

RESOLUTION NO: 2011-3525

9-26-2011



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.

WHEREAS, the City Educational Advisory Board has proposed that the City participate in a charitable Public Art Program for the benefit of the schools in the City; and,

WHEREAS, the City Council has heard presentations explaining the proposed program from representatives of the Educational Advisory Board and Prince Media Productions, the company that directed similar programs in Coconut Grove and the City of South Miami; and,

WHEREAS, the City Council has been advised that the program consists of a number of six foot tall fiberglass eagles individually sponsored by local businesses or individuals, painted or decorated by local artists, appropriately displayed on public and private right-of-ways in the City, and then sold at auction with the proceeds being distributed to schools in the City; and,

WHEREAS, the exhibition of the painted or decorated eagle statues would be subject to proper permitting, the execution of appropriate hold harmless and indemnification documentation, and being displayed for approximately six months prior to auction; and,

WHEREAS, the City Council of the City of Miami Springs has determined that it is in the best interests of the City and its citizens for the City to participate in the proposed charitable Public Art Program for the benefit of the schools in the City:

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

Section 1: That the findings, provisions and representations contained in the "*Whereas*" provisions of this Resolution are hereby adopted by reference and incorporated herein as if fully set forth in this section.

Section 2: That the City Council of the City of Miami Springs hereby authorizes and approves the placement of six foot tall painted or decorated eagle statues in the public and private right-of-ways of the City in conjunction with the aforesaid proposed Public Art Program for approximately six months.

Section 3: That the City Council of the City of Miami Springs hereby further endorses the proposed Public Art Program as a local charity event for the benefit of schools within the City.

Section 4: That the City Council of the City of Miami Springs specifically conditions 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.

Section 5: That the City Council of the City of Miami Springs hereby further conditions its authorization and endorsement of the proposed charitable Public Art Program by imposing the additional requirement that the distribution of all funds received from the auction of the eagle statues shall be made by the City Council.

Section 6: That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida, this 26th day of September, 2011.

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

| | |
|-------------------|-----------|
| Vice Mayor Best | “ _____ ” |
| Councilman Espino | “ _____ ” |

Councilman Lob
Councilwoman Ator
Mayor Garcia

"____"
"____"
"____"
"____"

Zavier M. Garcia
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

APPROVED AS TO LEGALITY AND FORM:



Jan K. Seiden, City Attorney

9-26-2011



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.

WHEREAS, the City has often received comments from new owners of residential properties in the City that are unaware of code violations that existed on their new properties when purchased; and,

WHEREAS, although the City requires re-occupancy certification inspections of residential properties being sold in the City, such inspections are limited to determinations of compliance with the single-family use configuration requirements of the Code of Ordinances; and,

WHEREAS, while no citations may be issued for other code violations observed during the certification inspection process, it is not impermissible to provide "information" of such other violations to prospective residential property purchasers; and,

WHEREAS, this additional inspection process would be cursory in nature, meant only to provide "information" on existing code violations that were readily observable during the certification and property survey review processes, would not constitute any warranty or

guaranty to the prospective residential property owner against other "undiscovered" code violations, and would not be meant to be a substitute for the prospective purchaser's own due diligence inspections of the subject residential property; and,

WHEREAS, by electing to request this additional inspection process, the prospective residential property purchaser would be placed on notice of any readily observable existing code violations on the subject property; and,

WHEREAS, the City Council of the City of Miami Springs has determined that it is in the best interests of the City and its citizens to approve and authorize the proposed amendment in order to provide prospective residential property purchasers in the City with as much pre-closing information as possible regarding the properties being acquired:

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

Section 1: That Code of Ordinance Section 102-01, Re-Occupancy Certification, is hereby amended as follows:

Section 102.01. Re-Occupancy Certification.

- (A) ...
- (B) ...
- (C) ...

- (1) ...
- (2) ...
- (3) ...

(4) Contemporaneously with the filing of the application to initiate the Re-Occupancy Certificate inspection process, the owner/seller shall also file an "Affidavit of Requested Informational Inspection" attesting that the prospective purchaser of the subject property has either accepted or refused the City's offer to conduct an additional "informational only" inspection of the subject property during the certification process. This additional inspection shall be subject to the following limitations and exceptions, to-wit:

- (a) Shall only be cursory in nature.
- (b) Shall identify only readily observable code violations discovered while visiting the subject premises and examining the current property survey.
- (c) Shall not include any records examination or invasive property inspections for other "undiscovered" code violations that may exist.
- (d) Shall not constitute any type of warranty or guaranty to the prospective purchaser of property conditions or code compliance status by the City.
- (e) Is not intended to be a substitute for the prospective purchaser's due diligence inspections of the subject property.

