



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

Regular Meeting

Monday, September 26, 2011

7:00 p.m.

Community Center – Rebeca Sosa Theater

1401 Westward Drive, Miami Springs

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 Magalí Valls



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Xavier M. 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, September 26, 2011
7:00 p.m.
Community Center – Rebeca Sosa Theater
1401 Westward Drive, Miami Springs**

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

Salute to the Flag: Audience participation
- 3. Awards & Presentations:**
 - A) Recognition of Achievement of MSSH Math Team by the Chamber – Proclamation
- 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) 09-06-2011 – Workshop Meeting
- B) 09-12-2011 – Regular Meeting

6. Reports from Boards & Commissions:

- A) 09-22-2011 – Code Review Board – Cancellation Notice
- B) 10-03-2011 – Zoning and Planning Board – Cancellation Notice

7. Public Hearings:

- A) Resolution No. 2011-3522 – A Resolution of the City Council of the City of Miami Springs, Florida Adopting the Final Levying of Ad Valorem Taxes for General Operations for the City of Miami Springs for the Fiscal Year 2011-2012; Providing for an Effective Date
- B) Resolution No. 2011-3523 – A Resolution of the City Council of the City of Miami Springs, Florida Adopting the Final General Fund, Special Revenue Funds, Debt Service Fund, and Enterprise Fund Budgets for the Fiscal Year 2011-2012; Authorizing the City Manager to Proceed with Implementation of Service Programs and Projects; Prohibiting Unauthorized Liabilities and Expenditures of Funds; Providing for an Effective Date
- C) Resolution No. 2011-3524 – A Resolution of the City Council of the City of Miami Springs Approving and Adopting the City Employee “Pay Plan” for Fiscal Year 2011-2012; Reserving the Right and Authority to Amend or Supplement the Plan; Effective Date

8. Consent Agenda:

- A) Recommendation that Council Approve an Expenditure to Computer Electric, Inc., the Lowest Responsible Proposer, in an Amount not to Exceed \$3,167.00 for ADA Compliant Door Operators at the Community Center, pursuant to Section 31.11 (C) (2) of the City Code
- B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount not to Exceed \$9,000.00, for M. Jurado & Associates, for Annual Costs of Mechanical Plan Reviews and Inspections on an “As Needed” Basis, pursuant to Section 31.11 (E) (6) (g) of the City Code

8. Consent Agenda: (Continued)

- C) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount not to Exceed \$40,000.00, for AMA Consulting, for Annual Costs of Building and Roofing Inspections on an “As Needed” Basis, pursuant to Section 31.11 (E) (6) (g) of the City Code
- D) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure in an Amount not to Exceed \$16,000.00, for Lonsdale Associates, for Annual Costs of Structural Plan Reviews on an “As Needed” Basis, pursuant to Section 31.11 (E) (6) (g) of the City Code
- E) Recommendation that Council Authorize an Expenditure in an Amount not to Exceed \$1,200.00 to Yamaha Motor Corporation for the Lease of Golf Carts per the Existing Lease Agreement, pursuant to Section 31.11 (E) (6) (2) of the City Code
- F) Recommendation that Council Approve an Expenditure of \$2,521.00 to CTM Brochure for Advertising Materials, as a Sole Source Provider, pursuant to Section 31.11 (E) (6) (c) of the City Code

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Strategic Plan Status

10. New Business:

- A) Resolution No. 2011-3525 – A Resolution of the City Council of the City of Miami Springs Authorizing the Placement of Six Foot Tall Painted or Decorated Fiberglass Eagle Statues in the Public and Private Right-of-Ways of the City; Endorsing the Exhibition of the Eagle Statues as a Local Charitable Activity for the Benefit of the Schools in the City; Conditioning the Placement and Exhibition of the Eagle Statues Upon the Issuance of Appropriate City Permits and the Execution of All Required Hold Harmless and Indemnification Documentation; Distribution of all Funds Received from the Auction of the Eagle Statues to be Made by the City Council; Effective Date
- B) First Reading – Ordinance No. 1027-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance 102-01, Re-Occupancy Certification, by Adding Thereto Provisions Offering an Additional “Informational Inspection” for Purchasers of Residential Properties Subject to Re-Occupancy Inspections; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

10. New Business: (Continued)

- C) 13 South Royal Poinciana Boulevard Property Redevelopment
- D) Recommendation that Council Award RFP # 05-10/11 to BB&T, the Lowest Responsible Proposer, for City Banking Services, Pursuant to Section 31.11 (E) (2) of the City Code
- E) Cell Tower Issue: Potential Sale of Leases and Construction of a New Tower

11. Other Business:

- A) Maintenance of Property – Roof Cleaning Discussion (MS Code 93-13)
- B) Discussion of Background Checks for Individuals Working with the Sports and Cultural Programs in Miami Springs (Requested by Mayor Garcia)

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 **WORKSHOP MEETING** in the Council Chambers at City Hall on Tuesday, September 6, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

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

The following were present:

Mayor Zavier M. Garcia
Vice Mayor Bob Best
Councilwoman Jennifer Ator*
Councilman Dan Espino
Councilman George V. Lob

*Arrived at 8:41 p.m.

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
Chief of Police Peter G. Baan
Finance Director William Alonso
Comptroller Alicia E. González
Public Works Director Robert T. Williams
Human Resources Director Loretta M. Boucher
City Planner James H. Holland
Golf Director Michael W. Aldridge
Recreation Director Omar L. Luna
Elderly Services Director Karen Rosson
Deputy City Clerk Suzanne Hitaffer

2. Workshop on Proposed Fiscal Year 2011-2012 Budget (Continued from 8-29-2011)

V. Discussion of Changes to Proposed Budget

City Manager Borgmann explained that there were two alternatives listed on Attachments A and B. If Council were to stay with the proposed original millage rate of 6.8600, there would be a deficit of \$147,360. He stated that item number (6) Change policy for Police DROP, would probably not occur for a full year, but if it were to occur there would still need to be \$22,500 in cuts.

City Manager Borgmann noted that if the millage rate is set at 6.8000, the deficit would be \$198,959. With the removal of Change policy for Police DROP, there would be \$29,000 to recover from some other means.

City Manager Borgmann wanted to make sure that Council understood the basic alternatives and which would be less destructive to City Services.

Mayor Garcia asked if anyone had any further proposals based on the discussion at the last meeting.

Councilman Espino stated that the 3% reduction in pay for all Department Heads and Assistant Department Heads totals \$31,701. He asked Finance Director Alonso what the totals would be for a 4 or 5 % reduction.

Finance Director Alonso replied that 4% would be approximately \$41,000 and 5% would be approximately \$51,000.

Councilman Espino mentioned that he would like the Administration to look at other insurance providers for the City overall.

To answer Mayor Garcia's question, City Manager Borgmann explained that right now the insurance savings would be an approximate amount based on an estimate that he had been given by a separate company.

Mayor Garcia asked if there is a need for a Request for Proposals (RFP) and Finance Director Alonso stated that the Administration is working on the RFP.

Mayor Garcia asked if the savings from outsourcing tree trimming services (K) and savings from outsourcing landscaping services (L) were separate items.

Finance Director Alonso explained that items K and L on Attachment B are separate items totaling \$140,000.

Mayor Garcia asked the Finance Director Alonso how he calculated the savings.

Finance Director Alonso explained that the numbers are very preliminary and he will not have the exact numbers until the services are put out for bid. The decision was based on what other municipalities have experienced and it was determined that there could be a 20-30% savings.

Vice Mayor Best commented that he would not vote for those issues relative to Public Works because he does not find it appropriate. He mentioned that he did find it appropriate to consider the elimination of the Assistant City Manager Position that would save \$132,000. He wanted to discuss ascending the Assistant City Manager to the City Manager's position.

Mayor Garcia asked if anyone had an objection or comments to the elimination of the Assistant City Manager's position.

Councilman Lob explained that even if Council decided to eliminate the position, the \$113,246.67 would be a one time payout.

Councilman Espino noted that it would be a net savings of just above \$19,000 and Council is going to see the reductions at some point. He said that there will either be a net gain of \$132,309 or a one time deduction of \$113,246.67. He commented that next year the City would experience a full \$130,000+ savings.

Councilman Espino stated that in regard to the Public Works issue, he does not believe that Council has nearly enough information to be able to make any kind of decision. He said that if it is something that Council wants to consider, they will have until next year's budget to go into it in detail or begin the investigation during this fiscal year and make a decision mid-year.

Councilman Lob agreed with Councilman Espino and his opinions about the Public Works item.

Mayor Garcia wanted to address every item on Attachment A. He asked if anyone had an issue with eliminating one part-time Police Administrative position.

