



AGENDA INFORMATION
CITY OF MIAMI SPRINGS
CITY COUNCIL

Regular Meeting

Monday, June 27, 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, June 27, 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) Legislative Update by José Fuentes of The Fuentes & Rodriguez Consulting Group
 - B) Proclamation of Recognition – JR's Gourmet Burgers
 - C) Request from the Miami Springs Chamber to Sell Beer and Wine at the Upcoming "Andrews Sisters Tribute" at the Rebeca Sosa Theater

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) 06-06-2011 – Special Meeting
 - B) 06-13-2011 – Regular Meeting

6. **Reports from Boards & Commissions:**
 - A) 05-05-2011 – General Employees Retirement System – Minutes
 - B) 05-05-2011 – Police and Firefighters Retirement System – Minutes
 - C) 05-17-2011 – Education Advisory Board – Minutes
 - D) 06-08-2011 – Golf and Country Club Advisory Board – Minutes
 - E) 06-13-2011 – Board of Appeals – Minutes
 - F) 06-16-2011 – Historic Preservation Board – Cancellation Notice
 - G) 06-20-2011 – Revitalization and Redevelopment Ad-Hoc Committee – Cancellation Notice
 - H) 06-23-2011 – Code Review Board – Cancellation Notice

7. **Public Hearings:**
 - A) Second Reading – Ordinance No. 1019-2011 - An Ordinance of The City Council of The City Of Miami Springs, Florida Amending Code Of Ordinance Section 113-11, Failure to Make Affidavit, by Enacting a Provision which Requires the Securing of a Business Receipt for Occupying a Designated Business Location in the City; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 6-13-2011 – Advertised: 6-16-2011)

 - B) Second Reading – Ordinance No. 1020-2011 – An Ordinance of the City Council of the City of Miami Springs Creating Code of Ordinance Section 93-51, Color Palette Compliance; by Providing for Applicability, Palette Compliance, Procedures for Compliance, and Enforcement; Repealing All ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date (First Reading: 6-13-2011 – Advertised: 6-16-2011)

 - C) Second Reading – Ordinance No. 1021-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-028, Architectural and Design Regulations; by Delineating Provisions Allowing Use of Up to Three Paint Colors, Authorizing the Building Department to Make Color “Shading” Decisions, and Requiring Notification of Completion by Owner to City; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 6-13-2011 – Advertised: 6-16-2011)

7. Public Hearings: (Continued)

- D) Second Reading – Ordinance No. 1022-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 113-04, Business Taxes-Schedule of Fees, by Providing a Five (5%) Percent Increase in the Cost of All City Business Taxes; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 6-13-2011 – Advertised: 6-16-2011)

8. Consent Agenda:

- A) Recommendation that Council Approve a Purchase to Royal Rent-A-Car, the Lowest Responsible Proposer, in the Amount of \$19,296.00, for the Monthly Rental of Two Vehicles, for a Twelve Month Period, Pursuant to Section 31.11 (E) (2) of the City Code, to be Paid from the Law Enforcement Trust Fund

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Historic Tax Credit Proposal – Presentation of Contract by Robert A. Chaves
- C) Approval of Expenditure for Curtiss Mansion Federal Tax Credit Certification RJHA Project No. 06-3277 (Tabled: 6-13-2011)
- D) Status Report Regarding City Hall Elevator
- E) Strategic Planning Update

10. New Business:

- A) Approval of Food Service Subcontract Extension with Greater Miami Caterers, Inc.
- B) Report on Pool: Extended Hours and Rentals
- C) Ordinance No. 1023-2011 – First Reading – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 31-11, Purchasing, Procurement and Sale Procedures; by Adding Thereto a Provision to Permit City “Piggybacking” Purchasing from Private Sector Cooperative Purchasing and Not-for Profit Companies; Repealing all Ordinances of Parts of Ordinances in Conflict; Effective Date

10. New Business: (Continued)

- D) Ordinance No. 1024-2011 – First Reading – An Ordinance of the City Council of the City of Miami Springs Repealing Chapter 33, Conflict of Interest; Code of Ethics; Lobbying of the Code of Ordinances of the City of Miami Springs, Containing Code Sections 33-01 Through 33-20; Enacting New Chapter 33, Conflict of Interest and Code of Ethics; Enacting Code of Ordinance Section 33-01, Adoption of Conflict of Interest and Code of Ethics Ordinance of Miami-Dade County; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Dates
- E) Ordinance No. 1025-2011 – First Reading – An Ordinance of the City Council of the City of Miami Springs Repealing Code of Ordinance Section 150-005, Alcoholic Beverages; by Repealing the Current Ordinance Provisions and Enacting New Code of Ordinance Section 150-005, Authorization for Endorsement of Applications for State of Florida Alcoholic Beverage Licenses; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date
- F) Appointment of Voting Delegate to the Florida League of Cities 85th Annual Conference
- G) Consideration of Rating System for Productions in the Sosa Theater

11. Other Business:

- A) Mid-year Evaluation of City Manager (Requested by Councilman Espino)

12. Reports & Recommendations:

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

13. Adjourn

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

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

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



City of Miami Springs, Florida

The Miami Springs City Council held a **SPECIAL MEETING** in the Council Chambers at City Hall on Monday, June 6, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

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

The following were present:

- Mayor Xavier M. Garcia
- Vice Mayor Bob Best
- Councilwoman Jennifer Ator
- Councilman Dan Espino

Absent: Councilman George V. Lob

Also Present:

- Assistant City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Finance Director William Alonso
- Human Resources Director Loretta M. Boucher
- City Clerk Magalí Valls

2. Invocation: Councilman Espino offered the invocation.

Salute to the Flag: The audience participated.

Open Forum

Mayor Garcia announced that he would entertain an Open Forum session at this time for anyone wishing to speak.

Jo Ellen Morgan Phillips of 372 De Leon Drive stated that after the last meeting when Council discussed the tax credits for the Curtiss Mansion she contacted Heisenbottle Architects. She explained that Ivan Rodriguez has written several of the agreements for other municipalities and he is present this evening. He recently worked with Delray Beach and they secured \$2MM for their theatre.

Ms. Phillips explained that Heisenbottle Architects sent an invoice to the Curtiss Mansion and her understanding is that it must be submitted to the City since they will be directing the program. The City Manager had asked Mr. Rodriguez to address any questions in regard to parts B and C so that the process could move forward.

Ms. Phillips reported that the drywall is going up inside the Mansion and once it is finished they will not be eligible for the tax credits.

Ivan Rodriguez of R. J. Heisenbottle Architects, Coral Gables, stated that he was the head of the Miami-Dade County Office of Historic Preservation for approximately thirty years before he retired. In that capacity, and presently in the private sector, he worked on a lot of projects of this nature. He offered to answer questions that Council might have and said that this would be a "win-win" situation for Miami Springs.

Councilman Espino inquired if the City will qualify for the historic tax credit and Mr. Rodriguez answered that it is very likely, although there are no guarantees. The Division of Historical Resources in Tallahassee is the initial reviewer and after that point the application goes to the National Park Services for final authorization to issue the tax credits. He stands by the work and experience of Heisenbottle Architects and this is an admirable project and they have handled many similar projects. From the shell that remained of the Curtiss Mansion they have been able to reconstruct the building and the rehabilitation has been done with tremendous care and detail.

City Attorney Jan K. Seiden said that he, the City Manager, Assistant City Manager, and Finance Director conducted a conference call with the tax counsel after the last meeting and they sent him the agreement that was sent to the City by Wishneff & Associates. There were some questions in regard to the agreement that are being addressed and the tax counsel sent an email saying that he had been in touch with Wishneff & Associates and was referred to their tax people, and he also left a voice mail today saying that he was becoming more comfortable with the tax aspect of the transaction. He will report back as soon as he has additional news.

Vice Mayor Best inquired about the timeline for the process and Mr. Rodriguez said that the timeline varies depending on the review by the State. Generally, the first review will be in about four weeks and it has taken longer. He explained that the Curtiss Mansion is not a huge or complicated project and there is no reason why it should be prolonged. The work that is done by his office should take approximately two weeks.

Councilwoman Ator expressed concern regarding the 55 years lease from the City to CMI.

City Attorney Seiden clarified that the 55 year lease provision is one of the issues being looked into by the tax attorney and there is no answer yet. All the documents are being reviewed and there has been discussion about the procedure. The tax attorney will provide answers and his position as soon as possible.

Councilwoman Ator asked how long it would take to receive an answer.

City Attorney Seiden said that hopefully he would have the information before the next Council meeting.

Councilwoman Ator reiterated her concerns about the 55-year lease, the future of CMI and their relationship with the City. She would like to wait until Council receives a response from the tax attorney.

(Agenda Item 5 was considered at this time)

3. City Manager Job Description and Qualifications

Assistant City Manager Ronald K. Gorland stated that City Manager Borgmann was unable to be present and the documentation that he provided had already been read into the record regarding the City Manager job descriptions and qualifications.

The Assistant City Manager explained that the documentation includes pages from the current list of job descriptions for the position of City Manager and also a sheet that was used in the past to assist executive searches for that same position. Also included is a memorandum from the City Manager regarding the scope of the search that is not intended to be an endorsement of anyone, but rather his thoughts after 30+ years in local government.

Human Resources Director Loretta Boucher stated that in regard to the recruitment and hiring for the City Manager, she wanted to state for the record that she has been a Human Resources Director for thirty-nine years, including seventeen years for the City of Miami Springs. As an HR professional, she has worked under the direction of four strong mayor forms of governments, four city managers and during that time she has recruited for many positions, including City Manager. During this time there has never been an issue in regard to her hiring practices, ethics or honesty. She has always been loyal to the position that she holds as a professional HR Director.