The City shall provide an appropriate affidavit form for this purpose and shall establish the fee for the informational inspection by City Resolution. The form of the Affidavit and the amount of the fee charged for the informational inspection may be amended from time to time as determined to be required by the City. As part of the inspection process, the owner/seller shall provide an accurate survey or sketch of the sale premises which sets forth thereon the location, size and generic identification of each tree located on the property being sold.

(4)(5) Upon receipt of an application for inspection and the payment of the initial inspection fee, along with the properly executed "Affidavit of Requested Information Inspection" (and appropriate fee, if applicable), an authorized representative of the Department of Building, Zoning and Code Enforcement shall inspect the subject property within ten days thereof. The appropriate Re-Occupancy Certificate, along with a listing of other property code violations observed, if any, during any requested "information property inspection", shall be issued should the

subject premises be determined to be in compliance with the single-family residential occupancy regulation of the City Code of Ordinances and that it is designed, configured and being used for single-family residential purposes only. If, however, the subject property is not in full compliance with the foregoing requirements, the Department shall prepare an itemized list of all code and district regulation violations and notify the owner/seller in writing of all corrective action required to obtain the necessary certificate. The aforesaid notice shall also provide that the determination of property noncompliance by the Department may be appealed by filing a written notice of appeal with the City Manager within five days of receipt of said notice of noncompliance. Upon receipt of a written notice of appeal, the City Manager shall conduct an appeal hearing at the earliest possible time. The written appellate decision of the City Manager shall constitute final City action in regard to the determination of the issuance of a Re-Occupancy Certificate. No certificate shall be issued by the Department for any premises until all specified violations have been corrected to the satisfaction of the City.

~~(5)(6)~~ ...

~~(6)(7)~~ ...

~~(7)(8)~~ ...

(D) ...

(E) ...

(F) ...

(G) ...

(H) ...

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

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

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida this 10th day of October, 2011.

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

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

Zavier M. Garcia
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Jan K. Seiden, Esquire
City Attorney

First reading: 09/26/2011
Second reading: 10/10/2011

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

SEPT 26, 2011



City of Miami Springs Interoffice Memo

DATE: September 21, 2011
TO: Mayor Zavier Garcia and Members of the City Council
FROM: James R. Borgmann, City Manager *JRB*
RE: 13 South Royal Poinciana Blvd Property Redevelopment

The apartment building located at 13 SRPB has been undergoing renovation for several years. The building started life many years ago as rental apartments. Several years ago, renovation began to enlarge the rooms and sell them as condos. As the economy went south, construction came to a stand still and only recently has the renovation ramped up again. During the hiatus in construction, the owners decided to leave the building as rental units.

In recent discussions and correspondence with the owner's representatives, the City has been presented with a request and offer that Council should know about and act upon. Staff believes the request to be reasonable and in the best interest of the City.

On the attached aerial, I direct your attention to the very large tree in the front of the building, and a small building towards the rear of the property that is owned by the City. (As an aside, the City did not know that we owned that building until about 10-12 years ago. We put a new roof on it and use it for PW storage.)

The tree is an old ficus/banyan tree that has done serious damage to the surrounding infrastructure. The right of way that it inhabits is under the control of Miami Dade County. The building owner wants to remove the tree and has applied to the County for a permit to do so. The City staff has no objection to the removal of this tree.

They further want to remove our building and rebuild/pave the alley along the west side of their property. By doing this, it will help them provide more parking and better ingress/egress for their tenants. They have offered to rebuild/replace our building several feet west of its current location, which would be closer to the nearby cell tower. This does not pose a problem for us, as we will get a repaved alley and a new building.

With your blessing on this, Jan will draft the necessary legal documents that will require your formal vote of approval.