Councilman Espino suggested for purposes of the budget, leaving the elimination of positions to the end as a last resort and then making other adjustments.

Finance Director Alonso asked if Council had decided to go with the 6.86 or the 6.80 millage rate and Mayor Garcia stated that it would depend on how much is being eliminated from the budget.

To answer Councilman Espino's question, Finance Director Alonso explained that \$10,149 in Recreation is the cost for a piece of maintenance equipment.

City Manager Borgmann explained that the equipment is utilized by the Golf Superintendent for mowing and maintaining the fields.

Finance Director Alonso stated that the Chief of Police had proposed eliminating one police car from the budget and purchasing two instead of three vehicles. Eliminating all capital expenditures for Police would save \$92,000 and it would mean eliminating all vehicles.

Councilman Lob commented that this would be a one time savings and the request for vehicles would come back next year.

Mayor Garcia advised Council to go through all the other alternatives before deciding to eliminate capital expenditures.

Councilman Espino explained that Council eliminated merit increases and longevity which affected everyone across the board and there is more savings on the higher end of the pay scale. He commented that Department Heads make good salaries and he does not believe that Council should stop at a 3% reduction. He believes that 4-5% should be considered.

Mayor Garcia asked Finance Director Alonso if Council makes a reduction to the salaries if it would be a permanent reduction or if Council could address it again next year.

Finance Director Alonso replied that it would be Council's decision whether or not to make the reduction permanent.

Mayor Garcia stated that alternative (B) was to reduce the City's contribution for dependent health care coverage for General Employees to 33% leaving the savings at \$19,434. He asked if anyone had any objections to that proposal.

Councilman Espino noted that Items (B) and (C) are related to employee insurance benefits. The decision could be made to eliminate one and not the other depending on the end result.

Mayor Garcia asked if Council had considered reducing the City's contribution to dependent health care coverage (B) and requiring all employees to pay 5% of their health insurance costs (C). He understands that all of these alternatives are difficult and he would like to address them at the end. He asked Councilman Lob if there were any alternatives at the top of his list that he would be willing to cut.

Councilman Lob responded that the Assistant City Manager position should be cut and it would be a \$100,000 savings.

Councilman Espino does not believe that Council could plan for the elimination of the position. If the elimination is approved, then there would be a net savings of \$132,309. He said that there is a more conservative approach and the net savings would be \$19,620.

Mayor Garcia commented that it would be a one time occurrence in the budget for the payout that would not happen next year. Council will have to budget \$113,246.67, while the actual savings would be approximately \$19,620.

Finance Director Alonso understood that Councilman Lob is proposing to budget the savings of \$132,309 and \$113,246.67 could be taken from the designated fund balance if needed.

Councilman Espino explained that the funds are basically going into reserves.

Mayor Garcia asked what the balance of the reserve fund is and Finance Director Alonso explained that he will not know until the end of the year.

Councilman Lob commented that Council is looking at \$132,309 and if they budget for \$113,246.67 out of the designated fund, then for budgetary purposes that puts Council a lot closer to where they need to be.

Finance Director Alonso advised Council that considering the savings of \$132,309 plus the \$50,000 savings from the liability and property insurance (J), the total savings would be \$182,000 leaving a shortage of \$16,000.

Vice Mayor Best explained that it would make more sense to appoint Assistant City Manager Gorland as City Manager and save \$132,309 instead of \$19,620. He said that come January 2, if the Assistant City Manager is not appointed to the position he will be out of a job. He felt that Council should eliminate the process of hiring someone from the outside. This would help to balance the budget and he strongly recommends that Council entertain the recommendation.

Mayor Garcia commented that he agrees with Vice Mayor Best, although the City is dealing with a 1% increase in the assessed property values and this is still an issue. Unfortunately with the economy the way it is, Council will have to deal with deficits and cuts whether they want to or not. He wants Council to look at ways to reduce taxes for the residents because it is going to become more difficult every year.

Vice Mayor Best believes Council's goal is to be revenue neutral without eliminating services or raising taxes.

Mayor Garcia explained that during the previous Council's term the City received an influx of dollars that eliminated the need to make cuts, while the current Council is put in the situation where they have to make cuts. At the end of the day, Council needs to make sure they are doing what is right. Even if the position of Assistant City Manager position was eliminated and Assistant City Manager Gorland takes the City Manager's position, there will still be problems.

Councilman Espino said that he would rather consider a net savings of \$19,620 and work through the budget to see how it stands. There are still adjustments that can be made to the budget and some items have been on his "no list" since the beginning.

Mayor Garcia stated that there is a consensus to eliminate the Assistant City Manager position and designate the savings at \$19,620. He mentioned that there is a possibility of a payout.

Mayor Garcia asked Finance Director Alonso if he had information on the amount of pension that employees would be compensated if the positions are eliminated.

Finance Director Alonso replied that he would need to speak with the Pension Administrator and ask him the information for certain individuals.

Mayor Garcia said he would like to have the numbers for all of the employees and City Manager Borgmann explained that the Administration would find out if they are able to obtain the numbers.

Mayor Garcia commented that there are some employees that might make the same amount with their pension benefits if their position is eliminated and they no longer work for the City.

Finance Director Alonso advised Council that with the general employees it would not be the case. He stated that the multiplier is 2.5% and it would never be a situation where they would be compensated 100%.

Mayor Garcia noted that he would like to see the numbers for the department heads or any employee that would make 70% of their salary.

City Manager Borgmann explained that there are several department heads that are effectively retired because they entered the Deferred Retirement Option Plan (DROP).

To answer Mayor Garcia's question, City Manager Borgmann replied that the employees who are currently in the DROP are the City Clerk, Deputy City Clerk, City Manager's Secretary, and Systems Analyst. They are starting to receive payments into a special account that they cannot touch until they have physically left the premises.

Mayor Garcia said that he would like to know what the percentage is or what the dollar amount is on a yearly basis when the employees are no longer working.

City Manager Borgmann explained that they would need to review each employee in order to make a determination. He commented that if any of those employees worked any years prior to 1989, the pension contribution during those years was 1.5%.

Mayor Garcia stated that he understands the circumstances with the general employees, but he would like to see the numbers for the department heads.

Vice Mayor Best reiterated that if Assistant City Manager Gorland is appointed to City Manager's position through the process, the net savings would be \$132,309.

Vice Mayor Best questioned whether or not \$50,000 was worth having someone representing Miami Springs in Tallahassee for the next Legislative session.

Mayor Garcia clarified that the funds that are designated are not necessarily for the same lobbying group the City has now. He explained that in past years the City had been successful in receiving funds that might have been lost without the help of a lobbyist. He noted that the actual compensation for the lobbyist is \$44,000.

Councilman Lob stated that the City could have lost funds when the legislature was making cuts and there were a few grants that Miami Springs was counting on that could have been lost without the efforts of the lobbyist. He stated that the lobbyist and the grant writer help with acquiring funds and the question is how much the City could lose without them.

Vice Mayor Best asked if Council could negotiate the rate with the lobbyist and reduce his representation to possibly half of what it would be normally.

Mayor Garcia explained that Council had already negotiated the fee with the lobbying group.

Mayor Garcia reiterated that the realistic expenditure was approximately \$44,000 for the lobbyist.

Council **agreed** not to eliminate funding for the lobbying group.

Mayor Garcia asked Council if there was any consideration of eliminating the fireworks for the Fourth of July, all special events, or donations to the Springs River Festival.

Council **agreed** that they did not want to eliminate the Fourth of July fireworks or any special events.

Councilman Espino stated that any allocations to outside organizations in Fiscal Year 2011-2012 budget must go through accountability process.

Vice Mayor Best asked if there were any changes to the amount of funding for the rent subsidy for the historical museum. He remembers previous discussions about the amount being significantly reduced.

City Manager Borgmann commented that he sent Council a proposed budget from the President of the Miami Springs Historical Society and they are requesting \$1,000 per month totaling \$12,000 instead of \$19,200.

Mayor Garcia stated that he received e-mails from citizens who heard rumors as to how much was going to be cut from the rent subsidy. He informed Council that in the past the historical museum was being funded by a private resident and when it was proposed to Council, it was proposed as temporary funding. He explained that there are reputable groups who are willing to save the historical museum.

City Manager Borgmann stated that one group offered to take the historical collection and exhibits could be displayed at the Curtiss Mansion from time to time.

Mayor Garcia mentioned that Curtiss Mansion, Inc. (CMI) agreed to bring items from the museum and place them on display in the Curtiss Mansion. He explained that the majority of the e-mails he received about the museum were from non-residents and none offered to make a donation to the historical museum.

