backed up everyone from Elvis to Frank Sinatra and the Mamas and the Papas to the Beach Boys. It is a true story that is fascinating and anyone who loves the 60's music will be more than pleased to attend on Tuesday, April 21<sup>st</sup> at 7:30 p.m. Tickets will be available on [www.miamisprings.com](http://www.miamisprings.com).

### **Faith's Place**

Mayor Garcia stated that Faith's Place Autism Outreach, a local organization, is holding a "Marlins Night Out for Autism". The Marlins have provided tickets for \$20.00 each for the game on Friday, May 6<sup>th</sup> at 7:00 p.m. The deadline for ticket purchases is Wednesday, April 20<sup>th</sup> and can be purchased from him or on [www.faithsplace.org](http://www.faithsplace.org) and all proceeds go toward helping children and families dealing with autism.

### **Springs River Festival**

Mayor Garcia said that the Springs River Festival was a phenomenal weekend with record numbers attending on Saturday for the reunion. He is happy that many folks from out of town make the event their vacation destination.

### **"I Led the Pledge"**

Mayor Garcia explained that a few years ago there was an "I Led the Pledge" program and kids from the different elementary schools would come to the Council meeting to participate in the Pledge of Allegiance. He said that it is sad that some of the schools are not practicing the Pledge of Allegiance in the mornings and he wants kids to be aware that it is done by the community leaders. He would like to start the program again and Council concurred.

### **Thank You**

Mayor Garcia extended heartfelt thanks to all the candidates that ran for office in the General Election. He knows how difficult it is to be an elected official and in order to achieve this, one must run for office and that is also very difficult. Sometimes people criticize Council for the jobs that they do and they should imagine walking hundreds of miles in the shoes of a candidate, as some did. He thanked the candidates who were present, Helen Lawrence, Mel Johnson and Grace Bain for running for office.

**13. Adjourn.**

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

---

Zavier M. Garcia  
Mayor

**ATTEST:**

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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.



**DRAFT**



**CITY OF MIAMI SPRINGS, FLORIDA**

The **Architectural Review Board** met in Regular Session at 7:00 p.m. on Wednesday, April 6, 2011 in the Council Chambers at City Hall.

**1) Call to Order/Roll Call**

The meeting was called to order at 7:04 p.m.

Present were: Chairman Mark A. Trowbridge  
Vice Chair Kathy Fleischman  
Bob Calvert  
Rogerio Plasencia

Absent: Juan A. Calvo

Also present: Council Liaison Jennifer Ator  
Board Secretary Lina Bryon

**2) Approval of Minutes: March 2, 2011**

**Vice Chair Fleischman moved to approve the minutes as written. Board member Calvert seconded the motion which was carried unanimously on voice vote.**

**3) Old Business**

**A) Discussion/Update on Revised Ordinance**

Chairman Trowbridge congratulated Council Liaison Ator for her victory at the polls. She will be the ARB Council Liaison for another two years. The Chairman also congratulated all the winners of the council seats and the newly elected mayor.

Mr. Trowbridge noted that at the two last Council meetings the Revised Ordinance pertaining to the Architectural Review Board was not revised.

Chairman Trowbridge pointed out that there are some technical problems and the Council Liaison is going to have a seat at the dais where the microphone is good. The Chairman reiterated that the ordinance with the Notice Provision was not in the revised changes.

Council Liaison Ator agreed and explained that after the first reading she talked to the Council and encouraged them to reconsider their position about the Notice Provision. She reiterated that her intent is to revise that and put on the record exactly the Council members' position in reference to the Notices.

Chairman Trowbridge remarked that it could create a domino effect.

Council Liaison Ator agreed. She said that the current Mayor is opposed to the Notices but the incoming Mayor might be less opposed to that; she feels that in the future she could make a motion providing that Councilman Espino will second it, and the Council members will have to again define their position about the Notice Provision.

Chairman Trowbridge stated that the great irony is that it was done the same day that the City was officially honored for its openness in government. He asked if everyone on the Board had a chance to talk with the person that appointed them to the Board about how they stand on the issue.