©2011 Google

25°03'43.62"N 07°13'00.02"W elev. 4m

Google

Street View

Image Date: 8/26/2011

CITY OF MIAMI SPRINGS



Finance Department
201 Westward Drive
Miami Springs, FL 33166-5289
Phone: (305) 805-5014
Fax: (305) 805-5018

TO: Honorable Mayor Garcia and Members of the City Council

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

FROM: William Alonso, CPA, CGFO, Finance Director *WAl*

DATE: September 21, 2011

SUBJECT: *Recommendation that Council award City RFP # 05-10/11 to BB&T Bank, the lowest responsible proposer, for city banking services, pursuant to Section §31.11 (E)(2) of the City Code.*

REQUEST: The Administration agrees with the recommendation of the Banking Committee to award to BB&T Bank the contract for the city's banking services for the next three years with options to renew for two additional one year periods.

REASON: The City has been with its current bank (Wells Fargo, formerly Wachovia Bank) for the past ten years and has not issued an RFP during that time. Attachment A is the analysis statement for the month of August 2011 and as you can see we were charged \$257.10 due to the fact that the balance required to offset the \$1,449.99 in services was \$6,828,986 and during the month the city averaged a balance of \$5,618,144. Also please note that the earnings credit is only 0.25%.

Based on increasing fees, reductions in earnings credits, and Wells Fargo's notification to us that they will be charging fees for FDIC insurance, the Administration decided to issue an RFP in an effort to obtain a more favorable banking contract. A committee was established to review all bids, this committee included Ron Gorland Asst. City Manager, Alicia Gonzalez Comptroller, Moira Ramos Systems Analyst, Tammy Romero Procurement Specialist and myself. The bid opening was held on September 6, 2011 and a total of four bids were received (See attachment B). The committee then met to select the top two bids and scheduled presentations from the top two banks. The committee members then proceeded to grade each bank in various areas (see attachment C). BB&T Bank was the institution that received the highest point total. BB&T is offering an earnings credit of 0.85% guaranteed for five years and an estimated required compensating balance of approx. \$1,160,000. Wells Fargo was the second place institution and they offered an earnings credit of 0.30% for five years with an estimated required compensating balance of approx. \$3.2Million

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COST:

There is no cost associated with this RFP, there will be a net savings to the city in two areas, 1) since the guaranteed earnings credit will result in a lower required balance to cover analyzed charges this will leave a higher excess balance to be invested resulting in additional investment income and 2) there will be no monthly excess charges since the required balance of \$1.2 Million will be easier to meet than the \$6.8 million under the current contract. Overall we estimate annual savings can be anywhere from \$3,000 to \$10,000 depending on future interest rates.

FUNDING: N/A

Procurement approval: TR

CLIENT ANALYSIS STATEMENT

182 1147 2656 17973



RELATIONSHIP SUMMARY

WELLS FARGO BANK, N.A.
 P.O. BOX 63020
 SAN FRANCISCO, CA 94163

August 2011
 Page 1 of 3

If You Have Any Questions
 About This Statement Or Your
 Accounts, Call: 800-289-3557

Attachment A

CITY OF MIAMI SPRINGS
 201 WESTWARD DRIVE
 MIAMI SPRINGS FL 33166-0000

ANALYSIS SUMMARY

| | | |
|---|-----------|---------------|
| Average Positive Collected Balance | \$ | 5,618,144.40 |
| Investable Balance Available for Services | = | 5,618,144.40 |
| Earnings Allowance | \$ | 1,192.89 |
| Current Month Analyzed Charges @ 0.25 % | - | 1,449.99 |
| Current Month Position | = | (257.10) |
| Net Shortfall Due | \$ | 257.10 |
| Total Amount Due | \$ | 257.10 |

Number of days this cycle: 31

| | | |
|---|----|-----------|
| Investable balance required to offset \$1.00 of analyzed charges: | \$ | 4,709.68 |
| Balance required to cover all analyzed charges: | \$ | 6,828.986 |

TOTAL AMT DUE WILL BE DEBITED TO ACCT 265511-5900150 ON SEP 12, 2011.

BALANCE SUMMARY

| Account Number | Account Name | Average Ledger | Average Collected | Average Daily Negative Coll | Negative Coll Use of Fund Rate | Service Charge |
|------------------|-----------------------|----------------|-------------------|-----------------------------|--------------------------------|----------------|
| 200001-4096985 | Miami Springs City Of | 0 | 0 | | | 148.03 |
| 200004-4269643 | City Of Miami Springs | 110,902 | 110,902 | | | 28.78 |
| 200004-4269928 | City Of Miami Springs | 0 | 0 | | | 216.26 |
| * 265511-5900150 | City Of Miami Springs | 5,528,478 | 5,507,242 | | | 1,056.92 |

*Indicates billing account

SERVICE DETAIL

| Svc Code | AFP Code | Service Description | Unit Price | Volume | Service Charges |
|----------|----------|-----------------------------------|------------|----------|-----------------|
| 1 | 00 0230 | Dep Insurance Assessment Mthly IB | 0.00000 | 5,639.38 | 0.00 |

AttA' ment B

Bid Opening
BID# 05-10/11
Banking Services
Opened September 6, 2011 at 2:30 P.M.