Councilman Espino said that he would not want to make a sudden decision and shut the museum down from one day to the next, but Council could set the policy now and begin to tier down the funding. He does not believe that the business should rely solely upon the City for funding. Council must acknowledge the fact that the museum provides education to a very specific topic at a time when schools are cutting cultural programs.

Councilman Lob believes that the Historical Society should accept \$1,000 per month and if they need more help in the future it could be considered at that time. He does not want to eliminate the funding. He added that CMI is willing to work with the historical museum and there are other avenues to consider.

Mayor Garcia explained that if the Historical Society is given \$12,000, they will use it. He said that the only way that he would be in favor of supporting the museum is by giving notice that the City is stepping down and that eventually they should become self sufficient. Council must ensure that the City provides critical municipal services like Recreation, Public Works, and Police.

Mayor Garcia commented that he used to receive letters from the Historical Society asking him to become a paying member and he no longer receives those letters since they began to receive support from the City. He stated that \$12,000 is more than what the Springs River Festival asks for each year and they provide a return on their investment. He added that if Council is willing to approve the funding that he would like the Historical Society to provide a financial report.

Councilman Lob explained that there are a lot of non-profit organizations in Miami Springs that are self-sufficient. Those organizations ask the City for funds every now and then, but there is no one entity that the City fully funds.

Councilman Espino advised Council that it would be a 37% savings by reducing the funding to \$12,000. He would like to see a good faith effort from the Historical Society to hold fundraisers like other organizations do.

Vice Mayor Best explained that a lot of good people work to support the museum without compensation and the City is basically subsidizing the location for the storage of their artifacts. He said that by reducing the amount to \$12,000 the net savings would be \$7,200, and Council would be sending a strong message for the organization to continue their fundraising efforts in the future.

Mayor Garcia stated that the funding will be reduced from \$19,200 to \$12,000. The Historical Society will receive \$1,000 from the \$12,000 per month for October, November and December and present an application for continued support before the end of the first quarter.

Finance Director Alonso noted that the remaining deficit would depend on the millage rate that Council sets.

Council **agreed** to continue working to cut the budget based on a 6.8000 millage rate.

Councilman Espino asked Council to revisit the tree trimming services.

City Manager Borgmann offered the possibility of hiring a company to do the tree trimming.

Public Works Director Robert Williams explained that there is a gentleman who wants to leave a tree trimming company and start working for Public Works.

Mayor Garcia asked about the \$20,000 savings from outsourcing of the tree trimming services.

City Manager Borgmann explained that the projected savings is a rough estimate based on another city's contract that is based on a certain number of trees.

Mayor Garcia asked what the difference in the dollar amount would be between hiring a company and hiring a person.

Public Works Director Williams stated that it is difficult to determine a dollar amount on the savings because it depends on the trees and the different variables.

Mayor Garcia stated that there is a possibility of saving funds. He added that other cities are hiring companies to do their tree trimming and he wants Council to see the numbers so that they can consider the option.

Councilman Espino clarified that Public Works has two vacant tree trimming positions which total \$48,164 in salaries and fully burdened it amounts to \$60,000.

Vice Mayor Best does not agree with outsourcing the function. He explained that Miami Lakes has their services provided by the County because they do not have a Public Works Department or a Police Department and he does not want Miami Springs to become a City that receives their services through the County.

Councilman Lob asked how long it would take the City to put out a Request for Proposal (RFP) for tree trimming services.

City Manager Borgmann replied that the City is obtaining a copy of an RFP from another city.

Councilman Lob asked how this could be considered for this year's budget since the numbers will not be ready before the budget is ratified.

Mayor Garcia responded that Council could make a decision to outsource tree trimming half way through the fiscal year.

Councilman Lob explained that without quotes, Council cannot consider the option at this time.

Councilman Espino proposed that Council consider a 5% reduction in pay for Department and Assistant Department Heads.

Finance Director Alonso reminded Council that there could be a budget surplus of approximately \$200,000 for Fiscal Year 2010-2011. He added that fleet services will be less next year due to savings of \$22,000.

Mayor Garcia asked Council to consider the reduction in pay for all Department Heads and Assistant Department Heads and to decide on the percentage.

By consensus, Council agreed to make a 3% reduction in pay for all Department Heads and Assistant Department Heads.

Finance Director Alonso stated that figuring the 3% reduction, it would still leave a \$69,058 shortage.

Councilman Espino commented that some municipalities are cutting health insurance benefits. He said that he is leaning towards reducing the City's contribution to dependent health care coverage for General Employees to 33%.

Discussion ensued regarding conversations with residents who are employees and their difficulties with the elimination of the merit increases.

Councilman Lob understands that reducing the City's contribution to 33% for dependent health care coverage for General Employees would save \$19,000 and there could be funds available next year to bring it back to 50%, based on not having to fund a payout of \$113,247 to the Assistant City Manager.

*Councilwoman Ator arrived at this time.

(Mayor Garcia called for five-minute recess at 8:42 p.m. and reconvened at 8:56 p.m.)

To answer Mayor Garcia's question, Finance Director Alonso clarified that there is still a \$69,000 budget shortage including the 3% reduction in pay for all Department Heads and Assistant Department Heads.

Councilman Lob reiterated that the discussion was about the consideration of reducing the City's contribution to dependent health insurance coverage to 33% instead of 50%.

City Manager Borgmann explained that the number of employees who take advantage of the coverage is very small or approximately 27 employees.

Councilman Espino reiterated that he would like to consider a 5% salary reduction for all Department Heads and Assistant Department Heads and further discussion ensued regarding the savings.

Councilwoman Ator asked Finance Director Alonso if the City Manager is voluntarily participating in the reduction in pay for Department and Assistant Department heads and if that would impact the payout amount at the end of his contract.

Finance Director Alonso responded that it would impact the payout amount at the end of the City Manager's contract.

Finance Director Alonso said that if there was a 5% reduction for Department Heads and Assistant Department Heads there is still a shortfall of \$37,000.

Vice Mayor Best asked to reevaluate the 3% pay reduction for all Department Heads and Assistant Department Heads. He stated that he was not in favor of a 5% reduction. He asked Finance Director Alonso what the difference was between 3% and 5%.

Finance Director Alonso replied that the difference was approximately \$10,000.

Councilman Lob estimated that on an average, the 5% reduction would leave Department Heads with an approximate reduction of \$4,700.

Finance Director Alonso explained that the 5% reduction would affect the City Manager, Assistant City Manager, City Clerk, Human Resources Director, Finance Director, Controller, Recreation Director, Public Works Director, Elderly Services Director, Golf Director, and Golf Superintendent.

City Manager Borgmann stated that the City has vehicles that had been put aside in case of annexation and some of those vehicles could serve as back up if any of the vehicles that had been planned for replacement failed.

Councilman Lob commented that if Council goes along with eliminating the capital expenditures, it will take \$92,000 out of the budget and there could be funds available next year based on the savings from the Assistant City Manager position.

Councilman Espino noted that it would be based on the presumption that Council does not need to lower the millage rate further.

Councilwoman Ator agreed with Councilman Lob to eliminate capital expenditures for police cars and save on the Assistant City Manager position next year.

Discussion ensued regarding the police cars and the Police Department's requested budget.

Finance Director Alonso clarified that out of \$92,000 budgeted for Police capital expenditures, \$20,000 is for equipment other than cars, such as computers, radio equipment and tasers. Eliminating one police car from the budget and purchasing two instead of three cars would save \$36,000.

Councilman Espino noted that he is not in agreement with the proposal.

Finance Director Alonso explained that if Council decides on a 3% pay reduction and purchasing no police cars there would then be a surplus of \$47,000.

Vice Mayor Best asked if Council decided to drop the Lobbying cost.

To answer Vice Mayor Best's question, Finance Director Alonso replied that the expense for the lobbyist was reduced to \$45,000, leaving a savings of \$5,000 and with the 3% pay reduction there is a surplus of \$52,000.

To answer Councilman Espino's question, Finance Director Alonso stated that if the 6.8000 millage rate was applied against the \$52,000 surplus the millage rate would be at 6.75.

Discussion ensued regarding what had been eliminated from the budget.

Finance Director Alonso stated that the total amount of items eliminated was \$250,901 minus the original \$198,959 leaving a \$51,942 surplus.

To answer Mayor Garcia's question, Finance Director Alonso stated that without the 3% decrease for Department Heads and Assistant Department Heads there would be an approximate surplus of \$12,000.

Councilwoman Ator explained that the reduction in pay for all Department Heads seems like a punishment.

Councilman Espino noted that in good times economically the Department Heads were compensated accordingly and now unfortunately times are not economically good.

Discussion ensued between Councilman Espino and Councilwoman Ator regarding whether or not there should be a 3% reduction.