Chairman Trowbridge asked Board member Calvert if he talked with the person who appointed him to the Architectural Review Board.

Mr. Calvert responded affirmatively and explained that he told his appointer that he was very disappointed and that he did not know how much longer he will volunteer for the City. He said that the strongest provision of having 30 days to review was taken off the Code and that the Consulting firm was strongly against the Architectural Review Board.

Council Liaison Ator replied that it was not true.

Chairman Trowbridge said that he does not agree with that either. The Chairman explained that the Consulting firm went to the City and identified a problem and the Code said another completely different thing, and the firm had a problem to reconcile both.

Board member Calvert reiterated that the thirty day review process was thrown out for no reason.

Council Liaison Ator noted that there is still a Review Process and not only in the section of the Code about the Architectural Review Board but it is actually included in the 36<sup>th</sup> Zoning. She explained that the Code on 36<sup>th</sup> street is like the implementing legislation for the District.

Chairman Trowbridge affirmed that it is the most specific part of the Code that has been created and the first one to be implemented.

Board member Plasencia said that he would like to invite the City Attorney to the next ARB meeting to explain the final Development Review Procedure as it passed; Mr. Plasencia suggested that this is probably going to establish a precedent, once it is approved.

Council Liaison Ator replied that it has been approved.

Chairman Trowbridge agreed and added that it has not been tested yet. He clarified that it could be used for any change in the Central Business District (CBD) of the City.

Board member Plasencia said that the Architectural Review Board depends on the Development Review Procedure, because this Procedure really defines the role of the ARB.

Council Liaison Ator asked for a copy of the final DRP approved. The Secretary to the Board will send it to all the Board members.

Council Liaison Ator advised that she did not have the last DRP in front of her, but she wanted to explain it to the Board members. She explained that the procedure is much more as the Board wants, and one of the things mentioned is that the developer should have some security knowing that his work is going to be accepted by the City Council, and the plan is to have an architect that is called a Revitalization Specialist, and it could be an outside person or somebody employed within the City.

Council Liaison Ator further explained that the words Revitalization Specialist have been added to the Code. She stated that the Revitalization Specialist could go to the ARB and then to Zoning and Planning Board or Board of Adjustment if they need to. Then will go back to the Council and the Council will approve what is called a Development Order, and that is the document that will go back to the developer.

Board member Plasencia wanted to know what the developer will do when he receives the Development Order.

Council Liaison Ator said the developer will pay his permit fees and then move on his way.

Board member Plasencia wanted to clarify what happens when that Development Order is given out and the developer is ready to go into the permitting process; at that point somebody has to make some checks and balances.

Council Liaison Ator recognized that there was some discussion about that.

Board member Plasencia stated that every negotiation is a two way street, and both, the developer and the City need to have the re-assurance that everything is going as planned, because in the schematic design it is very easy to include pretty landscapes and designs, and his question is who is going to revise that again.

Chairman Trowbridge reiterated the invitation to the City Attorney to fully explain the DRP to the Board.

Board member Calvert reiterated that it was unfair to eliminate the thirty day review process.

Vice Chair Fleischman asked if the Board is going to come up with some guidelines in the Board's advisory capacity.

Chairman Trowbridge replied that nobody asked the Board members to do that. The Consulting firm, Calvin, Giordano and Associates, are going to take care of that.

Council Liaison Ator talked about the last presentation of the Consulting firm Calvin Giordano and commented about the two styles that they used in the presentation: Streamline Modern and Pueblo Styles. Discussion ensued about the styles and the presentation of the Consultants.

In response to a question asked by Board member Calvert, the Chairman advised that it is necessary to avoid confusion. He clarified that the Notice Provision is one thing that the ARB Board still has, and the Community Notices are something different which are gone.

Board member Calvert said that he heard that the City Attorney said that he was going to take out the 30 day Review Process.

Council Liaison Ator explained that the City Attorney took out the language in that part of the ordinance, but the Council put it back in the Code as part of the Zoning at 36<sup>th</sup> Street.

Chairman Trowbridge asked Board member Plasencia to revise the final DRP approved by the Council, and if he is not satisfied with it, then the Board should proceed with the invitation to the City Attorney.