VENDOR NAME

T.D. BANK

WELLS FARGO

BB&T

SUNTRUST

Witnessed by:

[Signature]

[Signature]

Name of Bank: **BB&T**

CUMULATIVE EVALUATION RESULTS

| | Maximum Points Assigned | Points Assigned By: | | | | | TOTAL Points Assigned from Committee |
|--|-------------------------|---------------------|----------------|-----------------|-------------|--------------|--------------------------------------|
| | | Ronald Gorland | William Alonso | Alicia Gonzalez | Moita Ramos | Tammy Romero | |
| Strength/ Stability of Bank | 25 | 20 | 23 | 23 | 23 | 23 | 112 |
| Experience, Quality of Services, Resources, additional benefits | 20 | 16 | 18 | 20 | 19 | 19 | 92 |
| Cost of Services, Fee Structures, Earnings Credit Rate, | 20 | 18 | 19 | 20 | 20 | 20 | 97 |
| Support capability of the Organization, including but not limited to, technical support and training | 15 | 10 | 14 | 14 | 15 | 15 | 68 |
| Approach to the services, ability to meet or exceed requested services and prior experience | 15 | 12 | 12 | 15 | 14 | 15 | 68 |
| Presentation | 5 | 5 | 5 | 5 | 5 | 5 | 25 |
| TOTAL SCORE: | | 81 | 91 | 97 | 96 | 97 | 462 |

Executed this 20th day of Sept 2011.

By: [Signature] Evaluation Committee Member Committee Print Name

Attachment C

Banking Services RFP# 05-10/11

Name of Bank: Wells Fargo

CUMULATIVE EVALUATION RESULTS

| | Maximum Points Assigned | Points Assigned By: | | | | | TOTAL Points Assigned from Committee |
|--|-------------------------|---------------------|----------------|-----------------|-------------|--------------|--------------------------------------|
| | | Ronald Gorland | William Alonso | Alicia Gonzalez | Maira Ramos | Tammy Romero | |
| Strength/ Stability of Bank | 25 | 20 | 25 | 24 | 24 | 25 | 118 |
| Experience, Quality of Services, Resources, additional benefits | 20 | 16 | 18 | 20 | 19 | 20 | 93 |
| Cost of Services, Fee Structures, Earnings Credit Rate, | 20 | 15 | 10 | 17 | 17 | 17 | 76 |
| Support capability of the Organization, including but not limited to, technical support and training | 15 | 12 | 15 | 13 | 15 | 14 | 69 |
| Approach to the services, ability to meet or exceed requested services and prior experience | 15 | 12 | 14 | 13 | 14 | 13 | 66 |
| Presentation | 5 | 5 | 4 | 5 | 4 | 5 | 23 |
| TOTAL SCORE: | | 80 | 86 | 92 | 93 | 94 | 445 |

Executed this 22 day of Sept, 2011.

Committee

By: _____ Evaluation Committee Member

_____ Print Name



City of Miami Springs Interoffice Memo

DATE: September 8, 2011

TO: Mayor Xavier Garcia and Members of the City Council

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

RE: Cell Tower issues: Potential sale of leases and Construction of a new tower

Back in January, 2007, the City was approached by a company who offered to give us a one time, lump sum payment for the leases on our cell tower. I have attached the agenda packet from that date to show you the typical analysis we undertook to see what the future value of those leases would be and then see how many years of leases, at various interest rates, would go by to a "break even" point. On average, it was about a 10-15 year period before we would "lose" revenue. However, with interest rates being at all-time lows, this period would shorten considerably.

Council rejected this concept at that time.

I have recently been approached by two new groups regarding cell towers. The first wants to enter into an agreement similar to the one in 2007. The second company wants to construct a NEW tower on the golf course. Before we go forward with either, I wanted to present this topic to Council to see if there is any interest in either proposal.