Human Resources Director Boucher explained that if the City does not retain an outside search firm to conduct the process, she would recommend that it is standard practice for the Human Resource Director to conduct the selection process for the hiring of the City Manager. She assured Council that there would be transparency and uniformity in the hiring practices in accordance with state and federal law. She will respect and continue to do her job regardless of the decision that Council makes this evening.

Mayor Garcia read the details presented in regard to the job description and qualifications for the position of City Manager. He asked if there were any questions or comments in reference to any of the qualifications or additional qualifications that Council may want to consider.

Vice Mayor Best commented that the documentation is well presented and clearly defines the qualifications for City Manager. He cannot think of anything else that the job would entail.

Councilman Espino stated that he does not have any concerns with the substance of the documentation. He would specifically like to have a community profile that accompanies the job description because it provides an overview of the community, including historical background, community vision and the current Council. This information would help to steer the applicants as to how they would present their personal information and how they would present themselves to Council.

Councilman Espino explained that he could not speak for the current Council, but the previous Council had a unanimous consensus on a number of issues, and commercial revitalization was one topic that was discussed at length.

The Human Resources Director stated that the City now has the website ability to promote what Councilman Espino is suggesting and a community profile could be created by an outside agency at the direction of Council. She took the liberty of updating a sample advertisement for Council's review that includes the requirements and information about the City, including the population and the budget. There could be other qualifications for Council to consider whether the search is done in-house or outside, such as the requirement for the candidate to live in the City, the reimbursement of moving expenses, etc. and that will require Council direction.

Councilman Espino commented that the Charter provision is extremely convoluted; it states that the applicant or candidate need not live in the City during consideration and may live outside of the City with Council approval, if hired, which means they do not have to live in the City.

Human Resources Director Boucher stated that if someone is hired that lives outside the state that Council must determine if they want to pay moving expenses. Most of the duties of the City Manager are outlined in the City Charter and the job description only encompasses a portion of the duties. The advertisement outlines the required education, years of experience and the salary range that must be determined by Council.

City Attorney Jan K. Seiden referred to Section 4.04 of the Code which states that the City Manager need not be a resident of the City or the State at the time of his appointment, but may reside outside of the City while in office, only with the approval of Council.

Councilman Espino clarified that there could be a provision within the resolution for the hiring of the City Manager to state that it is permissible to live outside the City, and that would be sufficient to comply with the Charter.

City Attorney Seiden explained that whoever is hired will get a contract according to today's standards.

Vice Mayor Best said that there are a couple of things that are viable to the search and it is very important that the individual be very cognizant of the laws of the State of Florida and of the Miami-Dade County laws and Home Rule Charter rules.

Councilman Espino would like to put an emphasis on revitalization and redevelopment whether it is experience with another city or in business since this will continue to be a topic. Other priorities are job creation and lowering the millage rate by increasing the commercial tax base because this will weigh heavily on the next candidate. The duties and responsibilities are the mechanics, but he would like to go further in order to determine what the candidates' aptitude is for the goals that the City is currently pursuing.

Mayor Garcia commented that the experience would vary among candidates; some might be stronger in some aspects than in others. A candidate might be highly qualified in the redevelopment aspect, but not in commercial growth. He is glad to hear that Council will receive every application that is turned in so that they can determine the qualifications. It is a process that takes time and it is not going to happen overnight.

Mayor Garcia would like to come up with some type of consensus as to the direction Council would like to proceed with. He questioned if that would be okay without the presence of Councilman Lob.

City Attorney Seiden stated that it is up to Council how they want to proceed and if there is a 2-2 vote, it would then require the presence of Councilman Lob. A consensus is needed to determine whether the search will be conducted by an outside firm or in-house.

Councilwoman Ator agreed with Councilman Espino that something should be added to the qualifications related to commercial growth experience or code changes. Also, it is important to include in the advertisement those issues that are important to Council so that the candidates can respond appropriately. She would like the candidates to give examples of their skills, initiative, strengths, loyalty, optimism and other qualities that are needed to move the City forward. The person's attitude is 85%, in addition to their qualifications; they should give examples of their accomplishments and ways they have displayed their attitude.

Councilwoman Ator said that she conducted research in regard to leadership because the next City Manager should be someone who solves problems and does more delegating. She would like a City Manager that has an overall picture of empowering Staff and would personally like to see someone who is more proactive with initiative and planning skills.

Mayor Garcia added that Council would like examples of how the candidates have been proactive and Councilwoman Ator agreed.

Councilwoman Ator expressed her support for the HR Department conducting the search.

Human Resources Director Boucher explained that the last five to ten candidates that meet most of the requirements would be asked to present their last budget, a plan for revitalization and projects that they have accomplished under their name during their tenure. This will serve as proof of their accomplishments.

Ms. Boucher stated that in addition to the advertisement, the website will include additional requirements and personal skills that are necessary. The resumes that are submitted are reviewed in order to tell if the person has the necessary experience; the education alone is not enough. There are two sheets; one includes the requirements and the other is the advertisement.

Councilwoman Ator stated that once the resumes are narrowed down to the final ten or fifteen she would like to have those candidates answer a questionnaire giving examples of their strong points or weaknesses. She added that when hiring for her firm that a person's attitude is her first priority.

City Attorney Seiden suggested that Council could take an opportunity to prepare a list to supplement the document. He said that in his experience, going through the hiring process, it is better for Council to ask the questions when the candidates appear before Council.

Human Resources Director Boucher explained that Council will have the opportunity at a public meeting to ask questions based on the resumes submitted and the candidates would show proof of their work.

Councilwoman Ator asked if all the candidates will sit in the room when Council is conducting the interviews.

City Attorney Seiden responded that the candidates can remain in the room, but most often they do not. It would not be appropriate for Council to ask the candidates to leave the room, but it would give a bad appearance for them to watch the proceedings. He said that most have gone through the process a number of times and they would not listen to the other presentations.

Councilman Espino stated that he is looking for qualifications specific to the City of Miami Springs. He referred to the City of Coral Gables advertisement that listed the City's history, "Coral Gables Today", demographics, government layout and the challenges that their City was experiencing. They also explained the ideal candidate in narrative form and that is where the areas of expertise are separate from the basic qualifications.

Councilman Espino explained that short-term and long-term planning makes sense for budget reasons and for providing services. The recreation programs are experiencing some growth, different programs are vying for field space and now the City must react in order to determine how to make an accommodation. He would like the next City Manager to be a problem solver and have contingency plans even if they are very broad.

Mayor Garcia asked for the direction moving forward and whether Council is inclined to conduct the search through Human Resources Department or hire an outside company.

Vice Mayor Best said that he wants to maintain the process in-house and be able to go through the process without convolution. He does not want Council to legislate a person's philosophy because it can ruin someone and nobody can change overnight. Most people who have held positions in public administration know the process or they would not be in the position. He does not want to make the process more than what it really is and it is clearly a job for Human Resources.

Mayor Garcia stated that Council would ask the final candidates specific questions and make the decision as to whether or not they can stand the test of what they are required to do for the City.

Vice Mayor Best added that flexibility is very important.

Councilman Espino reiterated that the Human Resources Director's service to the City speaks for itself. He wants to avoid a perception because sometimes in government and politics perception is reality. The Assistant City Manager has expressed his desire to fill the position and the City Manager has publicly endorsed that position. In terms of Council's responsibility to the residents, he wants to give assurance that they will select the best person possible, which may end up being the Assistant City Manager. It is his desire to take the search outside if the City cannot provide appropriate screening measures.

Councilman Espino agreed that the Human Resources Director has the experience in conducting a search, but her niche is HR overall. His thought was to hire someone that can focus on one need and do it exceptionally well and that is to target a high level executive based on the established criteria and the vision for the community. He added that price is another consideration, but that is still unknown and when he first brought up the suggestion, the Human Resources Director was going through health issues.

Councilman Espino mentioned that he had asked the City Attorney what would happen if Human Resources Director Boucher were unable to handle the hiring process and he responded that the responsibility would be delegated to someone else. His concern was that the person the responsibility is delegated to might not have the HR experience and hiring a firm would alleviate all the concerns. The cost is an overwhelming factor; he would not approve of spending \$50,000 or \$60,000, but would approve of some allocation of funding.

Human Resources Director Boucher clarified that she has no problem with hiring an outside firm. She felt uncomfortable with the suggestion of involving the City Clerk because her expertise is outside the HR field. She agreed that consultants are very professional, they will know what Council wants and they will find the right candidate.

Councilman Espino clarified that he did not mean for the City Clerk to take on an HR function. The City Clerk works directly for Council, not the City Manager, and he was suggesting that she would be the relay point in the process.

Human Resources Director Boucher explained that her department operates under the cone of silence and there has been no discussion about her documents between the City Manager and Assistant City Manager. She prepared them and sent them directly to Council; she only sent the documents through the City Manager's Office for placement on the agenda.

Councilwoman Ator asked at what point the cone of silence is lifted after the applications are received and City Attorney Jan K. Seiden responded that it is lifted at the very end.

Councilwoman Ator understood Councilman Espino's concern about the transparency. She asked if the applications would become public record once they are received by Council.

Human Resources Director Boucher confirmed that the applications are public record.

City Attorney Seiden stated that once the advertisement is sent to all organizations and publications and the applications are submitted, the Human Resources Director sorts through them and identifies the candidates that are the best qualified. All documents are available for Council review; it is not really a cone of silence process at that point since it is not a bidding process.

Human Resources Director Boucher explained that the advertisement states that once the applications are submitted they become public record and they will be accepted until the position is filled unless Council specifies a deadline. She will provide Council an updated list each week of the names of the persons who submit applications and where they are from. Copies would not be made until they are further into the selection process, unless they are requested sooner.

Councilwoman Ator would be interested in a list of the names or a matrix of where they are from, including their respective qualifications and education. She understands that Council can request copies at any point.