At a question made by the Chairman, Council Liaison Ator explained that there were three different tracts: The Abraham Tract, the Airport Golf and the Historical 36<sup>th</sup> Street. She explained that with all three the Consultants created a whole section called 36<sup>th</sup> Street.

Board member Calvert asked what happened with the Signage Project that the ARB created for the City of Miami Springs.



Chairman Trowbridge replied that the Signage Project was approved by the City Council. The Chairman noted that the Board should ask the City Manager for the status of the Project. He said that the Board is going to ask the City Manager for a status report for the next meeting of the ARB.

Board member Plasencia recognized that the report could be a great idea.

Discussion ensued about the new districts around 36<sup>th</sup> Street, and the Streamline Modern and Pueblo Styles presented by the Consultant firm. The Board discussed also which buildings could be re-façaded in Streamline Modern style and which cannot.

Chairman Trowbridge stated that the ARB has an advisory capacity that will not change. He informed the Board that the president of the Beacon Council called him about the elections and asked if something is going to change with the newly elected Mayor. He asked the Councilwoman Liaison for an approach between the Beacon Council and the new Mayor.

Council Liaison Ator agreed and specified that the Council had some contacts before with the Beacon Council.

Board member Calvert asked if somebody is looking at the Abraham properties.

Council Liaison Ator said that she cannot comment on that. She added that a hotel is looking into those properties.

Board member Calvert asked if the Board could have the opportunity of being part of that process.

Council Liaison Ator said that it is too early to know, but by the time it comes around, she thinks that the ARB could be part of that process. She referred to the new *Eurobuilding Hotel* and explained that the hotel has everything to begin the construction, and that it will be so unfair to make them go by the new provisions.

Chairman Trowbridge encouraged the Board members to express their discontent to the person who appointed them and thanked Board member Calvert for his services and recognized that Mr. Calvert is very frustrated. He said that he hopes to see Mr. Calvert again.

## **B) Update on N.W. 36<sup>th</sup> Street Proposal**

This item was discussed before.

4) **New Business:** None

5) **Adjourn**

**Vice Chair Fleischman moved to adjourn. Board member Calvert seconded the motion which was carried unanimously on voice vote.**

There was no further business to be discussed and the meeting was adjourned at 7:47 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”.*

\*\*\*\*\*





## *Golf and Country Club Advisory Board*

### *Cancellation Notice*

The Golf and Country Club Advisory Board meeting scheduled for Wednesday, April 13, 2011, has been canceled in advance.

A handwritten signature in cursive script, appearing to read "Lina Bryon", is positioned above a horizontal line.

Lina Bryon  
Board Secretary

cc: City Council  
City Manager  
Assistant City Manager  
City Attorney  
City Clerk  
Golf and Country Club Advisory Board Members  
Mike Aldridge, Golf Director  
Post



**REMINDER**

**Please bring  
your  
Board of  
Appeals  
packet**





### PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, April 25, 2011, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

**ORDINANCE NO. 1015-2011 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-028, ARCHITECTURAL AND DESIGN REGULATIONS; BY AMENDING SUBSECTION (F), ARCHITECTURAL AND DESIGN GUIDELINES, TO PROVIDE FOR A NEW COLOR PALETTE FOR ALL COMMERCIAL DEVELOPMENT, REDEVELOPMENT, RENOVATION AND RESTORATION PROJECTS IN THE CITY, EXCEPT FOR THE NORTHWEST 36<sup>TH</sup> STREET DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**ORDINANCE NO. 1016-2011 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-028, ARCHITECTURAL AND DESIGN REGULATIONS; BY AMENDING SUBSECTION (F), ARCHITECTURAL AND DESIGN GUIDELINES, TO PROVIDE FOR A NEW COLOR PALETTE FOR THE NORTHWEST 36<sup>TH</sup> STREET DISTRICT OF THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