Staff recommended against the sale in 2007 on the basis of terminating a consistent revenue stream. This was prior to the economic down turn of 2008. We might have considered it in 2009.

As far as a new tower is concerned, siting one on the golf course would create a 50/50 revenue split with the City of Miami. That is a provision that was put in the sale contract for the golf course back in 1997.

At this time we have no hard numbers for you regarding these two issues. We did not want to spend too much time on this if Council has no interest in either concept. If you are interested in either, we can develop the numbers for you and have them at a future meeting.

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Today's wireless industry is evolving rapidly: Carrier consolidation. Competition. New technology. Changes that can reduce or eliminate your cell site income.

The Unison Program.

Unison offers the solution. We are wireless lease experts. We can convert your cancellable wireless lease into lasting value. Together we can:

- Create capital with an upfront lump sum payment that you can use for virtually anything you want.
- Eliminate risk and protect against rent reduction or site decommissioning.
- Reduce taxes by taking advantage of significantly lower capital gains tax rates.

A Personal Approach.

Your local Unison Site Development Officer will meet with you to understand your goals, inspect your cell site and review your lease. Unison will then present you with a written proposal.



"We bought the perfect investment property with the money we got for our cell lease.

Our **UNISON** experience well

EXCEEDED OUR EXPECTATIONS."



"I am **CONFIDENT** I made the right choice."

UNISON

Protecting your
cell site asset
to achieve your
financial goals.

*COMPANY INTERESTED
IN PURCHASING OUR
CELL TOWER LEASE(S)*

Talk to UNISON.

With Unison, you get our unwavering commitment to straightforward, reliable and personal service.

Local Experts.

Unison has offices across the country staffed by wireless cell site experts. They know the opportunities and risks of your local cell site marketplace.

Experienced.

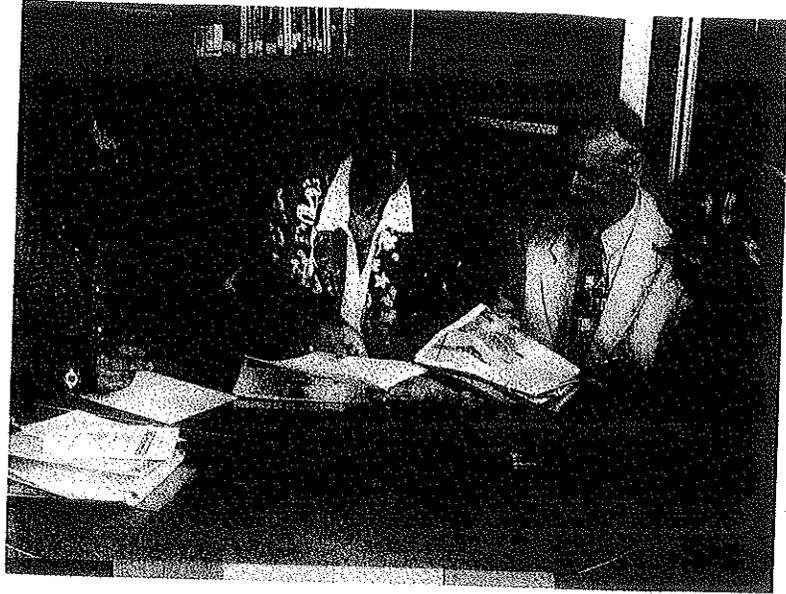
We've worked with all types of site owners — individuals, corporations, not-for-profits and governments. We are leaders in cell site management in urban, suburban and rural locations.

Independent.

Unison is independent and objective. We are not affiliated with any carrier or tower operator. Our customer is you.

Blue Chip Financial Strength.

Unison is financially strong. Our capital is provided by UBS (Union Bank of Switzerland) and TowerBrook Capital Partners, L.P.



“We had no idea how **EASY** it would be.”