City Attorney Seiden said that once a date is set for final submittal of the applications, it would be a waste of time for Council to review a list of those that are unqualified; they would only want to see the most qualified. Council can dictate whatever process they want and all the documents are public records. He said that a matrix would be developed and if there are ten candidates in the highly qualified category, Council may want to interview all ten or Council could review ten on paper and interview five in person.

Mayor Garcia stated that he has full confidence in the Human Resources Director to handle the screening process and locate candidates within Miami-Dade County or the State of Florida. He would like to keep the search within the State of Florida.

Vice Mayor Best moved to empower Human Resources to conduct a search for the new City Manager's position, specific to the State of Florida and within Miami-Dade County as a requirement. Councilwoman Ator seconded the motion.

Councilwoman Ator asked for an amendment to remove the requirement that the person must be from Miami-Dade County. She wants to make sure that the motion is clear.

Vice Mayor Best clarified that the motion is to direct the Human Resources Department to conduct a search for the City Manager's position.

City Attorney Seiden interjected and asked to stop at this point and make it the first step. **The next step would be to direct where the search will be.**

Vice Mayor Best agreed to **separate the motion into two parts.**

Vice Mayor Best **amended** his motion and Councilwoman Ator offered the second to the amended motion.

The motion carried 3-1 on roll call vote with Councilman Espino casting the dissenting vote.

City Attorney Seiden stated that Council may now want to consider the geographical limits.

Councilman Espino and Councilwoman Ator both stated that they agree to limit the search to the State of Florida.

Mayor Garcia mentioned that he had suggested Miami-Dade County.

Vice Mayor Best would like to consider the County Home Rule Charter and that Miami-Dade County is the largest and most populous county within the state, which is relative to how the City of Miami Springs operates. He is suggesting that it be included in the search and if no one is found then it is fine, but at least it would be included for specificity.

Mayor Garcia explained that Miami-Dade County was his first intent, but he does not want to limit the search to those persons currently working or living in Miami-Dade County.

Attorney Seiden felt that it would be better to go with the State of Florida and narrow it down through the process since someone working in another county within the state may have worked in Miami-Dade County at one time. There are a lot of people at this level who are very familiar with the concepts of Home Rule. The person would not have to come from Miami-Dade County; it is a generally accepted municipal concept that is statewide.

Councilwoman Ator added that Miami-Dade County is not the only county within the State with the Home Rule Charter.

Vice Mayor Best commented that in his trips to Tallahassee he had interfaced with other municipal officials from other counties and they have no idea of the Home Rule Charter.

City Attorney Seiden said that limiting the search to Miami-Dade County might not result in a very good sample.

Vice Mayor Best moved to direct Human Resources to conduct a search relative to the State of Florida. Councilwoman Ator seconded the motion, which carried 4-0 on roll call vote.

Human Resources Director asked when she should start preparing samples of the advertisements and the requirements for Council to review before sending them out. She also asked if they wanted to set the salary range from \$80,000 to \$100,000 or to set a minimum of \$80,000 and leave the top of the range open depending on qualifications.

To answer Mayor Garcia's question, Ms. Boucher recommended starting at \$80,000 and setting the maximum based on qualifications and the other benefits are part of the contract, including pension, benefit days, etc. She explained that the existing contract with the City Manager is standard.

Ms. Boucher referred to a City Manager salary survey that was prepared by Surfside that she sent to Council for review.

Councilman Espino would like to address the compensation range because part of the issue that all cities are experiencing is that they have been operating in the same manner for many years, including Miami Springs, and perhaps the salary range should be looked at again. For discussion purposes, cities as large as Homestead have a salary range of \$140,000 to \$180,000 and Dania Beach is \$120,000 to \$160,000.

Councilwoman Ator agreed with Councilman Espino that when considering the salary and benefits it is important for Council to look at what is offered before hiring a new City Manager, in light of what is going on statewide and nationally. She said that no promises can be made and just because something was offered in the past, does not mean it should be the same in the future.

City Attorney Seiden explained that when Mr. Borgmann was hired, Council was considering another gentleman and they kept the salary and benefits open, subject to negotiation. He said that it is important to be flexible.

City Attorney Seiden added that most of the City Manager candidates that file applications will have experience working as city managers in a number of different locations; that is part of the experience. Normally people holding the position of city manager do not last for a long time and City Manager Borgmann is an exception because he lives here and he is familiar with the City's operations.

City Attorney Seiden suggested that Council should give direction to Ms. Boucher and send her supplemental documentation, on an individual basis, and by the next Council meeting she could prepare something for Council to approve and use as a document going forward.

Mayor Garcia liked the comments that were made about additional requirements and questions for the candidates. He would like the Human Resources Director to take these comments into consideration.

Human Resources Director Boucher asked Council to respond to her by e-mail with their comments.

Councilman Espino said that if each Council member were to create a profile that is submitted individually to the Human Resources Director, the City Clerk could then send all of them to Council.

Attorney Seiden agreed that once the documents are on record, they could be distributed to Council through the City Clerk.

Mayor Garcia stated that all the comments could be combined in a document; he is not interested in seeing who made the comments, but he would like to see them so that he can come to a decision.

Councilwoman Ator clarified that her intention is not to create an entire new position description; it is only to be able to add some skills or qualifications.

City Attorney Seiden advised Council to be thinking in terms of a time line.

Mayor Garcia stated that Council would have more information to review for the next meeting on June 13th.

Councilwoman Ator added that she would like to include the list of publications that will be used for advertising.

City Attorney Seiden said that Council should not dictate how the process will go until they find out what the responses are. There is no need to make a decision now about narrowing down the candidates for interviews because it is too early in the process.

Mayor Garcia mentioned that he would like to set a date in August for submission of the applications.

Human Resources Director Boucher advised Council that they must allow time for resumes to come in after advertising in the Florida League of Cities Datagram and the Quality Cities Magazine.

Mayor Garcia asked for information showing the publication dates and deadlines for the submission of the ad.

Ms. Boucher stated that she would check on the dates tomorrow for the August publications.

Mayor Garcia asked Ms. Boucher to check on the publication dates for July and August.

4. Strategic Planning Retreat – Proposed Compromise

Councilman Espino stated that the City lacks a vision for Miami Springs as a whole, based on planning in a number of areas, and it certainly affects the City when selecting the City Manager and during the budget process. When Miami Springs was founded; it was founded by Glenn Curtiss who was a visionary and ahead of his time in terms of urban planning and design.

Councilman Espino explained that strategic planning takes time and it cannot happen in one day so he would like to get started and get Council to seriously consider and approve a strategic planning retreat that would serve as a “launch-off” point.

Councilman Espino prepared a compromise based on Council’s last discussion. He is proposing a general session with break out meetings and the Staff and Administration coming together with Council and delegates in the hopes to establish vision points in various areas or even broad based goals, objectives and policies that would be translated into a strategic planning initiative going forward. He does not expect one day to be sufficient or to be the entire process.

Councilman Espino said that in keeping with Councilwoman Ator’s suggestion, he is proposing the use of a third party facilitator with a location and date inside the City to be determined. The parties involved would be the Mayor, Council, Administration, and Staff with resident participation and Council member delegates from the various advisory boards.

Councilman Espino explained that the issues must be identified and the idea is to address a number of areas at one time, which does not happen during Council meetings. The Assistant City Manager provided a list of his operating initiatives and perceived objectives and he broke it down into various areas such as commercial revitalization and redevelopment, finances, public relations, arts and culture, charter and code reform, recreation and parks, and capital improvements.

Councilman Espino felt that it would be an amazing exercise and a way to build community consensus since there have been major discrepancies in the community, especially during election time. The entire community should move forward together and he would like to proceed in this fashion. He offered to entertain any modifications and address the proposal to fit everyone’s desires.

Vice Mayor Best commented that he was not sure where Councilman Espino was heading with his recommendation because everything he mentioned had already been addressed through the process of operating the City, through the City Council and with the assistance of the advisory boards. He recalls Town Hall meetings being held only when there was a very contentious issue with two different sides.

Vice Mayor Best explained that he reviewed all the information twice, including Sarasota’s and he wondered how purposeful it was.

Councilwoman Ator said that she believes in strategic and long-term planning and the goals should be objective with a plan for implementation. She does feel that there should be a third party facilitator and the issues should be identified. She does not think there should be delegates because all residents will be invited and can participate. She has some concerns about the logistics of the break out sessions and that should be addressed.

Councilwoman Ator said that the best way to proceed and in order to get the most out of the retreat would be to make it as objective as possible and have input from the City as a starting point. The Department Heads could present wish lists that are broken down into different categories so that Council can identify what they are most interested in accomplishing. Sometimes it is hard to be proactive outside of your own personal experiences and getting input from City employees who have experience dealing with day-to-day responsibilities would be helpful. The facilitator could help and she would rather go department by department instead of breaking out into groups.

To answer the Mayor's question, Councilwoman Ator explained that she would like public input, but she is concerned about breaking down into committees because Council would not be involved in all the discussions and it would be easy to manipulate the process. The City departments and Staff have been able to identify their needs and present ideas for consideration.

Mayor Garcia stated that the willingness to move forward with a strategic planning retreat is a big step forward and how it should be done must still be worked out. He personally is fine with strategic planning and he also raised the issue of the advisory boards. The problem with the advisory boards is that some have taken on more than they should and they meet even if there are no issues to discuss.

Mayor Garcia suggested that the advisory boards could tie into the strategic planning process. He agreed with Councilman Espino's comment that some issues are not raised by the public until election time and those people do not participate in the Council meetings and provide their feedback. He said that perhaps an outside retreat might be a possible way to get that input and he is open to suggestions.