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

Magali Valls, CMC, City Clerk

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

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

4-25-2011



ORDINANCE NO. 1015-2011

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-028, ARCHITECTURAL AND DESIGN REGULATIONS; BY AMENDING SUBSECTION (F), ARCHITECTURAL AND DESIGN GUIDELINES, TO PROVIDE FOR A NEW COLOR PALETTE FOR ALL COMMERCIAL DEVELOPMENT, REDEVELOPMENT, RENOVATION AND RESTORATION PROJECTS IN THE CITY, EXCEPT FOR THE NORTHWEST 36<sup>TH</sup> STREET DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, Ordinance No. 947-2006 was enacted in December 2006 and codified as Code of Ordinance Section 150-028, Architectural and Design Regulations; and,

**WHEREAS**, the intent of the aforesaid Ordinance was to provide a skeletal framework and location in the Code for the future placement of architectural and design policies, standards, regulations and guidelines to govern future commercial development, redevelopment, renovation and restoration projects in the City; and,

**WHEREAS**, as originally enacted, Subsection (F) of the Ordinance contained a provision adopting Architectural and Design Guidelines and a Color Palette for downtown facade improvements and other revitalization projects as previously adopted in City Resolution 2003-3220; and,

**WHEREAS**, the City has recently become aware of the fact that the Color Palette previously adopted by City Resolution 2003-3220 and codified in City Ordinance No. 947-2006 is lost; and,



**WHEREAS**, in light of the foregoing, the City Council authorized the creation, adoption and codification of a new City Color Palette for all commercial development, redevelopment, renovation and restoration projects in the City; and,

**WHEREAS**, the City's development and revitalization consultants have created the new Color Palette requested by the City Council which was recently adopted by City Resolution No. 2011-3510 for all commercial development, redevelopment, renovation and restoration projects in the City, except for the Northwest 36<sup>th</sup> Street District; and,

**WHEREAS**, the City Council has determined that it is both proper and appropriate to amend Code Section 150-028 (F) to codify the recently adopted Color Palette:

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

**Section 1:** That Code of Ordinance Section 150-028, Architectural and Design Regulations, is hereby amended as follows:

150-028. Architectural and Design Regulations.

- (A) ...
- (B) ...
- (C) ...
- (D) ...
- (E) ...

(F) Architectural and Design Guidelines. The following shall constitute the Architectural and Design Guidelines of the City in regard to commercial development, renovation, restoration and redevelopment projects in the City:

(1) The Design Guidelines and ~~Color Palette~~ for downtown facade improvements and for other downtown revitalization projects previously approved by the City Council adoption of Resolution No. 2003-3220 is hereby incorporated and codified herein.

(2) The Color Palette for all commercial development, redevelopment, renovation and restoration projects in the City, except for the Northwest 36<sup>th</sup> Street District, adopted by Resolution No. 2011-3510, is hereby incorporated and codified herein.

*{ Intentionally omitted at this time }*

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this 25<sup>th</sup> day of April, 2011.

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

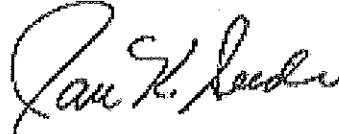
Vice Mayor Best	" _____ "
Councilman Espino	" _____ "
Councilman Lob	" _____ "
Councilwoman Ator	" _____ "
Mayor Garcia	" _____ "

\_\_\_\_\_  
Zavier Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

  
Jan K. Seiden, Esquire  
City Attorney

First reading: 04/12/2011  
Second reading: 04/25/2011

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





### PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, April 25, 2011, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinances:

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**ORDINANCE NO. 1016-2011 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-028, ARCHITECTURAL AND DESIGN REGULATIONS; BY AMENDING SUBSECTION (F), ARCHITECTURAL AND DESIGN GUIDELINES, TO PROVIDE FOR A NEW COLOR PALETTE FOR THE NORTHWEST 36<sup>TH</sup> STREET DISTRICT OF THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