Mayor Garcia commented that now there is a surplus, the budget is balanced and Council should strive to give the residents a better budget.

Vice Mayor Best stated that Council has a mandate to balance the budget without raising taxes; it does not mean they should stop at that point.

Finance Director Alonso advised Council that with the current surplus being \$51,942, the millage rate is lowered to 6.7400.

Mayor Garcia asked why the Administration listed specific employee positions in item (A) for consideration of elimination.

City Manager Borgmann explained that because it is a tight budget, he needed to distinguish what the absolute necessary functions are that the City requires.

Vice Mayor Best clarified that the figure shown for the Customer Service Representative was fully burdened.

City Manager Borgmann replied that it is a fully burdened salary and citizens misrepresented the fact that they thought that this particular person made \$60,000 a year and that is not the case.

Vice Mayor Best does not believe the Customer Service Representative position should be cut because it is traditionally Miami Springs. He said that the Police Department had exercised enough due diligence in the budget process and it would allow the Department to keep the part time Police Administrator and one Public Service Aide.

To answer Councilwoman Ator's question, Finance Director Alonso clarified that eliminating the Customer Service Representative position would lower the millage rate to 6.68.

Councilman Espino questioned why a reduction of salary or hours for the Customer Service Representative is not discussed before the full elimination of the position.

Councilman Lob believes there should be someone in the lobby directing citizens to where they need to go and to answer any questions they may have.

Councilwoman Ator explained that if there is a new telephone system and there is no traffic at City Hall other than for the Building Department she does not see the need to fund the Customer Service Representative position.

Mayor Garcia asked City Manager Borgmann if he can look into the recommendation of the reduction of hours and City Manager Borgmann agreed.

Councilman Espino stated that he is in favor of keeping the position and wanted to see where everyone else on Council stood.

Vice Mayor Best explained that he also is in favor to keeping the position. He said that when he is at City Hall he sees plenty of citizens asking for assistance.

To answer City Manager Borgmann's question, Human Resources Director Loretta Boucher advised

Council that an average part time position is \$10.00 per hour with no benefits for 29 hours a week or \$15,000 per year.

Mayor Garcia explained that it is a consideration of a \$45,000 savings if the position were eliminated.

Vice Mayor Best advised Council that when the current Customer Service Representative decides to retire, then eliminating the position would be a consideration. He said that this person has been working for the City for a long time and it would not be right to eliminate the position. He understands that there may be too much compensation for the position; however, there are a lot of options to consider.

Mayor Garcia reiterated that if there is someone in the lobby part-time, whether it is the same person or not, the cost will be \$15,000 a year versus \$60,000, which is a \$45,000 savings.

City Manager Borgmann advised Council that the City still compensates for Social Security on part time positions.

To answer Mayor Garcia's question, Finance Director Alonso noted that the fully burdened amount for the part time position is \$16,200.

Councilman Espino reiterated that the reduction in salary should be considered as an option.

Councilwoman Ator explained that she does not support the 3% reduction or cutting positions. She believes the millage rate should be left at 6.8.

City Manager Borgmann advised Council that if there was a reduction in the current rate of full-time employment, it would have a negative impact on the pension payout.

Mayor Garcia asked Council to consider a millage rate of 6.74 with a surplus of \$51,942. He requested a voice vote and it carried 4-1 with Councilwoman Ator dissenting.

Mayor Garcia asked Councilwoman Ator what her opinion was on the Customer Service Representative position being changed from full-time to part-time now that the 3% pay reduction was decided.

To answer Mayor Garcia's question, Councilwoman Ator explained that she has no other alternative other than to eliminate the position if the goal is to lower the millage.

Mayor Garcia asked Council if they were in favor of eliminating the Customer Service Representative position. By consensus, except for Councilwoman Ator, Council agreed not to eliminate the position.

Mayor Garcia asked Council if they were in favor of adjusting the Customer Service Representative position to a part time position.

Councilman Espino was in favor of an adjustment.

Councilman Lob stated he is not in favor of cutting the Customer Service Representative position and if Council is going to cut one position, then it should be done across the board to all positions in question.

Councilwoman Ator and Vice Mayor Best were not in favor of adjusting the Customer Service Representative position to part time.

Vice Mayor Best reiterated that he would like to see the millage rate continue to decrease by appointing Assistant City Manager Gorland as City Manager effective January 3, 2012.

Finance Director Alonso advised Council that the current millage rate is 6.7400 mills.

3. Adjourn.

There being no further business to be discussed the meeting was adjourned at 10:13 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Suzanne S. Hitaffer, CMC
Deputy City Clerk

Approved during meeting of: ____

Transcription assistance provided by Elora R. Sakal

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 the Community Center in the Rebeca Sosa Theatre on Monday, September 12, 2011, at 7:00 p.m.

1. Call to Order/Roll Call

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

The following were present:

Mayor Xavier M. Garcia
Vice Mayor Bob Best
Councilwoman Jennifer Ator*
Councilman Dan Espino
Councilman George V. Lob

*Arrived at 7:06 p.m.

Also Present:

City Manager James R. Borgmann
Assistant City Manager Ronald K. Gorland
City Attorney Jan K. Seiden
Chief of Police Peter G. Baan
Finance Director William Alonso
Comptroller Alicia E. González
Public Works Director Robert T. Williams
Human Resources Director Loretta M. Boucher
City Planner James H. Holland
Golf Director Michael W. Aldridge
Recreation Director Omar L. Luna
Operations Superintendent/Arborist Thomas Nash
Deputy City Clerk Suzanne Hitaffer

2. Invocation: Councilman Espino offered the invocation.

Salute to the Flag: The audience participated.

3. **Awards & Presentations:** None.

3A) **Presentation from Miami-Dade County League of Cities Juan Carlos Bermúdez**

Doral Mayor Juan Carlos Bermúdez, President of the Miami-Dade County League of Cities, thanked the Mayor and Council for giving him the opportunity to serve as President and allowing him the opportunity to speak about the impact the organization has on the thirty-four municipalities. He explained that there were three goals he was committed to accomplishing this year. One was to focus on Miami-Dade County Charter Review and insist upon greater representation.

Mayor Bermúdez stated that the second commitment is to have an input on the County budget. He requested meetings with the County earlier this year which they had never had before. He attended a meeting last week along with Finance Director William Alonso to speak with Miami-Dade County Mayor Gimenez and discuss issues that impact the municipalities and the County budget.

Mayor Bermúdez commented that the last goal he was committed to achieving was repealing the portion of Section 8.01 of the County Charter which essentially states that any ordinance that is put forth through the vote of people in Miami-Dade County can be rescinded at a year and a day by the Board County Commissioners through a majority vote.

Mayor Bermúdez stated that Miami Springs had received approximately \$3.5MM to date and still has approximately \$31,000 to receive from the Citizen Independent Transportation Funds. He explained that the Miami-Dade County League of Cities had been very clear that the 80/20 position cannot be impacted in any way shape or form. In other words, there is no way that the County should take out the dollars for the three new municipalities from the cities' portion because it would have a negative impact upon the City.

Mayor Bermúdez thanked Councilman Espino who is the League's representative on the Legislative Committee. He said that Councilman Espino was instrumental in helping draft last year's legislative agenda and in helping to create the legislative handbook that was distributed to Council. He invited the Mayor and Council to a Best Practice Seminar that will be held on December 2, 2011 at the Intercontinental in Doral.

Discussion ensued regarding some of the events that Miami-Dade County League of Cities has held.

Mayor Garcia thanked Mayor Bermúdez for everything he has done for all the cities. He appreciates his hard work and loves being a part of the Miami-Dade County League of Cities.

Councilman Espino thanked Mayor Bermúdez and Executive Director Richard Kuper for their leadership. He said that they have been extremely dynamic, targeting issues that affect all municipalities and taking the issues to the County. He appreciates the efforts of the League and for giving Council a platform to get further involved in the community and to become educated.

City Attorney Seiden explained that the City Attorney luncheons that are held by Miami-Dade League of Cities are very timely and helpful. He applauded them for putting together the events that are extremely well done.

City Manager Borgmann thanked Mayor Bermúdez for his generous donations to the Miami Springs swim program for the past three years.

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.

Lawn Service License

Joe Buonassi of 1131 Swan Avenue suggested charging lawn service companies an occupational license fee to generate additional revenue for the City. He complained that the lawn companies are blocking the streets and if the companies were registered with the City it might help the Police Department to stop some of the burglaries.

Lawn Service License

Chuck Adams of 101 Palmetto Drive agreed with Mr. Buonassi that the lawn and pool service companies are not treated as viable businesses in Miami Springs because they are not taxed or regulated.