Councilman Espino agreed with Vice Mayor Best that the City operates well, but it is like a ship without a destination and sometimes it goes off course and this wastes time and money. Currently it is unknown what is needed for recreation in five years and now there is a shortage of fields. The departments and advisory boards can work together to address goals. He added that if funding is attached to a plan that is fleshed out through strategic planning it will help to stay focused moving forward.

Vice Mayor Best clarified that he does not want to create another process, it seems Councilman Espino's proposal is quite intent and he questions how it will correspond with the budget. He asked how the plan would merge with the budget, although it could be a good tool.

Councilman Espino stated that one example is the growth of the recreation programs and the need for playing fields, including sod and irrigation that will require extra funding over two to five years. The Community Center is a prime example; it was discussed over the course of four years, paid for in two years and now Council is addressing the operation. The same should be applied to every department's needs.

Councilman Espino's hope is to come up with goals, objectives and policies that will translate into actionable items at future Council meetings or through the advisory boards. He said that breaking down into committees with delegates will allow seven different topics at the same time in order to have a more efficient meeting. The point is that everyone should be well represented and all ideas will be addressed so that the end product is a consensus. The final step is implementation of the goals, objectives and policies.

Councilman Espino agrees that strategic planning should be driven through the City departments as listed in Council action item # 4 with the departments conducting a goals assessment, including factors that went into making the decision or the implementation of those decisions. This could include external factors that are beyond the City as well as internal factors.

Councilwoman Ator said that the delegates might dominate the conversation on a particular issue. She would remedy that by moving the process along through the departments and the advisory boards could be utilized in the same way. There is a limited amount of time and the way to move forward is to set a time limit for each of the boards to identify their issues, and open the floor for discussion or comments that would also have a time limit. The boards could be useful in that respect and she cited the Education Advisory Board as a good example of a working body that has taken on certain issues based on their knowledge.

Councilwoman Ator added that the advisory board minutes are not verbatim and sometimes recommendations are not clear. She would like an opportunity to hear everyone and their concerns.

Councilman Espino said that whenever Council deliberates on an issue the amount of feedback is limited and it becomes a conversation with Staff; he wants the boards to participate and most of the delegates he has in mind are board members. He said that some boards like Code Review are not authorized to be aggressive and others do not act and respond like Council wants them to.

City Attorney Seiden explained that each table could be assigned to a certain department. The table could be staffed with a delegate appointed by each Council member or it could be assigned to the advisory board that is most appropriate to that function. In order to solve the problem, there cannot be any citizen participation, although they can listen and absorb what is being discussed and submit written comments later. If the citizenry participates it will be a "free for all." There will be a facilitator at each table who will be the department representative.

Councilman Espino commented that the components are policy, execution and the desires and wants of the community that sometimes do not come out until election time. The City does not do a very good job of engaging the citizenry and he does not want to limit their input. He stated that each subcommittee would have an agenda to follow and they would address the issues, select a facilitator and include the respective department head. He disagrees with excluding the public.

Mayor Garcia said that there was a similar program that was related to the Recreation Department and it was a written survey with feedback from the residents who expressed what they wanted for the program. A strategic planning survey is one way to keep the public involved. He added that Council receives calls on many topics, but not many come to the Council meetings. The survey could be sent to all households with a marketing campaign urging residents to complete the survey based on the questions that are brought forth from the advisory boards and the department heads.

City Attorney Seiden felt that the Mayor presented a good idea to use the boards and the member from the administration to develop a survey. The last recreation survey was prepared by an outside company and this is an idea for the City to develop its own surveys.

Councilwoman Ator suggested that the survey could be completed on-line and the results could be tabulated into an Excel spreadsheet that would cut down on time and expense.

Assistant City Manager Gorland stated that the City spent \$20,000 for the recreation survey and developed a data base. The survey results were presented to Council several months later. The survey was conducted independently and it is a great idea. The development of the questions and securing the answers is important.

City Attorney Seiden said that the department heads could propose questions that they would discuss with the board members at the strategic planning session and placed on the website after the questions are identified.

Mayor Garcia explained that residents may not come to the meeting unless they have a specific problem. He reiterated that people could be urged to complete the surveys through a marketing campaign. He recalled that the same few people attended the past charrettes; people are not inclined to attend.

Councilwoman Ator added that residents have personal obligations and not everyone will be able to attend the planning meeting regardless of when it is scheduled.

Councilman Espino asked for further clarification in regard to identifying the issues.

Councilwoman Ator suggested asking the department heads to review the advisory board minutes for the past year or eighteen months and prepare a survey together with the Chairs of the Boards.

Mayor Garcia would like the advisory board chairs to put together their ideas based on their discussions in conjunction with the department heads.

Councilman Espino asked if there was consensus on # 4 under the Council action items in his memorandum and for the Chairs to send the goals, objectives and policies to the department heads.

Councilwoman Ator clarified that the department heads would meet with the Chairs of the boards to discuss relative issues, goals and objectives. The Chairs would be able to express the concerns of the board members since department heads do not always attend the board meetings. This history of the minutes will help to identify the issues that have not been resolved.

Councilman Espino asked if Council wanted to instruct the Administration to start looking for a third party facilitator for strategic survey.

Mayor Garcia mentioned that there had been discussion about involving the City Planner since planning also involves the infrastructure of the City. He asked if the Administration is in the process of hiring a City Planner.

Assistant City Manager Gorland explained that the hiring process for the City Planner is in the early stages.

City Attorney Seiden spoke with Stanley Price and asked him for recommendations.

Mayor Garcia added that a new City Manager might have a different vision of what type of person should fill the City Planner's position, which is his concern; he knows that the City cannot go without a City Planner for three or four months.

City Attorney Seiden explained that a City Planner is very important in regard to the revitalization and redevelopment efforts and the person will have to come on board with existing Staff.

Councilwoman Ator stated that in the interest of moving the process along, since the City does not have a Planner, she would recommend utilizing those people on the list for the plan. She mentioned that it was Manuel Perez-Vichot.

City Attorney Seiden clarified that he and Manuel Perez-Vichot could assist in handling whatever tasks must be done. Mr. Perez-Vichot often held conferences with the City Planner as the Chairman of the Board of Adjustment/Zoning and Planning and it would not influence his impartiality since he has knowledge of the cases. The problem is with long-term planning.

Councilman Espino asked about the timeline for holding the strategic planning retreat. He realizes that it cannot be done in two weeks, but part of the result will influence initial decisions during the budget process.

Mayor Garcia stated that the timing is unfortunate and he agrees with Councilman Espino that the results would affect the budget, although plans cannot be finalized overnight. He would not want to rush with the details; the budget process takes precedence.

Councilman Espino explained that Council has the rest of June, July, August and September to have the department heads talk to the Chairs of the Boards, come up with a survey for distribution and receive responses.

Mayor Garcia reiterated that he would like to move forward and prepare the survey.

Councilman Espino emphasized that he would like to set dates by which the process should be completed. He asked if Council wanted the department heads to meet with the Chairs within thirty days or the survey completion within forty-five days.

Vice Mayor Best agreed with Councilman Espino that his suggestion to have the Administration direct the department heads to meet with the Chairs of each of the various boards, within a thirty-day period seems reasonable.

Assistant City Manager Gorland explained that the month of July is critical to the budget process since there are no meetings to prepare for. The City is missing key positions and there are other problems to handle before the budget presentations in August. He advised Council that it could be done, but he would caution them on what they ask the Administration to get done.

Vice Mayor Best commented that today is June 6th and 30-days would not impact July very much.

Assistant City Manager Gorland explained that the Administration is already holding individual meetings as part of the budget process. He needs to know exactly what Council wants before the Administration can respond and then they will approach the department heads to find out what they can get done.

Councilwoman Ator asked to first address the third party facilitator that is essential in assisting in creating the short and long-term objective goals. She would like to see the meetings with the department heads move forward, she understands everyone is busy and she would ask for a report within twenty-one days before the last meeting in June. If there are some departments that cannot meet or provide anything then Council can make the decision on whether to wait or to move forward. She said that waiting six weeks or two months is like putting it on a list of things to do.

Councilwoman Ator said that she tries not to be demanding or micromanage and to let the City Manager do his job, but in this case she would encourage a short deadline. She does not want the department heads to spend an entire day with the Board Chairs, nor would the Chairs want to spend the entire day with the department heads. She suggested the department heads could discuss their own goals, review the minutes to discuss the advisory board goals and compile a list.

Assistant City Manager Gorland explained that success will depend on the clarity of the instructions and the outcome that is desired. Strategic planning is critical and he would not want to fail. He added that it is something that should have been done for years. He would like to provide written documentation to Council of what it is that the Administration is being asked to do.

Councilman Espino stated that Council is asking the department heads to meet with the Chairs of their respective boards.

The City Attorney interjected by saying that meeting with the Chair is fine or it could be another designee if the Chair is unavailable or inexperienced.

Councilman Espino clarified that they would meet to discuss and independently formulate a goals assessment or environmental scan of things that would influence that. Report on internal/external factors in which each department is operating: financial factors, demographic factors, technology factors, social/community factors, physical demands, etc. He emphasized that this is strategic planning. He would like conversations in regard to wish lists, goals assessment and spread out within two to five years. It does not have to be fully fleshed out; it is a starting point.

Councilwoman Ator stated that the environmental scan is confusing and essentially Council is asking what they want to accomplish, what is the dream list and in how many years it will be accomplished, including all the possible obstacles.

To answer Assistant City Manager Gorland's question, Councilman Espino would set the horizon at ten years.

Councilwoman Ator explained that the timeframe could be two, five and ten years and Councilman Espino agreed.

City Attorney Seiden commented that it would encompass the board, citizen and government side.

Councilman Espino reiterated that the timeframe for the assessment is twenty-one days.

Councilwoman Ator would be in favor of identifying a third party facilitator that has experience in strategic planning for cities. The Florida League of Cities also has personnel that can do it, although it might not be the person that Council wants, but she would like to explore the options. She added that one of the local universities might have someone who would be a good facilitator.