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

Magali Valls, CMC, City Clerk

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

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

4-25-2011

**ORDINANCE NO. 1016-2011**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 150-028, ARCHITECTURAL AND DESIGN REGULATIONS; BY AMENDING SUBSECTION (F), ARCHITECTURAL AND DESIGN GUIDELINES, TO PROVIDE FOR A NEW COLOR PALETTE FOR THE NORTHWEST 36<sup>TH</sup> STREET DISTRICT OF THE CITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, Ordinance No. 947-2006 was enacted in December 2006 and codified as Code of Ordinance Section 150-028, Architectural and Design Regulations; and,

**WHEREAS**, the intent of the aforesaid Ordinance was to provide a skeletal framework and location in the Code for the future placement of architectural and design policies, standards, regulations and guidelines to govern future commercial development, redevelopment, renovation and restoration projects in the City; and,

**WHEREAS**, as originally enacted, Subsection (F) of the Ordinance contained a provision adopting Architectural and Design Guidelines and a Color Palette for downtown facade improvements and other revitalization projects as previously adopted in City Resolution 2003-3220; and,

**WHEREAS**, the City has recently become aware of the fact that the Color Palette previously adopted by City Resolution 2003-3220 and codified in City Ordinance No. 947-2006 is lost; and,

**WHEREAS**, in light of the foregoing, the City Council authorized the creation, adoption and codification of a new City Color Palette for all commercial development, redevelopment, renovation and restoration projects in the Northwest 36<sup>th</sup> Street District of the City; and,

**WHEREAS**, the City's development and revitalization consultants have created the new Color Palette requested by the City Council which was recently adopted by City Resolution No. 2011-3511; and,

**WHEREAS**, the City Council has determined that it is both proper and appropriate to amend Code Section 150-028 (F) to codify the new commercial Color Palette for the Northwest 36<sup>th</sup> Street District of the City:

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

**Section 1:** That Code of Ordinance Section 150-028, Architectural and Design Regulations, is hereby amended as follows:

150-028. Architectural and Design Regulations.

- (A) ...
- (B) ...
- (C) ...
- (D) ...
- (E) ...

(F) Architectural and Design Guidelines. The following shall constitute the Architectural and Design Guidelines of the City in regard to commercial development, renovation, restoration and redevelopment projects in the City:

- (1) The Design Guidelines for downtown facade improvements and for other downtown revitalization projects previously approved by the City Council adoption of Resolution No. 2003-3220 is hereby incorporated and codified herein.
- (2) The Color Palette for all commercial development, redevelopment, renovation and restoration projects in the City, except for the Northwest 36<sup>th</sup> Street District, adopted by Resolution No. 2011-3510, is hereby incorporated and codified herein.
- (3) The Color Palette for all commercial development, redevelopment, renovation, and restoration projects in the Northwest 36<sup>th</sup> Street District, adopted in Resolution No. 2011-3511, is hereby incorporated and codified herein.

*{ Intentionally omitted at this time }*

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**



**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this 25<sup>th</sup> day of April, 2011.

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

Vice Mayor Best	" "
Councilman Espino	" "
Councilman Lob	" "
Councilwoman Ator	" "
Mayor Garcia	" "

\_\_\_\_\_  
Zavier Garcia  
Mayor

**ATTEST:**

\_\_\_\_\_  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 04/12/2011  
Second reading: 04/25/2011

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





## City of Miami Springs Interoffice Memo

DATE: April 12, 2011

TO: Mayor Zavier Garcia and Members of the City Council

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

RE: Recommendation for Purchase of Fireworks for the July 4<sup>th</sup> Celebration

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Staff recommends the award of the purchase for our annual July 4<sup>th</sup> fireworks display to Firepower Displays Unlimited, LLC, in the amount of \$15,000, utilizing the City of Homestead contract # 10-PR-020 as provided for in section 31-11 (E) (5) of the City Code.

Each year for the past 15+ years, we have used "Firepower Displays Unlimited, LLC" as the provider of our July 4<sup>th</sup> fireworks show. The show has always been well received by the attendees. The cost of the display is \$15,000, with a \$3,000 contribution coming from Virginia Gardens, making our net cost \$12,000. However, we budget the entire \$15,000 since we pay the entire bill and then get reimbursed by VG.

This year FDU has quoted us the same show (same # and size shells in every category) as last year for the same price as last year.