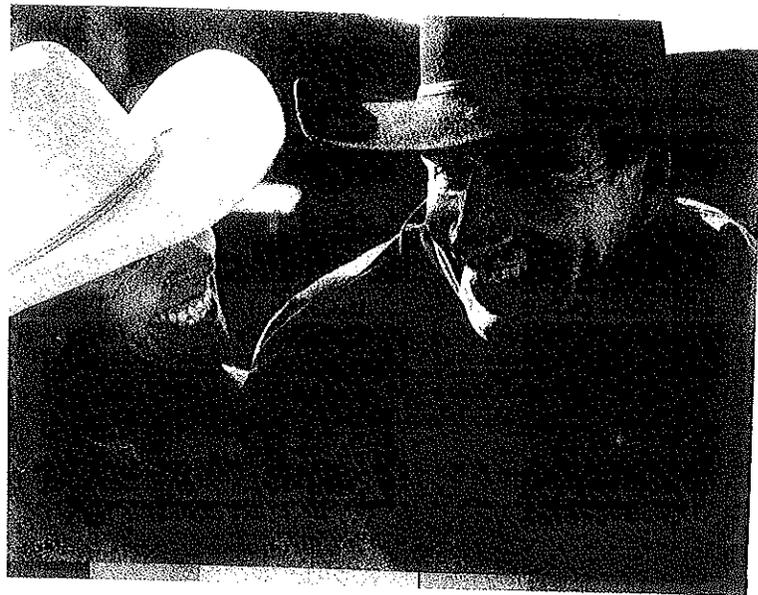
You can benefit from Unison's experience. The process is fast and easy. Here's what to expect:

- **Site development consultation.** Your local Unison Site Development Officer will review your site and lease, discuss your needs and prepare a written offer.
- **Agreement on business terms.** We will sign a term sheet confirming our mutual understanding of agreed business terms.
- **Closing.** We prepare the necessary closing documents.
- **Payment.** You receive your lump sum payment.

UNISON

Creating lasting
value for you.

Ready to maximize the value of your cell site?
Call Unison.



“This small piece of land has turned out to be more valuable than our entire property. Our transaction with **UNISON** was **VERY PROFITABLE.**”

Barbara Robinson

From: Holly Valdez [hvaldez@rgpartners.com]
Sent: Wednesday, September 07, 2011 5:02 PM
To: Barbara Robinson
Subject: RGP Tower Partners-Miami Springs Country Club

*NEW TOWER @
GOLF COURSE*

Good afternoon Ms. Robinson,

It was a pleasure speaking with you earlier. Let me recap what we spoke about.

I would like to express our interest as private tower developers in leasing a small portion of the property located at 650 Curtiss Pkwy (Miami Springs Country Club) to place a communications tower.

I would like to discuss this with you so that I may describe in more detail our requirements and needs as well as the benefits/compensation for you.

To let you know a bit about us; RGP Tower Partners is a Telecom Real Estate Development Firm that specializes in Tower Development for PCS Carriers. RGP Tower focuses on identifying and developing tower site

locations that meet the objectives of our clients (some of the major carriers as we discussed include Metro PCS, Sprint etc). As most of the sites that we develop are in-fill or capacity sites that are extremely difficult

zoning/permitting; the majority of our portfolio are stealth towers including but not limited to:

- Unipoles
- Flagpoles
- Monopine Trees
- Church Crosses

If you would like to investigate our website you may visit us at <http://www.rgptowers.com>

Please let me know if this is something that you would be interested in and when you would be available to discuss in further detail.

Thank you and have a nice day!

Holly Valdez
Project Manager
RG Partners, Inc.
2141 Alternate A1A South
Suite 440
Jupiter, FL 33477
(772) 353-7401

www.rgpartners.com

9/8/2011



City of Miami Springs Interoffice Memo

DATE: January 5, 2007

TO: Mayor Billy Bain and Members of the City Council

FROM: James R. Borgmann, City Manager 

RE: Consideration of Offers to Sell City Cell Tower Leases to Third Party

My office has received correspondence from several third party firms interested in buying the future lease payments to the City by the various cell phone service providers collocated on "our" cell tower. The Administration views such a transaction as a sale of city assets. As such, the decision to sell assets rests solely with the City Council.

The tower itself was installed by Sprint several years ago. Since that time several other cell phone providers have collocated on the tower. The City receives an amount close to \$55,000 annually from these several companies. There are escalator clauses that increase this amount annually. That factor has been included in the last column of the attached spreadsheets.

It appears that the third parties interested in these rights are all offering a lump sum buyout to the City in an amount in the \$500,000 to \$600,000 range. While this is an attractive offer for an immediate cash infusion to the City, we would lose the annual \$60,000 (or more as new companies collocate on the tower). As cities in general struggle to find new sources of revenue as an alternative to raising taxes, the annual lease payments for cell towers certainly provide one such source. If we took a lump sum payment and put the dollars in the bank, at 5% interest we could earn \$25-30,000 annually. The difference to achieve \$60,000 would have to be made up through taxes or drawing down the balance of the original principal amount.