Councilman Espino asked the Administration to research third party facilitators.

Assistant City Manager Gorland agreed that they could identify someone and they have already contacted one or two persons.

Councilman Espino said that after twenty-one days, the department heads could pose five or six questions for the survey for the first meeting in August at which time Council would finalize the survey and send it out. He shares the sense of urgency that is reflective in the various experiences; Council needs to act quickly and identify the parameters in which they are operating.

Mayor Garcia explained that he also realizes the sense of urgency and he would like to begin the planning process because it will encourage future Councils to move forward with that vision.

Councilwoman Ator felt that coming back with an assessment in twenty-one days will help in the budget process and it is an excellent exercise for the City even though it might cause some stress on the departments.

Assistant City Manager Gorland commented that the five-year capital plan is part of the budget process.

Councilwoman Ator added that it is also helpful to reach out to the citizens.

Mayor Garcia reported that he had received telephone calls about the meetings that have been happening in reference to field space for recreation and sports issues within the community. He would like consensus to develop an informational pamphlet that informs the public that Miami Springs is not in charge of Little League, soccer or football. He would like to clarify that the only sport that the City handles 100% is basketball, although they do offer field support for the other activities. Any problems with football, baseball or soccer should be addressed by the Optimist Club, the Little League or Virginia Gardens respectively.

Council agreed with Mayor Garcia's recommendation to inform the public.

Assistant City Manager Gorland stated that he would start with an article in the River Cities Gazette.

Mayor Garcia emphasized that he would like the article to include the organization telephone numbers and he would also print post cards that could be available at the Community Center with the contract information for people to call when they have a problem with soccer, baseball or football. He reiterated that it is not the City's responsibility to help fund those organizations because the City has no control over what they do with their funding.

5. Beer license

Councilman Espino explained that he was meeting with the Assistant City Manager when Mr. De La Torre of J. R.'s Gourmet Burgers was present filing an application for a 2-COP liquor license. The Assistant City Manager later informed him that given the death of the City Planner and the cancellation of the Board of Adjustment that the Building Department advised that it would be August before the Board could authorize the necessary zoning documentation for the license, which did not seem fair in the current economy.

Councilman Espino would like the City Attorney to consider amending the Code Section to authorize the Building Department, under certain conditions, to approve the license without the approval of the Board of Adjustment. Approval involves signing a covenant that 51% of the revenue will be generated from food, which is automatically granted; it is not rezoning.

Councilman Espino asked Council to set a date for the Board of Adjustment to meet and allow Mr. De La Torre to move forward.

City Attorney Jan K. Seiden contacted the City Clerk and asked her to poll the Board of Adjustment members to find out if they were available either Tuesday or Wednesday of this week, and everyone agreed they would be available on Tuesday, June 7th at 6:30 p.m. to consider this one item. A packet was prepared in advance in case Council approves the meeting and the meeting will be held with approval to go forward. This has been done before in emergency situations and although this is not an emergency, the Administration would like to accommodate Mr. De La Torre and help support his business.

City Attorney Seiden said that they will not be able to send the courtesy notices before the meeting, but they could be sent out between the approval and the ten-day appeal period. He concurs with Councilman Espino in that the City has never denied one of these licenses and that he would review the Code in order to be able to avoid this type of situation.

Vice Mayor Best applauded Councilman Espino for moving the issue forward and thanked the Administration for garnering the presence of the Board of Adjustment. He is totally in favor of the meeting.

Councilwoman Ator has a concern about issues in regard to the Board of Adjustment when granting variances and changing the code. She is in favor of changing the Code; that is not the issue, but she would not want to set precedent related to other cases.

City Attorney Jan K. Seiden explained that there is always a chance of someone raising a point in the future; the intent of why this particular case should be considered is based upon Councilman Espino's comments in that this is a newly established business, it is not a request that would normally be denied because every restaurant in the downtown area has been accommodated in their requests. It would not set a precedent; the only precedent would be if a similar request is made in the future when there are no meetings in July.

Councilman Espino added that the accommodation is being made because the meeting of June was cancelled and there are no meetings in July.

By consensus, Council approved the Special meeting of the Board of Adjustment.

City Attorney Seiden clarified that the decision is consistent with Council's efforts to promote business.

Councilwoman Ator stated that she also agreed to approve the request since Council had agreed to address the Code section related to liquor licenses.

City Attorney Seiden asked if there is a general objection to package stores in the City, because bars and package stores that do not have SRX licenses would be the only business entities that should not be included.

Council agreed with the City Attorney that it would not pertain to bars or package stores. He offered to draft an amendment and submit it to Council for review.

6. Adjourn

There being no further business to be discussed the meeting was adjourned at 9:40 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.

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

DRAFT



City of Miami Springs, Florida

The Miami Springs City Council held a **REGULAR MEETING** in the Council Chambers at City Hall on Monday, June 13, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

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

The following were present:

- Mayor Xavier M. 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
- Police Captain Jon Kahn
- Finance Director William Alonso
- Building & Zoning Office Supervisor Harold "Tex" Ziadie
- Procurement Specialist Tammy Romero
- City Clerk Magali Valls

2. Invocation: Councilwoman Ator offered the invocation.

Salute to the Flag: The audience participated.

3. Awards & Presentations:

3A) Presentation of Plaque to Officer Albert Sandoval in Memory of K-9 Grando

Police Captain Jon Kahn presented a plaque to Officer Sandoval in memory of his K-9 partner Grando who served the Miami Springs Police Department for six years from February 2005 to April 2011.

Captain Kahn expressed his appreciation to Officer Sandoval and explained that the loss of the dog was a very traumatic experience for him. He shared an incident when there was a burglary call and Grando saved Officer Sandoval from serious injury when he was attacked by the suspect.

Officer Sandoval thanked everyone for their support and his friends and family who were present. He said that it is an honor to receive the plaque in memory of Grando who will be missed but not forgotten.

4. Open Forum:

Re-occupancy Certificate

Alex Junco of 267 Nakhoda Drive congratulated the Mayor and Council members for their election victory and urged them to keep up the good work.

Mr. Junco said that when he purchased his home he was required to obtain a re-occupancy certificate and he was not aware of this until the closing on the property. He explained that the requirement was an expense and burden for him in his acquisition of the property that was under foreclosure. He has never had this issue before in his experience as a realtor and a mortgage broker. He was of the opinion that the ordinance should be repealed because there is no need for a re-occupancy certificate; home ownership should be encouraged and the City should make it easy for the buyers who will pay property taxes.

Sights and Sounds of WW II!!

Chamber of Commerce representative Donna Wood-Beney of 3971 N. W. 65th Avenue, Virginia Gardens, presented official invitations to Council to the Sights and Sound of WWII!! - "Tribute to the Andrews Sisters" that will be held at the Rebeca Sosa Theatre on July 2nd and 3rd.

Ms. Wood-Beney explained that an outside group will pay the not-for-profit rate for use of the theatre and the associated technical services. The Chamber of Commerce is sponsoring the event that will have a display of artifacts from World War II, the tribute, an appearance from Clark Gable, Alan Ladd and Barbara Stanwyk, dancing, singing and movies.

Ms. Wood-Beney asked veterans to contact the Chamber if they have any artifacts to display. The Mu Alpha Theta Math Club will be supplying 1940's treats based on their educational research of the 40's. She hopes that everyone can attend.

5. Approval of Council Minutes:

5A) 05-23-2011 – Regular Meeting

Minutes of the May 23, 2011 Regular Meeting were approved as written.

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

6. Reports from Boards & Commissions:

6A) 05-11-2011 – Golf and Country Club Advisory Board – Minutes

Minutes of the May 11, 2011 Golf and Country Advisory Board meeting were received for information without comment.

6B) 05-16-2011 – Revitalization and Redevelopment Ad Hoc Committee – Minutes

Minutes of the May 16, 2011 Revitalization and Redevelopment Ad-Hoc Committee meeting were received for information without comment.

6C) 05-26-2011 – Code Review Board – Cancellation Notice

Cancellation Notice of the May 26, 2011 Code Review Board meeting was received for information without comment.

6D) 06-01-2011 – Architectural Review Board – Cancellation Notice

Cancellation Notice of the June 1, 2011 Architectural Review Board meeting was received for information without comment.

6E) 06-06-2011 – Zoning and Planning Board – Cancellation Notice

Cancellation Notice of the June 6, 2011 Zoning and Planning Board meeting was received for information without comment.

6F) 06-06-2011 – Board of Adjustment – Cancellation Notice

Cancellation Notice of the June 6, 2011 Board of Adjustment meeting was received for information without comment.

6G) 06-07-2011 – Code Enforcement Board – Minutes

Minutes of the June 7, 2011 Code Enforcement Board meeting were received for information without comment.

6H) 06-09-2011 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the June 9, 2011 Board of Parks and Parkways meeting was received for information without comment.

6I) 06-14-2011 – Recreation Commission – Cancellation Notice

Cancellation Notice of the June 14, 2011 Recreation Commission meeting was received for information without comment.

6J) 06-21-2011 – Education Advisory Board – Cancellation Notice

Cancellation Notice of the June 21, 2011 Education Advisory Board meeting was received for information without comment.

6K) 08-16-2011 – Education Advisory Board – Cancellation Notice

Cancellation Notice of the August 16, 2011 Education Advisory Board meeting was received for information without comment.

6L) 06-07-2011 – Board of Adjustment – Approval of Actions Taken by the Board of Adjustment at their Meeting of Tuesday, June 7, 2011, Subject to the 10-day Appeal Period

Actions taken by the Board of Adjustment at their meeting of June 7, 2011 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.

(Agenda Item 9C was considered at this time)

7. Public Hearings:

Council sat as the Board of Appeals at 7:30 p.m.
The Mayor reconvened the City Council meeting at 8:02 p.m.