The show will start on the golf course promptly at 9:00 PM, weather permitting and last for 18-20 minutes.

Funding source: Recreation budget account # 001-701-572-4801

Agenda Item No.

City Council Meeting of:

*APRIL 25, 2011*

# FIREWORKS DISPLAYS UNLIMITED, LLC

SPECTACULAR CUSTOM FIREWORKS DISPLAYS AND SPECIAL FX  
FOR ANY OCCASION  
STRICTLY ELECTRONICALLY FIRED DISPLAYS

## PROPOSAL FOR FIREWORKS DISPLAY

Sponsors : City of Miami Springs  
Contact : James Borgmann  
Date of Display : July 4<sup>th</sup>, 2011  
Location : Miami Springs Golf Course  
Time : Approx. 9:00pm  
Duration : Approximately 18-20 minutes  
Show Price : \$15,000.00  
Remarks :

We the undersigned, being interested in a fireworks display for City of Miami Springs, agree to pay a price of \$15,000.00 for the display agreed upon, which will be furnished by Fireworks Displays Unlimited, LLC.

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

1. Sponsor to pay balance in full no later than 15 days after date of display.
2. In the event Sponsor shall fail to pay any sum when due under the terms of this contract, Sponsor shall pay, in addition to such amount, interest at the rate of 1-1/2% per month on the unpaid amount from the original due date. Sponsor does further agree that it shall pay Fireworks Displays' reasonable attorney fees and court costs in the event Fireworks Displays shall commence suit or incur fees to compel Sponsor to pay any sums due hereunder or otherwise as a result of Sponsor's default of any of the terms and provisions herein contained.
3. SPONSOR'S AGENT: James Borgmann shall be designated as sponsor's agent to whom all questions and inquiries shall relay all questions and inquiries. Sponsor's agent shall be the only agent of sponsor authorized to request rescheduling of the delivery and exhibition of the fireworks on the part of sponsor.
4. If event is on land, sponsor to furnish police and/or crowd security personnel, provide proper parking supervision and insure adequate patrol of the safety zone as marked and secured by the sponsor until Fireworks Displays Unlimited, LLC. advises that it is no longer necessary. A fireworks display may produce debris as displays take place in the dark; Fireworks Displays Unlimited, LLC cannot be responsible for clean-up of land based shows other than company equipment, supplies and packing materials.

5. If event is over water, Fireworks Displays Unlimited will be responsible for marine permit. The **Sponsor** will be responsible for control of safety zone.
6. Fireworks Displays Unlimited, LLC. reserves the right to stop the display in the event persons, vehicles or animals enter the secured safety zone and security is unable or unwilling to remove them and enforce the safety regulations.
7. Fireworks Displays Unlimited, LLC. will furnish all applicable licenses, permits and \$1,000,000 liability insurance and pyrotechnicians for your electronically fired display.
8. **NOTE:** In accordance with local regulations and ordinances, fireworks displays shall not take place later than 10:30pm unless approval is obtained from the governing authority. The restrictions shall not be applicable with regards to holidays such as December 31, January 1, or other national holidays. If for some reason, shoot time does not occur before the allotted time and shoot is cancelled due to local authority or expiration of permit, Sponsor is liable for full payment of display.
9. Hold harmless Fireworks Displays Unlimited, LLC. from any claims that do not directly relate to damages produced by its staff, equipment or pyrotechnic material.
10. CREDITS: As a material inducement to Fireworks Displays agreeing to enter into this agreement, Sponsor shall give Fireworks Displays program credit as sole fireworks supplier and producer in all press releases, advertising, and any other program announcements, printed or otherwise.
11. If show is cancelled, sponsor is responsible for any permit, fire watch or barge/tug fees, if applicable. Additionally, sponsor will be responsible for load in/ load out expenses not to exceed 50% of budget. If show is stopped while in progress for any reason, Sponsor will still be responsible for contract amount minus the cost of material not discharged.
12. If wind exceeds 20 miles per hour, fireworks display will be postponed to an agreed date between sponsor and Fireworks Displays Unlimited, LLC.
13. Rain date policy is as follows: Postponement time is 11:30am day of display.
14. If the delivery and/or exhibition of the fireworks are postponed by reason of inclement weather, it shall be re-scheduled to the Inclement Weather Date set forth by Sponsor.
15. **IMPORTANT NOTE:** Items listed in this proposal assume a firing area that conforms to NFPA Code 1123-1995, which states that there must be at least 70 feet per inch of shell diameter between firing site and any spectators, cars or buildings. This program requires a safety zone that has a radius of 420 feet because of the inclusion of 6-inch shells. Adjustments will be made to the content of this program if necessary to conform to NFPA 1123-1995.