Illegal Rentals

Mr. Adams said that illegal renting of homes has been going on for years and everyone looks the other way. He understands that the Miami-Dade County Police Department is more than willing to come to communities and look into the problem. He said that if the illegal separation of single family homes into multi-family residences cannot be stopped it should be legalized so the owners are taxed.

Invocation

Nery Owens of 332 Payne Drive thanked Councilman Espino for his beautiful invocation.

Budget Issues

Ms. Owens stated that Council was considering privatizing the Public Works Department and there is no other City in the County that has a Public Works Department like Miami Springs. She loves the parks and parkways, the green space and the beautiful trees that would not be the same if it was done by an outside company.

Ms. Owens suggested eliminating the position of Golf Superintendent and utilizing the Public Works employees to maintain the Golf Course. She added that the position of Golf Manager could be eliminated if the Golf Course was managed by the Recreation Director. She does not feel that the Information Technology Department needs two full-time positions and the department could be privatized. She also questioned the need for a Grant Writer in light of reduced federal and state funding.

5. Approval of Council Minutes:

5A) 08-22-2011 – Regular Meeting (5A and 5B approved with one motion)

Minutes of the August 22, 2011 Regular Meeting were approved as written.

Vice Mayor Best moved to approve. Councilman Espino seconded the motion, which carried unanimously on roll call vote.

5B) 08-29-2011 – Workshop Meeting

Minutes of the August 29, 2011 Workshop Meeting were approved as written.

Vice Mayor Best moved to approve. Councilman Espino seconded the motion, which carried unanimously on roll call vote.

6. Reports from Boards & Commissions:

6A) 08-04-2011 – General Employees Retirement System – Minutes

Minutes of the August 4, 2011 General Employees Retirement System meeting were received for information without comment.

6B) 08-04-2011 – Police and Firefighters Retirement System – Minutes

Minutes of the August 4, 2011 Police and Firefighters Retirement System meeting were received for information without comment.

6C) 08-18-2011 – Historic Preservation Board – Minutes

Minutes of the August 18, 2011 Historic Preservation Board meeting were received for information without comment.

6D) 08-23-2011 – Ecology Board – Minutes

Minutes of the August 23, 2011 Ecology Board meeting were received for information without comment.

6E) 08-25-2011 – Code Review Board – Cancellation Notice

Cancellation Notice of the August 25, 2011 Code Review Board meeting was received for information without comment.

6F) 09-06-2011 – Code Enforcement Board – Cancellation Notice

Cancellation Notice of the September 6, 2011 Code Enforcement Board meeting was received for information without comment.

6G) 09-07-2011 – Architectural Review Board – Cancellation Notice

Cancellation Notice of the September 7, 2011 Architectural Review Board meeting was received for information without comment.

6H) 09-08-2011 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the September 8, 2011 Board of Parks and Parkways meeting was received for information without comment.

6I) 09-13-2011 – Recreation Commission – Cancellation Notice

Cancellation Notice of the September 13, 2011 Recreation Commission meeting was received for information without comment.

6J) 09-15-2011 – Historic Preservation Board – Cancellation Notice

Cancellation Notice of the September 15, 2011 Historic Preservation Board meeting was received for information without comment.

7. **Public Hearings:**

7A) Resolution No. 2011-3521 – A Resolution of the City Council of the City of Miami Springs Tentatively Approving Fiscal Year 2011-2012 Budget; Confirming Date, Time and Place of Final Public Hearing

City Attorney Jan K. Seiden read the resolution in its entirety.

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

Shiketa Duberry who is a Public Dispatcher 1 for the City of Miami Springs Police Department read her statement as follows:

“Several employees went up for a 5% merit increase and before our anniversary it was cut to 3%. We went for four years without cost of living and the cost of living continues to elevate. Several employees are up for longevity in December and now there is a freeze. A lot of us were expecting it for Christmas expenses. From what I understand a few employees for the first 8 or 9 months of the year have received their longevity. It is not fair to the others that were a second.”

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

Vice Mayor Best explained that he had given further consideration relative to the 3% pay cut for the Department Heads and Assistant Department Heads that was agreed upon at the last Workshop meeting. He said that these employees are the life blood of this City and he encourages Council to be cautious before they act upon and consider the cut. He stated that currently the millage rate is set at 6.74 and he would like further discussion on the 3% pay cut before Council enacts it.

Councilwoman Ator stated that she also opposes the 3% cut and upon further reflection she agrees and continues to stand where she stood before. She said that it does not seem like a good idea to cut the pay of the leadership of the City when Council is counting on them to continue to work hard for the citizens. She explained that if Council starts cutting pay, employees will not feel appreciated and she is concerned that the City will lose their best employees.

Councilwoman Ator advised Council that it was not fair to the Chief of Police to volunteer not to purchase three police cars. She encouraged Council to reconsider because it does not seem right to eliminate the cars and make pay cuts.

Vice Mayor Best stated that right now there is a \$52,000 surplus versus approximately \$22,000 realized by the act of the 3% cut.

Mayor Garcia explained that Council had debated plenty of issues and the 3% cut was not the sole item that was discussed. He believes that Council is sending a message and it is a necessity, because during past years there was a minimum of 3% increases and other situations where there were pay increases.

Mayor Garcia stated that although the Department Heads may not admit it publicly, they have openly said that they are okay with taking a pay cut before any other positions or services are cut. He stressed the fact that he is not willing to waiver on the 3%.

Councilman Espino understood that whenever an employee gets a reduction in salary that it is going to hurt them. At the end of the day, citizens who run companies have to balance the books and Council has to do the same with the budget.

Councilman Espino explained that the City is having difficult times and Council needs to respond to the community that is hurting. He said that if this Council decides to reinstate the 3%, he will be voting no on this budget.

Vice Mayor Best commented that Councilman Espino is correct in the fact that Council does have a charge to the City, and the charge is to ensure that there are people that can maintain the services. He said that citizens appreciate the people who are in charge of running the departments and \$31,000 only amounts to a slight difference in the millage rate.

Councilman Lob stated that for many years salaries were compounded due to merit increases and cost of living increases (COLA). He hopes that management does not think that Council is doing this because they do not appreciate them; that is not the reason why. In his opinion, Council is making this decision because they want to ensure that for upcoming years, the budget will be viable and the City will not be hurting.

Councilman Lob noted that the 3% reduction on an average is approximately \$3,100 per person. He understands that it is a difficult decision to make but he believes it is the right direction.

Councilwoman Ator believes that the Mayor, Councilman Lob and Councilman Espino raised some assumptions that were incorrect and untrue. She feels that their comments about giving back the 3% means giving a raise and that is not at all what Council is doing. Another topic she felt was incorrect was that it was discussed that Council is either going to take away someone's merit pay or take a 3% pay cut for our Department Heads, which is not the case.

Councilwoman Ator stated that if employees are getting a 3% decrease in pay, her question is whether or not that would decrease the pay range or only the current salary; these are points that were never discussed. She explained that the School Board is also making cuts, although the School Board did not start this project a month ago; they started a year ago. She commented that Council made a choice to cut the budget before they even had a plan on how it could be done and this seems like political rhetoric.

Mayor Garcia stated that Council had discussed the fact that the pay reduction was not going to affect the base pay and it was only going to be a one-time occurrence that would be addressed again next year. He said that Councilwoman Ator must not have been present when this topic was discussed.

Councilwoman Ator clarified that she was asking if this cut would affect the Department Heads' range of pay.

Mayor Garcia explained that every year Council has to consider the salaries because they do not know what the millage rate or the assessed value of properties will be. He said that there is still a range and the pay cut does not affect the top of the range.

Councilman Espino stated that he took particular exception to Councilwoman Ator calling this political rhetoric because while she may have taken a month to look at the budget, he has been trying to work on decreasing the budget for three years by not giving merit or longevity increases which Council continued to do even while it was compounded.

Councilman Espino explained that this budget cut is one of the most difficult exercises he has ever had to face and he has spent an incredible amount of time going over the budget because it will affect people's lives.

Councilman Lob noted that the 3% pay cut was a recommendation from Management and was not created by Council.

Vice Mayor Best is concerned with the inconsistency of Council's actions and that it is not sending a good message in regard to how the City is functioning and will be functioning. He believes that it is not necessary to target the Department Heads because the budget is at a surplus already.

Councilman Espino moved to adopt Resolution No. 2011-3521. Councilman Lob seconded the motion, which carried 3-2 on roll call vote with Vice Mayor Best and Councilwoman Ator casting the dissenting votes.