8. Consent Agenda:

8A) Approval of the City Attorney's Invoice for May 2011 in the Amount of \$12,757.50

City Manager Borgmann read the titles of the consent agenda items.

There was no discussion regarding this item.

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

8B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$6,000.00 to Severn Trent Services for Electronic Mailing for Utility Billing Pursuant to Section 31.11 (E) (6) (g) of the City Code and Pursuant to the Contract Renewal Option Provided by the City's Contract/Contract Vendor for an Additional 1-year Period

There was no discussion regarding this item.

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

9. Old Business:

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

Councilman Espino (Group II) **appointed** Dr. Mara Zapata to the Education Advisory Board for a full 2-year term ending on May 31, 2013.

Councilman Lob (Group III) **re-appointed** John Salomon to the Education Advisory Board for a full 2-year term ending on May 31, 2013.

Mayor Garcia said that unfortunately Mindy McNichols stepped down as the Education Advisory Board Chairperson. He urged anyone wishing to serve on the Board to send him their resumes.

9B) Discussion Regarding Code of Ordinances Chapter 33 – City of Miami Springs Conflict of Interest and Code of Ethics Ordinance (Tabled: 4/25/2011)

City Attorney Jan K. Seiden stated that during the election he received a call from a Washington law firm that was interested in finding out the reason why the City of Miami Springs had a code provision limiting political contributions to \$50.00. The City Clerk, as the Supervisor of Elections, confirmed that the provision had never been followed and the code section has not been modified since 1973.

City Attorney Seiden explained that Chapter 33 is designated as the City of Miami Springs Conflict of Interest and Code of Ethics ordinance. No officer or official has ever been accused or charged of violation of the Chapter since they are more likely to be prosecuted in accordance with County provisions or State law. The Miami-Dade County Code of Ethics is updated every year.

City Attorney Seiden added that Chapter 33 does not include any enforcement powers. He recommended repealing that section of the code or changing it so that it can be enforced or the City can adopt or repeal all of it and adopt all of the Miami-Dade County Chapter.

To answer Councilwoman Ator's question, City Attorney Seiden clarified that the Florida Statutes includes a State Ethics Code that City officials are subject to automatically.

City Attorney Seiden said that the Miami-Dade County Commission on Ethics is a very well organized institution and the City would be well served by them.

Councilman Lob moved to repeal Chapter 33 of the Code of Ordinances and adopt the provisions of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance in its entirety and all future amendments thereto. Councilman Espino seconded the motion, which was carried 5-0 on roll call vote.

(Agenda item 9c considered after 6L)

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 (Discussed: 4/12/2011)

Resolution No. 2011-3513 – A Resolution of the City Council of the City of Miami Springs Approving and Adopting Optional Amendments to Sections 9.2 (a), 9.2 (b) and 22 of the Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County; Authorizing Execution of Amendment; Effective Date

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

Attorney Seiden explained that the backup documentation outlines the optional amendments 9.2 (a), 9.2 (b) and 22 that are specifically set forth in full on Attachment 1. Section 9.2 (a) deals with assessing the effects of the geographic area; Section 9.2 (b) deals with the level of service standard and Section 22 deals with takings and vested rights in regards to property for schools.

City Manager Borgmann thanked Ms. Ana Rijo-Conde for coming to the meeting. He explained that she had been working closely with the former City Planner on this particular issue.

Ana Rijo-Conde with the Office of School Facilities, Miami-Dade County School Board, 1450 N. E. 2nd Avenue, stated that she previously appeared before Council to speak on this issue. At that time, Council decided to refer the matter to the Education Advisory Board for their review of the changes and a recommendation. She offered to answer any questions that Council might have.

To answer the City Attorney's question, Ms. Rijo-Conde stated that there are nine local governments who had made different choices, while eighteen have not decided to adopt any of the options. Of the nine, a few adopted one amendment, others adopted three and there was nothing in common throughout the entire process.

Mayor Garcia asked what department would inform the City about the possibility of a Charter School in the area or any other type of facility that the County may have knowledge of based on the City's Compact with the School Board.

Ms. Rijo-Conde responded that one department at the School Board handles Charter school applications, or schools of choice, and there are several application periods throughout the year. The applications go through a Charter Review Committee and Technical Committee, although she is not aware of any communications back and forth between the School Board and the impacted municipality. She suggested that a provision could be added to the education compact asking the School Board to inform the City of any pending applications for Charter Schools.

Mayor Garcia commented that at the County level he wondered who the communication would come from and if there was any protocol for notification to the City. He expressed his concern about what happened with Charter Schools in the City of Coral Gables.

Ms. Rijo-Conde clarified that the applicants for the Charter Schools come to the School Board with the actual Charter contract and they review the educational piece, while the site planning is outside of the purview of the School Board and it falls under the purview of the municipality. She reiterated that the Compact could include a provision that the School Board must communicate the information to the City.

Councilwoman Ator said that the City has a lot of School Board property. She asked what would be the School Board's position if there were changes to the use of their property, since the City leases Stafford Park and there are other issues with the Middle School.

Ms. Rijo-Conde explained that any agreements the City has with the School Board will always be honored, including Stafford Park. As it relates to School Board property, they are required to go through a site plan review process and any major changes would go through City Staff. The concern about the Charter School review process could use additional oversight.

Councilwoman Ator referred to Amendment 1 which has been discussed many times. She said that it is related to the consensus in the Interlocal Agreement and the 2/3rd vote of the local government.

Ms. Rijo-Conde confirmed that Council had declined that amendment; it did not pass.

Vice Mayor Best felt that the Mayor's point was well founded in regards to additional schools in the City. If there is no mode of communication or means of advising the City it seems that it is not within the Compact with the School Board. The Compact should be reviewed in order to add this provision.

Ms. Rijo-Conde clarified that in regards to traditional public schools, the compact and the Interlocal Agreement provide for back and forth communication; the School Board does not have the purview over the location of Charter Schools and many times a contract is presented without a proposed location. This is the piece that could be refined and addressed in the Compact.

City Attorney Jan K. Seiden explained that there is a difference between public and private schools and Coral Gables and Pinecrest both had legislation. Coral Gables has an ordinance limiting the number of students that could be accommodated and the amount of traffic and they were successful in defending their position.

Councilman Lob asked if the City could limit Charter Schools within the City.

City Attorney Seiden has not researched Charter Schools but would imagine there is some way the number can be restricted within zoning districts. The Neighborhood Business District (NBD) and Central Business District (CBD) allow schools and it is a matter of legislation to control the location.

Ms. Rijo-Conde commented that recent legislation liberalized the regulatory control over Charter Schools and took away some local authority.

City Attorney Seiden offered to research the subject of Charter Schools.

Vice Mayor Best said that he would like to see the results of the research.

Mayor Garcia said that he would contact the City Attorney with his comments. He did not want to make an official request of the City Attorney at this point since there are other questions pertaining to this item that he would like to consider.

Vice Mayor Best moved to adopt the resolution that contains three amendments. Councilman Lob seconded the motion, which was carried 5-0 on roll call vote.

10. New Business:

10A) First Reading – Ordinance No. 1019-2011 - An Ordinance of The City Council of The City Of Miami Springs, Florida Amending Code Of Ordinance Section 113-11, Failure to Make Affidavit, by Enacting a Provision which Requires the Securing of a Business Receipt for Occupying a Designated Business Location in the City; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (Scheduled for consideration for the 5/23/11 meeting, but not discussed)

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

Attorney Seiden stated that the “whereas” clause provisions explain what has transpired. The Code Compliance Department in prior years has had some difficulty in enforcing some of the provisions of Chapter 113 – Business Taxes. While the “occupancy” of a designated premises has never been questioned, the fact that there was never a category and it required conducting business from the premises it was an obstacle to enforcement.

Attorney Seiden explained that Staff believes that occupancy of a designated premises and not the actual conducting of a business was the determining factor in requiring securing of a receipt or the license for the business. The failure to provide a code provision in regard to the aforesaid issues has allowed a loophole to exist in the business receipt system of the City and this is the reason for the amendment to Section 113-11.

The new Section 113-11 - Occupancy of a Business Location; Receipt Required states: *“Any person, firm or business entity occupying any premises or location designated by the City for business use purposes shall be required to secure a receipt annually from the City. The failure to actually conduct business from the occupied business location shall have no bearing upon the duty and responsibility to secure an annual receipt from the City.”*

City Attorney Seiden noted that the Business License fee ordinance has a fee for occupancy only.

To clarify Councilwoman Ator’s question, Building and Zoning Office Supervisor Ziadie said that the Neighborhood Business District is a commercially zoned district.

Vice Mayor Best moved to approve Ordinance 1019-2011 on first reading. Councilman Espino seconded the motion, which was carried 5-0 on roll call vote.

10B) First Reading – Ordinance No. 1020-2011 – An Ordinance of the City Council of the City of Miami Springs Creating Code of Ordinance Section 93-51, Color Palette Compliance; by Providing for Applicability, Palette Compliance, Procedures for Compliance, and Enforcement; Repealing All ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date

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

Attorney Seiden stated that the applicability provision deals with the Neighborhood Business District (NBD) and Commercial Business District (CBD). He realized there had been no discussion in regard to the N. W. 36th Street District, the Abraham Tract or the Airport Golf District as they are in the development stages and perhaps it should not be applicable since the main focus is the Downtown area.

Compliance requires that all commercial buildings in the business district of the City shall conform to the color palette in accordance with the resolution that was passed adopting the color palette for all commercial areas, except for 36th Street, according to Attorney Seiden. The procedure states that all commercial buildings in the applicable districts are required to conform to the palette by no later than December 31, 2012; no building permit is required for the painting; commercial buildings that have been painted within two years prior to the enactment of the ordinance may, upon presentation of proof of painting, receive up to \$1,000 from the City towards the cost of re-painting required by the ordinance prior to December 31, 2010.