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

Accepted this day of \_\_\_\_\_

On behalf of City of Miami Springs \_\_\_\_\_,  
James Borgmann

On behalf of Fireworks Displays Unlimited, LLC. \_\_\_\_\_,  
Gary Avins, President

# OPENING BARRAGE

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72 –TWO AND A HALF INCH SHELLS - **TITANIUM SALUTES** - these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** - bursts resembling a round and weeping flower pattern.

30 - **THREE INCH SHELLS - TITANIUM SALUTES** – these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern.

18 - **FOUR-INCH SHELLS - ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **WHISTLES** – a break of color followed by whistles.

8 - **FIVE-INCH SHELLS - FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern.

9 - **SIX-INCH SHELLS - FANCY STAR SHELLS** - Assorted brilliant colors in various patterns, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern.

# BODY OF SHOW

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72 –TWO AND A HALF INCH SHELLS - **TITANIUM SALUTES** - these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** - bursts resembling a round and weeping flower pattern.

180 - **THREE INCH SHELLS - ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** – bursts resembling a round and weeping flower pattern, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold, silver or assorted colors, **GOLDEN, SILVER, GLITTERING OR CRACKLING PALM TREES** – a palm tree image with different forms with trunk-like rising effect, **ASSORTED TWO COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two distinct color changes that resemble a round and weeping flower pattern, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low, **ASSORTED COMETS**, bright luminous thick tail with comet-like appearance with various colors, **ASSORTED TIGERTAILS**, similar to comets, **ASSORTED MINES**, projects various types of effect and colored stars that are launched and ignited at a low altitude.

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

136 - **FIVE INCH SHELLS - FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **TOURBILLIONS** – titanium silver spinning effects, **GOLD FLITTER, SILVER OR GLITTER CROSSETTES** –

exploding comets crackling into criss-crossing effects, **WILLOWS** - golden, silver or assorted colors of very fine lines with an umbrella like effect cascading, **RINGSHELLS** – assorted ring patterns of different colors of one, two, three or five different colors, **GOLDEN, SILVER, GLITTERING OR CRACKLING PALM TREES** – a palm tree image with different forms with trunk-like rising effect, **GOLD OR SILVER RAIN** – slow cascading gold or silver effect, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern, **STROBES** – a variety of bright twinkling shells, **ASSORTED COLOR BROCADES** – a dense golden, silver or assorted color effect ending with an umbrella-like canopy cascading and falling low, **MULTI-BREAK SALUTE SHELLS** – a variety of salute effects that incorporate multiple powerful reports into the display, **STAR FISH** – group of large glittering tail comet stars, **CRISS-CROSS OR BEES**, assorted color bees or criss-cross.