(Agenda Item 3A was presented at this time)

7B) Second Reading – Ordinance No. 1026-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-092, Nonconforming Uses, by Adding Thereto a Provision to Exempt Existing Single Family Residential Homesite Properties from Variance Requirements Created by a Long-Standing Nonconformity of the Width, Depth or Total Area of the Homesite Property; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 8-22-2011 – Advertised: 8-26-2011)

City Attorney Seiden stated that the purpose of the ordinance is really a ministerial task since it has been a policy and the practical aspect of variance applications for undersize lots, even though the type of reconstruction or renovation or addition that is being put on a property would be totally valid and permissible. If the property for some reason, even though the property has been a long standing property, has been deficient in width, length or even volume, it required a variance.

City Attorney Seiden commented that the ordinance would eliminate the need for a variance only in those cases where they are long standing properties that have already been developed and the activity that is being requested is permissible and otherwise does not require a variance.

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

Councilman Espino moved to adopt Ordinance No. 1026-2011. Vice Mayor Best seconded the motion which carried 5-0 on roll call vote.

8. Consent Agenda:

8A) Approval of City Attorney's Invoice for August 2011 in the Amount of \$12,440.25

City Manager Borgmann read the titles of the Consent Agenda items.

There was no discussion regarding this item.

Councilwoman Ator moved to approve the consent agenda items. Councilman Lob seconded the motion and it carried 5-0 on roll call vote.

8B) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$19,200.00 to C. R. DeLongchamp for a Contract Renewal Option for an Additional Twelve-Month Period, Pursuant to Section 31.11 (E) (6) (g) of the City Code for the Leasing of the Community Policing Office, Utilizing Law Enforcement Trust Funds

There was no discussion regarding this item.

Councilwoman Ator moved to approve the consent agenda items. Councilman Lob seconded the motion and it carried 5-0 on roll call vote.

8C) Recommendation that Council Approve an Expenditure of \$1,200.00 to aHA! Consulting for Police Website Integration and Redesign, as a Sole Source Provider Pursuant to Section 31.11 (E) (6) (c) of the City Code, Utilizing Law Enforcement Trust Funds

There was no discussion regarding this item.

Councilwoman moved to approve the consent agenda items. Councilman Lob seconded the motion and it carried 5-0 on roll call vote.

9. Old Business:

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

Mayor Garcia **appointed** Golnaz Sami to the Education Advisory Board for a full 2-year term ending on May 31, 2013.

9B) Presentation from Calvin, Giordano and Associates, Inc. on All Outstanding Work Orders

Senior Planner Lorraine Tappen of Calvin, Giordano and Associates stated that she would review the work orders for the services that they were authorized to provide for the City. She distributed a copies of the PowerPoint presentation.

Ms. Tappen explained that Work Order # 1 was to provide the district boundary regulations for N. W. 36th Street based on a number of changes to the Comprehensive Plan which directed the City to update the Zoning Code. The zoning code amendments included updated regulations, design guidelines, and a development review procedure that was discussed at a number of meetings and was completed earlier this year in March.

Ms. Tappen stated that Work Order # 2 was for the aesthetic theme program which includes a number of different items such as the recently adopted color palette that is now enforced for all commercial areas in the City. It also includes the business facade program for N. W. 36th Street, street and pedestrian scale lighting and way finding signage.

Ms. Tappen commented that Work Order # 3 was for a traffic circulation and parking study that was partially funded by a grant from the Metropolitan Planning Organization (MPO). The study assessed traffic conditions between the Curtiss Circle and the Public Library. Work Order # 4 was the creation of a geographic information system (GIS) zoning map. She noted that they digitized the 1993 black and white zoning map and created a GIS layer.

Councilman Espino asked about the status of the request for a geographic information system under Agenda Item 10A.

City Manager Borgmann advised Council that he sent an e-mail advising Calvin, Giordano of the quotes, listing all of the various tasks. He explained that he received a proposal earlier today that was approximately \$1,000 less, but he would like to discuss it more in detail when they get to that item on the agenda.

Ms. Tappen stated that Work Order # 5 was to provide district boundary regulations for the Abraham Tract. She noted that a workshop was held with the Revitalization and Redevelopment Ad-Hoc Committee on May 16, 2011 at which time they discussed the area in detail including the accessibility of the area, the challenges and land assembly. The Committee determined that a market driven/developer zoning code might be appropriate for this area. She said that plans are to bring district boundary regulations to the City Council for first reading on October 24, 2011.

Councilman Espino expressed his concern that the issue is there is only seven property owners in the Abraham Tract and partial assembly is going to be a an issue for any kind of development.

Ms. Tappen agreed that partial assembly would be incredibly challenging in that area and right now there is only one vacant building as a redevelopment opportunity.

Ms. Tappen continued her presentation stating that Work Order # 7 is for the Airport Golf district boundary regulations. The work order includes updated regulations, design guidelines, and a development review procedure. She stated that work has begun on this area and there are a number of run down multi-family buildings. She noted that a strategic plan or vision plan would be needed in order to move forward.

Councilman Espino asked if Ms. Tappen could give examples of additional elements. He understands that if Council addresses the zoning code with the existing conditions there might not be any change.

Ms. Tappen explained that in regard to traffic circulation, Calvin, Giordano and Associates would address how the cars would move around the area and how they would access any new commercial businesses or residential that may come into the area. They may also address pedestrian ways and explained that Council may need more visuals or conceptual plans that lay out what the entire area would look like or what a developer could build in that area.

Councilman Espino asked Mayor Garcia if he would consider having a workshop meeting with Calvin, Giordano and Associates, Inc.

Mayor Garcia replied that when Calvin, Giordano brings back the Abraham Tract Regulations presentation that would be the time for Council to consider scheduling a workshop meeting.

Ms. Tappen reviewed the GIS Zoning Map that is posted on the Miami Springs website. She said that citizens can quickly find properties and zoning designations.

City Planner Jim Holland explained that he is attempting to revise the zoning map and the proposal would be to re-adopt the map because there are some zoning designations that are not there any longer. He is almost finished reviewing the map and has some suggestions and corrections that need to be made.

9C) Presentation from Heather Bettner of Prince Media Development Regarding Art Project to Benefit Schools, as Recommended by the Education Advisory Board

Heather Bettner of Prince Media Productions was present with Education Advisory Board member John Salomon.

Mr. Salomon explained that the Education Advisory Board wanted Heather Bettner to give a presentation to Council about the "Art in Public Places" event. He mentioned that the event took place in the Village of Pinecrest where he is currently teaching and fiberglass dogs were dispersed to different artists. The local schools in Pinecrest were asked to paint and decorate the dogs that will be displayed for a period of time in the Village before they are auctioned off to raise money for smart boards for the Pinecrest schools.

Mr. Salomon recognized that Council is looking for ways to bring funds into the City and he believes this project would be a good idea to help bring in funds as well as culture.

Heather Bettner gave a PowerPoint Presentation for the art project that is proposed for the City's public right-of-ways to raise funds for the local schools. She explained that the project for Miami Springs would be titled "Soaring in Miami Springs".

Ms. Bettner stated that the project is planned for 2012 to 2013 and it would be a collaborative effort between Miami Springs and Prince Media Development to successfully raise funds for the public schools. The proposal is to have large fiberglass eagles grazing the private and public right-of-ways of Miami Springs starting July 4, 2012, and ending in culmination of the auction in January of 2013.

Ms. Bettner explained twenty sculptures would be designed and would be available on a first come, first serve basis. They would provide a premier sponsor and as well equal sponsors. The sponsorship funds would go towards production, maintenance, and production of the event.

Mr. Salomon stated that everyone is well aware that Miami Springs has great history in flight and aviation. He noted that a lot of the schools in Miami Springs have birds as their mascot. Given the history that Miami Springs has in aviation with Glenn Curtiss, he believes it makes perfect sense to have a sculpture that represents flight.

Ms. Bettner presented photographs of how the eagle sculptures would look.

Councilman Espino asked if the sponsors would choose the artist.

Ms. Bettner explained that the sponsor would choose the artist or school that would design and paint the sculpture. Once they choose the artist, they will combine their ideas for what is going to be painted on the eagle.

Mayor Garcia asked if the brochures were a part of the different sponsorship levels or if they are sold separately and Heather Bettner replied that all of the sponsors receive a quarter page panel ad in the map and guide. In addition, they sell advertising on the map and guide to local businesses.

Mayor Garcia asked if the proceeds from the auction are the only funds that go to the schools and Ms. Bettner responded affirmatively.

Councilwoman Ator asked if the sculptures are designed to stand up to the weather.

Ms. Bettner replied that the sculptures are made to withstand the weather, but they do have to be recoated on a regular basis and could last up to twenty-five years.

City Attorney Seiden asked if all the funding would channel through the City from the auction process.

Ms. Bettner replied that the distribution of funding is something that would be discussed and decided by the City Council.