Councilman Espino would like clarification that buildings that have been painted, but are not in accordance with the color palette, will receive up to \$1,000 with proof. When dealing with monetary figures he would like to be very specific.

Mayor Garcia explained that Council discussed all the details at the last meeting. He is fine with setting the cap at \$25,000.

City Attorney Seiden explained that his notes from the last meeting indicated that \$25,000 was removed.

Councilwoman Ator would like to clarify that the entire building or a substantial portion of the building must be painted in order to receive the incentive.

Councilman Espino stated that the color palette is set for N. W. 36th Street although this ordinance does not address 36th Street.

City Attorney Seiden felt that it would be a discouraging factor to include 36th Street at this time.

Councilman Espino said that there were code violations on 36th Street and some buildings are being repaired and painted. He would like to address 36th Street.

Council was in agreement to include 36th Street in the ordinance provisions for the second reading.

Councilwoman Ator moved to approve the ordinance on first reading, as amended. Vice Mayor Best seconded the motion.

Councilman Espino clarified that the amendments include 36th St. and the change to subsection (C)3.

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

10C) First Reading – Ordinance No. 1021-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-028, Architectural and Design Regulations; by Delineating Provisions Allowing Use of Up to Three Paint Colors, Authorizing the Building Department to Make Color “Shading” Decisions, and Requiring Notification of Completion by Owner to City; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Attorney Seiden stated that at the last meeting when he said that the provisions of the ordinance would sunset, Councilman Lob was right in pointing out that some of the provisions should be kept for future use. He added that the palette can be of any three colors, approval of the shading requirement and notification upon completion of painting.

Councilman Espino moved to approve the Ordinance 1021-2011 on first reading, as amended. Councilman Lob seconded the motion, which was carried 5-0 on roll call vote.

(Agenda Item 10D considered after 10E)

10D) First Reading – Ordinance No. 1022-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 113-04, Business Taxes-Schedule of Fees, by Providing a Five (5%) Percent Increase in the Cost of All City Business Taxes; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date

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

Councilwoman Ator moved to approve the ordinance on first reading. Councilman Espino seconded the motion.

Councilman Espino said that the last increase was two years ago and before that time the fees had not been increased for twenty years. He would like everyone to understand that other municipalities had been increasing fees every two years, while the City of Miami Springs has not; this is the only reason he approves of the increase.

City Attorney Seiden clarified that the total increase would only generate revenues of \$2,700.00.

Councilman Espino added that it actually was a disservice to the City not to increase the fees.

Building and Code Compliance Officer Supervisor Ziadie referred to a comparison of the City’s fees with other communities in 2009, explaining that state law allows an increase of 5% every two years.

City Manager Borgmann explained that the concern in past years was that an increase of 5% that would amount to \$2.50 for a \$50.00 license would send a bad message to the business community; on the other hand, having the lowest rates did nothing to attract businesses to the City.

Councilwoman Ator asked what the actual current annual business tax income is.

Mr. Ziadie explained that the total annual revenue is approximately \$70,000.

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

(Agenda Item 10E considered after 9B)

10E) Recommendation to Expand the Authority of the Current Purchasing Ordinance to Include Independent Cooperative Purchasing and Not-for-Profit Organizations

City Manager Borgmann stated that this item is a recommendation to expand the authority of the current purchasing ordinance to include independent cooperative purchasing and not-for-profit organizations.

City Manager Borgmann explained that currently the City utilizes bids from other cities or states and this is called piggy-backing. Procurement Specialist Tammy Romero has been researching additional options and opportunities to continue to find the best pricing for all purchases.

Procurement Specialist Tammy Romero stated that there were a few situations in which better pricing was received utilizing other contracts such as the GSA, NJPA, etc. and one was specifically for communications. The City has an opportunity to piggy-back off a GSA contract that would save substantially on the communications system and it would be beneficial to expand the purchasing ordinance to include this entity.

City Attorney Seiden said that the current Code deals only with governmental piggy-backing of state and local contracts and does not mention private not-for-profit or cooperative organizations. He suggested bringing the recommendation to Council for their consideration. He added that it is expensive for the City to write their own specifications and if there are like specifications that already exist there is no need to create them again. The key to purchasing is always to consider what is in the best interest of the citizens. The idea is to save the most funds possible and this is another alternative that is being used by several other cities.

Mayor Garcia commented that when a recommendation is made to piggy-back on another governmental agency there is a list of the requirements and specifications.

Councilwoman Ator said that a code change would have to be made and she understands that Information Technology has an issue.

To answer City Attorney Seiden's question, Ms. Romero explained that changing the ordinance would benefit with the purchase of the telephone system. The Administration is in the development stages and obtaining quotations in an effort to determine what system would be best for the City.

Assistant City Manager Gorland added that the City of North Miami is going through the same process and there are different fronts regarding the particular issue with the telephone system.

Councilwoman Ator said that it is clear that the Administration routinely looks for the best pricing and does not rely only on the fact that another entity has a contract.

Councilman Lob explained that the Procurement Specialist is asking for additional tools to utilize and that Council should give her all the tools possible for her to do the job.

To answer Mayor Garcia's question, City Manager Borgmann explained that the majority of the purchasing is handled by the Procurement Specialist, although she does rely on the departments to assist her in putting together the specifications and go out to bid or determine if another contract exists for that item. He clarified that the purchasing ordinance pertains to all City departments.

Councilman Espino expressed his approval because everything possible must be done to save money. He would like Council to receive more background information so that they can see the difference between other government procurement packages.

City Attorney Jan K. Seiden said that in the final analysis, Council will receive all documentation for every purchase and if there is some objection, it can always be rejected.

Ms. Romero clarified that all procurement processes will remain in place; all purchases over \$10,000 are presented to Council.

Vice Mayor Best applauded Ms. Romero and the Administration for making the recommendation to include independent cooperative purchasing and not-for-profit organizations.

Vice Mayor Best moved to direct the City Attorney to amend the ordinance in accordance with the recommendation from the Procurement Specialist. Councilman Lob seconded the motion, which was carried 5-0 on roll call vote.

10F) Discussion Regarding Fiscal Year 2011-2012 Budget Assumptions

City Manager Borgmann stated that the Finance Director came up with comments and questions that he would like Council to consider as part of the budget process. He referred to Fiscal Year 2011-2012 budget assumptions and a list of major cost increases over last year for health insurance, pension, police replacement vehicles, the City Manager's contracted payout and the increase in annual operating expenditures influenced by cost of living factors.

City Manager Borgmann explained that the Administration is focusing on the major issues in order to be able to present a balanced budget that is within the basic structure of the current millage rate, considering that there is approximately \$500,000 for increased costs over last year.

Mayor Garcia asked the estimated amount for the 3% merit increase for General Employees.

Finance Director William Alonso stated that the dollar amount is \$126,000 for merit increases.

Councilman Espino asked the Mayor and Council to consider not giving merit increases because 1/10th of a mill is \$86,000. This was also his position last year and he fully intends to speak with the City Manager about investigating cost reduction measures that will be presented in August.

Finance Director Alonso clarified that he would like consensus as to what direction they want to take and what information is needed for the workshops.

City Manager Borgmann explained that the purpose of the agenda item is to begin discussion. Councilman Espino is correct in bringing up his point of no merit increases and it will certainly be considered.

Councilwoman Ator commented that the rollback rate is 6.7853 and the current millage rate is 6.9408. She asked if the budget deficit at the current millage rate takes into account the projected revenues.

Finance Director Alonso explained that the \$530,000 deficit is based on the projected revenues, minus the departmental budgets. The projected revenue is based on the current millage rate of 6.9408. Assessed values increased by 3% and the current millage rate will generate an additional \$70,000 to \$80,000. He clarified that based on current revenues the budget deficit would have been \$672,000.

Finance Director Alonso said that Council has the option of cutting expenses, utilizing reserves or increasing the millage rate.

Mayor Garcia commented that property tax assessments for Miami Springs increased by 1%, while other municipalities experienced a decrease. He would like to maintain the millage rate.

City Manager Borgmann reminded Council that \$750,000 was utilized last year from the sewer fund toward balancing the budget and that was a one-time appropriation.

Finance Director Alonso assured Council that the numbers will change after meeting with Department Heads to go over their budgets this week. He wanted to give Council a preliminary idea of what they will be facing this year.

Mayor Garcia asked the Administration to provide information on the total revenue based on the current millage rate and the increase in property values.

Councilwoman Ator requested the history of the past three years because of the non-recurring income that was used to reduce the millage rate.

Councilman Espino said that other municipalities across the county have taken dramatic steps to reduce their expenditures and this has not been done in Miami Springs. Some departmental budgets were cut, but there have been no measures to cut benefits. He does not want to do anything hasty that will affect services, but there could be significant savings found.

Vice Mayor Best stated that by the time Council enters into the budget deliberations, the numbers presented by the Finance Director will be much less, the same as in past years.

10G) Approval of Expenditure for Curtiss Mansion Federal Tax Credit Certification RJHA Project No. 06-3277

City Manager Borgmann stated that the City has secured a price of \$10,500 to do the tax credit certification and the tax attorney will not be present until the next meeting and there is some concern about approving this before hearing from the attorney. Council could pass it, subject to an agreement that if Council decides not to pursue the tax credit issue at the June 27th meeting, the Administration would not issue the purchase order.

Councilwoman Ator would prefer to wait until hearing from the tax attorney. She did speak with him regarding her concern with the 55-year lease issue and possible solutions. She would not want to authorize the architect to go forward and would suggest that this item be tabled until the next meeting.