99 - **SIX INCH SHELLS - FANCY STAR SHELLS** – Assorted brilliant colors in various patterns, **SPIDERWEBS** – long hanging fine webs of gold or silver, **TOURBILLIONS** – titanium silver spinning effects, **GOLD FLITTER, SILVER OR GLITTER CROSSETTES** – exploding comets crackling into criss-crossing effects, **WILLOWS** - golden, silver or assorted colors of very fine lines with an umbrella like effect cascading slowly, **RINGSHELLS** – assorted ring patterns of different colors of one, two, three or five different colors, **GOLDEN, SILVER, GLITTERING PT CRACKLING PALM TREES** – a palm tree image of different forms with trunk-like rising effect, **GOLD OR SILVER RAIN** – slow cascading gold or silver effect, **ASSORTED TWO, THREE & FOUR COLOR CHANGING CHRYSANTHEMUMS & PEONIES** – two, three or four distinct color changes that resemble a round and weeping flower pattern, **STROBES** – a variety of bright twinkling shells, **ASSORTED COLOR BROCADES** – a dense golden effect with an umbrella-like canopy cascading and falling low, **ASSORTED COLOR PARACHUTE** – assorted cascading effect from parachute, **SHELL OF SHELLS OR THOUSAND FLOWER** – multi-color star shell with additional smaller shells dispersed outside resembling blooming flowers, **MULTI-BREAK SALUTE SHELLS** – a variety of salute effects that incorporate multiple powerful titanium reports into the display, **ASSORTED COLOR & CRACKLING EFFECTS** – assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, **FANCY PATTERNS** – five pointed star shapes, hearts, smiling face, etc..., **STAR FISH** – group of large glittering tail comet stars.



# GRAND FINALE

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108 - TWO AND A HALF INCH SHELLS - **TITANIUM SALUTES** - these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** - bursts resembling a round and weeping flower pattern.

420 - THREE INCH SHELLS - **TITANIUM SALUTES** - these shells explode into a burst of brilliant white lights and booming reports, **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** - bursts resembling a round and weeping flower pattern, **FANCY STAR SHELLS** - Assorted brilliant colors in various patterns, **SPIDERWEBS** - long hanging fine webs of gold or silver, **ASSORTED COLOR & CRACKLING EFFECTS** - assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, **ASSORTED COLOR BROCADES** - a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly,

108 - FOUR INCH SHELLS - **ASSORTED COLOR, PEONIES & CHRYSANTHEMUMS** - bursts resembling a round and weeping flower pattern, **FANCY STAR SHELLS** - Assorted brilliant colors in various patterns, **SPIDERWEBS** - long hanging fine webs of gold or silver, **ASSORTED COLOR & CRACKLING EFFECTS** - assorted color peonies and chrysanthemums with crackling effects, **WILLOWS** - very fine lines with an umbrella like effect cascading slowly, **ASSORTED COLOR BROCADES** - a dense golden, silver or assorted color effect ending at the tips with an umbrella-like canopy cascading and falling low.

24 - FIVE INCH SHELLS - **FANCY STAR SHELLS** - Assorted brilliant colors in various patterns, **ASSORTED TWO and THREE COLOR CHANGING CHRYSANTHEMUMS & PEONIES** - two or three distinct color changes that resemble a round and weeping flower pattern.

27 - SIX INCH SHELLS - **FANCY STAR SHELLS** - Assorted brilliant colors in various patterns, **ASSORTED TWO and THREE COLOR CHANGING CHRYSANTHEMUMS & PEONIES** - two or three distinct color changes that resemble a round and weeping flower pattern.

OVER 800 SHOTS - Assorted Finale Barrage, Titanium Reports, Whistles, Assorted Color, Tourbillions.

2011

# TOTAL SHELLS

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	OPENING	BODY	FINALE	TOTAL SHELLS
2.5" SHELLS	72	72	108	252
3" SHELLS	30	180	420	630
4" SHELLS	18	216	108	342
5" SHELLS	8	136	24	168
6" SHELLS	9	99	27	135

FINALE BARRAGE

-

Over 1000 shots

Miami Springs  
7/04/11

2010

# TOTAL SHELLS

	OPENING	BODY	FINALE	TOTAL SHELLS
<b>2.5" SHELLS</b>	<b>72</b>	<b>72</b>	<b>108</b>	<b>252</b>
<b>3" SHELLS</b>	<b>30</b>	<b>180</b>	<b>420</b>	<b>630</b>
<b>4" SHELLS</b>	<b>18</b>	<b>216</b>	<b>108</b>	<b>342</b>
<b>5" SHELLS</b>	<b>8</b>	<b>136</b>	<b>24</b>	<b>168</b>
<b>6" SHELLS</b>	<b>9</b>	<b>99</b>	<b>27</b>	<b>135</b>

FINALE BARRAGE

Over 1000 shots