City Attorney Seiden stated that with Council's permission he will prepare a resolution for consideration at the next meeting.

Council **directed** the City Attorney to draft a resolution authorizing the placement of fiberglass eagle statues in the public and private right-of-ways of the City.

(Mayor Garcia called for a 5 minute recess and reconvened at 9:10 p.m.)

9D) Presentation from Chamber President Francisco Arguelles Regarding the Green Market

Chamber of Commerce President Francisco Arguelles stated that it is somewhat obvious that the financial backing from the City would be not forthcoming, but he is still very eager to bring a Farmer's Market to the City for three weekends with financial support from outside sponsors. He explained that there would be some traffic concerns that would require the assistance of the City's Police Department and they would also need assistance from Public Works.

Mayor Garcia stated that he supports the idea and would like Mr. Arguelles to move forward with gathering information and organizing the Farmer's Market.

Mr. Arguelles explained that once he had secured the financial sponsors he would like to set up another meeting to discuss the ideas and put forward an agenda.

City Attorney Seiden asked Mr. Arguelles if he plans on having the Farmer's Market in-house or hiring outside companies to run the event.

Mr. Arguelles responded that the plans are for doing the Farmers Market in-house. He said that if they secure good sponsors that they would definitely like to bring in professional help to better their chances for a successful event.

9E) Follow-up on Recommendations from the Golf and Country Club Advisory Board

Golf Director Mike Aldridge stated that he had talked with residents and golfers in order to get an idea of how to get more residents to play golf in Miami Springs. The Golf and Country Club Advisory Board considered a recommendation for free weekday memberships for residents with a \$5.00 fee for walking or a \$25.00 cart fee, Monday through Friday. He explained a process that the residents will go through which entails an application to complete the first time with proof of their driver's license showing residency in the City.

Golf Director Aldridge explained that each application will be verified by Finance Director Alonso. He noted that if a resident does not have their driver's license and they arrive at the Golf Course during City working hours, they will try to verify the residency with the Finance Department. If residency cannot be verified they would be charged the resident rate.

Councilman Lob asked if the process is complete once the customer is finished filling out the application.

Golf Director Aldridge replied that once the customer has completed the application they will be finished for the year. The applications will be kept in a book behind the counter to use as future verification of residency.

City Manager Borgmann advised Council that normally a resolution is presented to Council at the first meeting in October that approves the rate increases based on the revenues for the upcoming budget and this recommendation will be part of that resolution.

Golf Director Aldridge mentioned that since City Manager Borgmann has more or less agreed to the membership rates, the membership letter will be delivered this Friday.

To answer Councilman Lob's question, Mr. Aldridge clarified that if a resident brings a non-resident golfer to play with them the non-resident must pay the regular rate.

Golf Director Aldridge explained the process of switching from a gift certificate to a gift card. Gift Cards will require a \$125 initiation fee with the package and the software, along with 100 gift cards and \$30 a month for processing. He added that the Golf Course sells approximately 125 gift certificates each year and he plans to look into the gift cards next year.

To answer Councilman Lob's question, Golf Director Aldridge responded that the RecTrac system would not be able to work for the gift cards because the software has to be purchased and the funds go directly to the bank in order to generate the gift card.

Councilwoman Ator asked Golf Director Aldridge if the current credit card processor works with the gift card program and Golf Director Aldridge replied that he would inquire to find out the answer.

By consensus, Council **approved** the recommendation for free week-day memberships for residents that will be addressed in a forthcoming rate resolution.

9F) Consideration of Proposed Language for Amendments to Code Section 102-01 – Re-Occupancy Certification

City Attorney Jan K. Seiden stated that the issues remain the same since Council's last discussion. He drafted language attempting to include enough disclaimers, exceptions, and limitations in sections A, B, C, D, and E whereby anyone who would read it would understand the process and the service they receive.

City Attorney Seiden explained that there would still be some open ended issues such as charging fees if Council were inclined to approve the amendment. He advised Council that the idea is theoretically to provide information only with no guarantees to the buyers and they are not obligated to take advantage of the inspection process.

City Attorney Seiden explained that if Council enacts this code, every seller would be required to provide the certificate with a space for the perspective purchaser to agree or decline.

Councilwoman Ator commented that real estate agents in Florida cannot fail to disclose something problematic regarding a property.

Vice Mayor Best mentioned that he approves of the language, but does not agree that there should be any fees attached.

Councilman Lob asked if there is still a charge for the re-occupancy certification and City Attorney Seiden replied that there is a fee for the inspection.

City Manager Borgmann stated that in regard to charging a fee, it must be very clear that in no way can someone imply that there is a warranty attached to the service.

City Attorney Seiden replied that that the language is clearly stated in Section D.

To answer Assistant City Manager Gorland's question, City Attorney Seiden clarified that the inspection information is placed in the street file for the property.

City Manager Borgmann explained that there is a time limit for the re-certification after the inspections are performed.

Council **directed** the City Attorney Seiden to put the language into ordinance form for consideration at a future meeting.

10. New Business:

10A) Recommendation that Council Award a Bid to Ross GIS Consulting, Inc., Utilizing Village of Palmetto Bay RFP # 08-PZ-01, in an Amount not to Exceed \$19,300.00, an “As Needed” Basis, Pursuant to Section 31.11 (E) (5) of the City Code to Create a Geographic Information System (GIS)

City Manager Borgmann explained that he e-mailed the specifications that were presented from the Village of Palmetto Bay to Lorraine Tappen of Calvin, Giordano and Associates, Inc. and received an e-mail in return with a response that was approximately \$1,000 less. At this point, he would like to pull the agenda item for further evaluation.

Councilman Espino asked City Manager Borgmann why consideration was given to piggybacking on a contract with the Village of Palmetto Bay when Council has already contracted with Calvin, Giordano and Associates, Inc.

City Manager Borgmann stated that the Request for Proposal (RFP) awarded to Calvin, Giordano and Associates and the agreement did not include GIS services. He added that because of what had transpired he does not believe it is proper for Council to make a recommendation at this time.

Councilman Espino expressed his concern that he does not want to spend unnecessary funds. He explained that there is no need for duplicative services, especially when Calvin, Giordano is becoming so intimately involved with this service and helping to develop the information that will be incorporated into the map.

To answer Councilman Espino’s question, City Attorney Seiden responded that he is not aware if the contract with Calvin Giordano provides for GIS services. He explained that the Administration should reevaluate the issue, make determinations and report back to Council on the proper way to proceed.

Councilman Lob was of the opinion that Calvin, Giordano and Associates Inc. is already working for the City and will be making certain recommendations to Council and if they were going to perform a project of this nature they would be more intimately aware of everything the City has.

Councilwoman Ator asked if the item would come back to Council with a single recommendation or different options for other companies that could provide the service.

City Manager Borgmann advised Council that the Administration would review the bids and the recommendation might be for one company.

10B) Recommendation that Council Award City RFP # 04-10/11 to Vector Fleet Management, the Lowest Responsible Proposer, in the Amount of \$174,621.00 for Fleet Maintenance Services, Pursuant to Section 31.11 (E) (2) of the City Code

City Manager Borgmann stated that Vector Fleet Management will be saving the City \$22,000 over the cost for the service this year. He highly recommends that Council award the contract to Vector Fleet Management. There were only two proposals and Vector Fleet Management was the lowest.

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

10C) Discussion Regarding Removal and Replacement of Sea Grape Tree in the Park in the Front of the Library

Councilwoman Ator stated that there were many concerns regarding the sea grape tree because it requires a lot of time and maintenance and Public Works is recommending that it be removed. She explained that there has been an inability to decide whether or not to remove the tree and that is why it has been brought to Council to make a decision.

Mayor Garcia asked Public Works Arborist Thomas Nash if there is a reluctance in his Department to remove the tree.

Arborist Thomas Nash commented that the tree does not lend any significant value to the park in front of the library. The electric companies have had issues when they were trying to clear the main power due to a limb falling on the lines and causing a power outage for approximately three hours. He noted that the tree is high maintenance. This recommendation came from the Board of Parks and Parkways and they did ask that Council consider removing the tree.

Public Works Director Robert Williams explained that the reluctance is that there are a significant amount of residents in the neighborhood that hold certain trees sacred.

To answer Vice Mayor Best's question, Mr. Nash replied that there will be no need to replace the tree because there is a black olive tree that will spread out once the sea grape tree is removed.

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

10D) Recommendations from the Ecology Board

City Manager Borgmann explained that there are three recommendations from the Ecology Board. The first recommendation is for Council to host a Rain Barrel workshop again with a tentative date for January 22, 2012. The second recommendation was for the City to become more active with recycling at all City facilities and installing recycling bins city-wide with extra containers at all City events. The final recommendation was for Council to review the Adopt a Street Program. He advised Council that the City is looking into all three recommendations.