City Attorney Seiden stated that he sent Council a copy of the preliminary report from the tax attorney. He is also working on an agreement that Mr. Wishneff sent to him and City Staff and he had some questions about it that he is in the process of working through. The tax attorney confirmed that he hopes to have a final opinion and proposed agreement with Wishneff before the next meeting on June 27th.

Councilwoman Ator added that the tax attorney has some ideas to make it work, but Council should hear from all parties involved and hopefully within the next two weeks the pieces will fall into place and CMI can move forward.

Vice Mayor Best also would like to hear the presentation from the tax attorney on June 27th.

Councilman Espino explained that there is a window of opportunity and if Council does not come to an agreement in the various areas on June 27th there probably will not be an agreement at all. Council will recess until August and if the Certificate of Occupancy for the Mansion is issued before that time, the City will lose \$800,000 to \$900,000. It is a very complicated issue with many parts and he would like to make some recommendations in terms of explaining the IRS regulations. There is a reason for the 55-year lease and there are solutions.

Councilman Espino stated that the future of the Curtiss Mansion project may rest with the program depending on other funding. Based on the history of CMI and what has happened to the economy, they missed the time when people were doling out cash and it is amazing what the group has done during the recession.

Vice Mayor Best reiterated that he would wait two weeks for an adequate explanation from the tax attorney. He concurred with Councilman Espino that the timing is important and critical to the project.

Councilwoman Ator explained that everyone involved is trying to find a solution so that the money can be obtained; it might be \$800,000 to \$900,000 in tax credits while the net benefit is \$500,000 to CMI. Her concern is with the 55-year lease because it is essentially like a sale and there is a history of occurrences with CMI and no guarantee of what will happen in the future. She hears the agreement to wait two weeks and can say that everyone she spoke to has tried to explore the different options to protect the asset while still providing CMI with what they need to move forward.

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

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

Surgery

City Manager Borgmann joked that it was certainly not his intention to miss the last Council meeting when he was having his appendix removed. He thanked everyone for their well wishes.

TV Series Filming

City Manager Borgmann reported that the TV series "Burn Notice" will be filming an episode on the outgoing bridge on Wednesday, June 15, 2011 between 9 a.m. and 4 p.m.

Mr. Borgmann said that permissions have been granted from the County and the State Highway Patrol, the City of Hialeah Police and Miami Springs Police. The particular shot involves blowing up a car on the outgoing bridge and all precautions are being taken and the company will be responsible for any damage to the bridge. They will also be filming along a portion of Westward Drive.

Summer Camp

City Manager Borgmann announced that 178 kids are participating in the Summer Camp program.

Sherryl Bowein

City Manager Borgmann informed Council that Sherryl Bowein from BB&T is retiring effective July 1, 2011. He wished her the best in her retirement.

Bill Wolar's Funeral

City Manager Borgmann reported that he attended the funeral services for former Councilman Bill Wolar who was the creator of Cheesecake, etc. and he was a good man who will be missed.

Police Memorials

City Manager Borgmann stated that the memorial services on Saturday, June 11th went very well and they were very emotional events.

New Employees

City Manager Borgmann informed Council that one full time Administrative Assistant for the Building Department has been hired and two part-time Code Compliance Officers have also been hired and they all will be starting work soon.

City Planner

City Manager Borgmann announced that the selection for a City Planner is under way for a full time employee.

PBA Negotiations

City Manager Borgmann stated that PBA negotiations have re-started.

Fourth of July

City Manager Borgmann announced that the Classic Car Show will be held at the Circle on Sunday, July 3rd from 6:00 to 10:00 p.m. The Fourth of July Parade will take place on Monday, July 4th at 10:00 a.m. and the fireworks will begin at 9:00 p.m.

To answer the Mayor's question, Assistant City Manager Gorland explained that there will be no water guns, throwing of water from bottles or hoses allowed along the parade route due to unsafe incidents. Unlicensed drivers will be prohibited from operating vehicles and the Police Department will ensure that the parade moves along.

Hurricane Season

City Manager Borgmann reminded everyone that the hurricane season has begun and he has posted information on Channel 77. The City has signed contracts with the first three companies out of the six that were selected to provide debris removal services to the City.

12C) City Council

Ethics Commission Luncheon

Councilman Espino reported that he attended the Miami-Dade County Ethics Commission luncheon and the topic of discussion was about municipalities using Facebook. They are close to setting parameters for cities use of Facebook and at some point he would like to address the issue.

Swearing-in Ceremony

Councilman Espino reported that he attended the swearing-in of new County Commissioners Esteban Bovo and Xavier Suarez. He said that Commissioner Bovo is a tremendous neighbor compared to the former Commissioner who held that seat and he will be a friend to Miami Springs.

Groupon Sales

Councilman Espino stated that 793 rounds of golf were sold through Groupon and since it was a best selling item it was moved up to preferred customer status for future sales. The majority of the sales were from people who live outside the state and other counties and hopefully it will shed some light on the future marketing efforts for the Golf Course.

Airbus 380

Councilman Espino said that he and Councilman Lob attended the arrival of the Airbus 380 at Miami International Airport on Friday, June 10th. He spoke with Tony Quintero who extended an invitation for a delegation from the City to walk through an A380.

Re-occupancy Certification

Councilman Espino referred to the comments made during Open Forum in regard to the re-occupancy certification and that relates to dealing with illegal changes to a home. He spoke with Mr. Junco before and asked him to come forward with some solutions.

Lions Club Benefit

Vice Mayor Best reported that on Thursday, June 16th at 7:00 p.m. the Lions Club is holding a benefit for the lead guitarist of "Room Service" who is going through some medical concerns. There is a small admission fee.

Street Signs

Vice Mayor Best reported that he has noticed missing street signs in the City and there are several at major arteries on Ludlam Drive. He suggested that it could be addressed by either the Police or Public Works Department because he has seen people who seem to be lost.

Mayor Garcia reported that on Hunting Lodge Drive at 59th Avenue there is an incorrect sign that reads N.W. 41st Street.

Website

Councilwoman Ator reported that she has updated her election website and she now has a blog at www.jenniferator.com with posts for many City events.

Code Enforcement Board

Councilwoman Ator attended the Code Enforcement Board meeting on June 7th when Mr. Ziadie announced the approved changes to the Code Compliance Department and the Board seemed appreciative since they are looking forward to addressing issues in the business district. The Board members received copies of the color palette and the associated time limit for compliance. She applauded the Code Enforcement Board for their work.

Bill Wolar's Funeral

Councilwoman Ator said that she attended the funeral and interment at Vista Memorial. There was a military presentation which was very impressive. He was an important businessman and active member of the community for many years and he will certainly be missed.

Aviation Academy

Councilwoman Ator announced that the Experience Aviation STEM Academy begins next week and All Angels has agreed to host the program on its campus for the summer since the Curtiss Mansion is not ready.

Miami Springs Maps

Councilwoman Ator suggested that the Police Department should have maps of the City available for people who do not know their way around.

Good Government Initiative

Councilwoman Ator informed Council that she is attending a Good Government Initiative Seminar at the University of Miami with seventeen officials and school board members from Palm Beach to Monroe County that is sponsored by Katy Sorenson. She said that it is going to be very interesting and informative and she is looking forward to sharing what she learns.

Building Permits

Councilwoman Ator shared her experiences about obtaining permits from the Building Department and stressed the need to improve the time required to obtain them. She was told that a permit to replace the air conditioning system would take six days and it was never easy throughout the permitting and inspection process. She recognized that everyone she dealt with was very pleasant during the process, but clearly the process should be streamlined, especially to help encourage business development within the City.

Assistant City Manager Gorland stated that a gentleman who is an expert in the field will provide free consulting in the Building Department for a few days in order to determine if substantial changes can be made.

Pool Hours

Councilwoman Ator announced that the municipal pool is open until 7:00 p.m. on Saturdays and Sundays and she hopes that everyone has a wonderful summer.

Airbus 380

Councilman Lob reported that he also attended the arrival of the Airbus 380 and it was very impressive. Some of the statistics were amazing and Germany is the number one destination. The City should be able to attract business in light of the revitalization efforts for N. W. 36th Street.

Fishing

Councilman Lob said that he, along with the former Mayor, won second place in a fishing tournament.

Optimist Club Fishing Tournament

Mayor Garcia said that the Optimist Club is also having a Fishing Tournament on Saturday, July 16, 2011.

Summer Camp

Mayor Garcia said that this is the first day of Summer Camp and he has already heard many wonderful things about the program.

Pool Hours

Mayor Garcia asked about the extended pool hours and City Manager Borgmann clarified that the hours were extended from 4:00 to 7:00 p.m. to see how this schedule works out.

Mayor Garcia would like to market the pool, inform people about the swimming lessons and get more people involved in the program. He will assist with promoting the pool, not only as the Mayor, but also through his private business. He knows that the pool facility is rented out for private parties and he would like a report to show the rental use.

Assistant City Manager Gorland explained that the pool is not rented during the summer time from Memorial Day to Labor Day. Parties can be held upstairs or in the grassy area, but it does not include the pool water itself unless it is after hours.

Mayor Garcia reiterated that he would like to see a report of the use of the pool because it is a revenue generating stream.

Trophy Ceremony

Mayor Garcia attended the end of the season Little League trophy ceremony and he thanked Councilwoman Ator's husband for supplying extra water for the event. He congratulated Otto Camejo for his first year as President of the League and looks forward to helping him next year.

Flyers

Mayor Garcia asked for copies of the flyers with the information about the sports programs.

Assistant City Manager Gorland explained that the flyers are finished and two posters are displayed in the City Hall and Community Center lobbies.

Bill Wolar

Mayor Garcia extended his condolences to the family of Bill Wolar. He had the pleasure and privilege of knowing him well and he was his advisor when he first considered running for office. It is nice having families like this who have deep roots in the community. He is a man who will definitely be missed and may he rest in peace.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:49 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.

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