Councilwoman Ator asked what the status was on the Adopt a Tree Program.

Ecology Board Secretary Allene Paz commented that there was a fee for the City to participate in the Adopt a Tree Program and that is why the Ecology Board decided not to recommend it to Council.

Councilwoman Ator asked that the Ms. Paz to provide the Ecology Board members with this section of the minutes from this meeting so that they recognize that Council had discussed the issues.

10E) Consideration of Approval of a Contract for Services with The Fuentes & Rodriguez Consulting Group

City Manager Borgmann stated that he has received a proposal from The Fuentes & Rodriguez Consulting Group who are the current vendors on this particular service. If Council wished to approve they would be waiving the competitive bid process, or they have the option of going out for proposals.

Mayor Garcia stated that if The Fuentes & Rodriguez Consulting Group continues to provide their services they would go above what is expected. He is satisfied with their services and would approve of waiving the bid process.

Vice Mayor Best mentioned that it would certainly be beneficial to maintain their services and not look for anyone else and Councilman Lob agreed.

City Attorney Seiden advised Council that Councilman Espino is not participating in the discussion or in the vote on this item as he has a professional relationship with The Fuentes and Rodriguez Consulting Group.

Councilman Lob moved to approve. Vice Mayor Best seconded the motion which carried 3-1 on roll call vote with Councilwoman Ator casting the dissenting vote and Councilman Espino abstaining.

10F) Recommendation to Issue a Purchase Order to Atkins North America, Inc. (PBSJ) for Production of a Plan to Address DERM Concerns on the Golf Course

City Manager Borgmann commented that during a recent inspection by the Department of Environmental Management (DERM), it was brought to his attention that changes needed to be made to the maintenance barn on the back nine holes of the golf course and this information requires engineering support and documentation.

Mr. Borgmann explained the proposal from Atkins North America to assist the City with the work is \$12,000. The City has already received a one-time extension from DERM and the new deadline is September 26, 2011. Atkins is confident that the City can meet the deadline for this information.

City Manager Borgmann emphasized that the report is not related to the best practices manual that Atkins is required to produce for the City regarding the proper use of fertilizers, pesticides, herbicides, and any other chemicals. The manual is part of the agreed to settlement concerning Basin 35. He noted that there was a document stating that the City had some deficiencies from previous years and DERM was following up on backup paperwork and that is why they came back and re-inspected.

City Attorney Seiden explained that there were hazardous waste activities and part of that was around that area.

Councilman Espino moved to waive the competitive bid process and issue a purchase order in the amount of \$12,000 to Atkins for correction of a plan to address the DERM concerns. Councilman Lob seconded the motion, which carried 5-0 on roll call vote.

10G) Recommendation that Council Waive the Competitive Bid Process and Approve an Expenditure of \$9,900.00, on an "As Needed Basis" to Bill Busutil, for Consulting Services to Develop a Master Strategic Plan Pursuant to Section 31.11 (E) (6) (g) of the City Code.

City Manager Borgmann stated that the only other bid the City had received to date was in the \$19,000 range plus expenses and any products. He reminded Council that Bill Busutil gave a presentation that he believes they were pleased with and he has no issue recommending his services.

Councilman Espino moved to waive the competitive bid process and approve an expenditure of \$9,900.00 to Bill Busutil for consulting services. Vice Mayor Best seconded the motion, which carried 5-0 on roll call vote.

City Manager Borgmann will contact Mr. Busutil to inform him of the selection and schedule an item for him to attend the next Council meeting if appropriate.

11. Other Business:

None.

12. Reports & Recommendations:

12A) City Attorney

None.

12B) City Manager

9-11 Memorial Service

City Manager Borgmann thanked Reverend Pike, Pastor Imhoff, Rhonda Calvert and everyone that participated in the Memorial Service on Sunday, September 11th. All the comments from everyone who spoke were very heartfelt.

Parking on the Median

City Manager Borgmann reported that there was a problem with parking for Prince Field events and the Administration is trying to resolve it before there is another issue with parking tickets. The goal is to have the cars park in the pool parking area instead of on the median of Westward Drive.

Chief Baan advised Council that the complaint was regarding parking on the median of Westward Drive. He noted that there were only three citations written for dangerous situations and another for a citizen who parked in front of a “no parking” sign.

Mayor Garcia asked if there is a no parking sign on the Westward Drive median and Chief Baan explained that there are no signs; it is enforced strictly by ordinance.

Mayor Garcia suggested putting up “no parking” signs in the area so that citizens who are not from Miami Springs are aware that there is no parking allowed on the median.

City Manager Borgmann explained plans to create a sign advising citizens that there is additional parking in the rear of the Community Center and Pool.

Councilman Lob said that during previous events there had been cones set out on the median to prevent citizens from parking on it and explained that it is something that could be done again.

Optimist Club President

City Manager Borgmann congratulated the new Optimist Club President Bill Tallman. He looks forward to working with him in the future.

12C) City Council

9-11 Memorial Service

Councilman Lob attended the 9-11 memorial service on Sunday. He said that it was a wonderful ceremony and thanked those who were involved.

9-11 Memorial Service

Vice Mayor Best said that it was unfortunate that he was unable to attend the 9-11 ceremony on Sunday. He thanked Councilman Espino for the speech he made at the ceremony. Citizens have said that he spoke well and eloquently.

Parking on the Median

Vice Mayor Best agreed to the proposal that was made to install “no parking” signs on the median of Westward Drive.

Pelican Playhouse

Vice Mayor Best reported that the Pelican Playhouse is performing a production called “The Fantasticks” beginning on Thursday night, September 15th through Sunday afternoon, September 18th. It is a wonderful piece and a lot of work has been put into the production.

9-11 Memorial Service

Councilman Espino thanked Pastor Imhoff, Reverend Pike, and Rhonda Calvert for putting together the 9-11 ceremony. He said that the turn out was great and everybody who was there had their heart in it and it was a fantastic event.

Proclamation

Councilman Espino thanked Mayor Garcia for the proclamation for Monsignor Pace High School that was presented at their 50th anniversary celebration mass.

Curtiss Mansion

Councilman Espino reported that the power to the Curtiss Mansion is either on already or will be turned on tomorrow morning. The Mansion will be cleaned and the air conditioned will be turned on shortly after. Work is planned to begin placing the wood floors on the second floor as well as finishing the tile floors.

Legislative Committee

Councilman Espino advised Council that he will be co-chairing the Legislative Committee for Miami-Dade County League of Cities this year and will address priorities that may apply to the municipalities.

Relay for Life

Councilman Espino announced that there will be a Relay for Life Kick-Off on Tuesday, September 20, 2011 at 7:00 p.m. at the Golf and Country Club.

Historical Society Kick-Off

Mayor Garcia had the privilege in attending the Historical Society's Kick-Off and explained that it was an incredible event. He said that unless you attend an event you cannot get a true grasp of their passion for the City's history.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 10:17 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Suzanne Hitaffer, CMC
Deputy City Clerk

Approved during meeting of: ____

Transcription assistance provided by Elora Sakal.

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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Espino Daniel Alexander</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Miami Springs City Council</i>
MAILING ADDRESS <i>289 Laurel Way</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Miami Springs</i>	COUNTY <i>Miami-Dade</i>
DATE ON WHICH VOTE OCCURRED <i>9/12/11</i>	NAME OF POLITICAL SUBDIVISION: <i>City of Miami Springs</i> MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Daniel A. Espino, hereby disclose that on September 12th, 20 11.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of the Fuentes Rodriguez Consulting Group, by whom I am retained; or to represent as its attorney via my law firm.
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

During the City of Miami Springs Regular City Council Meetings held on 9/12/11, the Council had before it for its consideration whether to continue receiving professional services from the Fuentes Rodriguez Consulting Group ("FRCG") by reauthorizing FRCG's contract with the City. I recused myself from the discussion and the vote because my law firm of Kravitz & Tolano, LLP and I provide legal representation to FRCG and other companies owned by Paul F. Rodriguez, an equity partner of FRCG.

Date Filed

9/20/11

Signature

Daniel A. Espino

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



CANCELLATION NOTICE

CODE REVIEW BOARD

Due to the fact that the City Council has not directed the Code Review Board to review any ordinances this month, the regular meeting of Thursday, September 22, 2011 has been canceled in advance.

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

Magali Valls, CMC
City Clerk

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



Zoning and Planning Board

Cancellation Notice

The Zoning and Planning Board meeting of Monday, October 3, 2011 has been canceled in advance.


Elora R. Sakal
Board Secretary

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