Attached are spreadsheets prepared by William Alonso based on \$475,000, \$600,000 and \$700,000 to show how the drawdown method would work, assuming 5% for the life of the example. This method obviously improves as the original principal increases, going from a loss of \$309,000 over 15 years at \$475,000 to a "profit" of \$12,351 at \$700,000 for the same period.

If Council is interested in such a sale of assets, the Administration requests authorization to proceed to issue an "RFP" to solicit official offers and terms for such a plan.

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JAN 9, 2007

11 B

rejected

Analysis of Antenna buyout

| Year | <u>Balance to be invested</u> | <u>Rate</u> | <u>Interest earned</u> | <u>Monthly Payment to be received</u> | <u>Revenue To GF</u> | <u>Balance</u> | <u>Revenues Under Current Lease</u> |
|------|-------------------------------|-------------|------------------------|---------------------------------------|----------------------|----------------|-------------------------------------|
| 1 | \$ 475,000 | 5.00% | \$ 23,750 | \$ 6,084 | \$ (51,966) | \$ 452,868 | \$ 54,251 |
| 2 | \$ 452,868 | 5.00% | \$ 22,643 | \$ 6,084 | \$ (51,966) | \$ 429,629 | \$ 56,421 |
| 3 | \$ 429,629 | 5.00% | \$ 21,481 | \$ 6,084 | \$ (51,966) | \$ 405,229 | \$ 58,678 |
| 4 | \$ 405,229 | 5.00% | \$ 20,261 | \$ 6,084 | \$ (51,966) | \$ 379,608 | \$ 61,025 |
| 5 | \$ 379,608 | 5.00% | \$ 18,980 | \$ 6,084 | \$ (51,966) | \$ 352,707 | \$ 63,466 |
| 6 | \$ 352,707 | 5.00% | \$ 17,635 | \$ 6,084 | \$ (51,966) | \$ 324,460 | \$ 66,005 |
| 7 | \$ 324,460 | 5.00% | \$ 16,223 | \$ 6,084 | \$ (51,966) | \$ 294,801 | \$ 68,645 |
| 8 | \$ 294,801 | 5.00% | \$ 14,740 | \$ 6,084 | \$ (51,966) | \$ 263,659 | \$ 71,391 |
| 9 | \$ 263,659 | 5.00% | \$ 13,183 | \$ 6,084 | \$ (51,966) | \$ 230,960 | \$ 74,246 |
| 10 | \$ 230,960 | 5.00% | \$ 11,548 | \$ 6,084 | \$ (51,966) | \$ 196,626 | \$ 77,216 |
| 11 | \$ 196,626 | 5.00% | \$ 9,831 | \$ 6,084 | \$ (51,966) | \$ 160,575 | \$ 80,305 |
| 12 | \$ 160,575 | 5.00% | \$ 8,029 | \$ 6,084 | \$ (51,966) | \$ 122,722 | \$ 83,517 |
| 13 | \$ 122,722 | 5.00% | \$ 6,136 | \$ 6,084 | \$ (51,966) | \$ 82,976 | \$ 86,858 |
| 14 | \$ 82,976 | 5.00% | \$ 4,149 | \$ 6,084 | \$ (51,966) | \$ 41,243 | \$ 90,332 |
| 15 | \$ 41,243 | 5.00% | \$ 2,062 | \$ 6,084 | \$ (49,389) | \$ 0 | \$ 93,945 |
| | | | \$ 210,653 | \$ 91,260 | \$ (776,913) | | \$ 1,086,301 |
| | | | | | \$ 1,086,300 | | |
| | | | | | \$ 309,387 | | |

Analysis of Antenna buyout

\$ 17,324

| Year | <u>Balance to be invested</u> | <u>Rate</u> | <u>Interest earned</u> | <u>Monthly Payment to be received</u> | <u>Revenue To GF</u> | <u>Balance</u> | <u>Revenues Under Current Lease</u> |
|------|-------------------------------|-------------|------------------------|---------------------------------------|----------------------|----------------|-------------------------------------|
| 1 | \$ 600,000 | 5.00% | \$ 30,000 | \$ 6,084 | \$ (69,290) | \$ 566,794 | \$ 54,251 |
| 2 | \$ 566,794 | 5.00% | \$ 28,340 | \$ 6,084 | \$ (69,290) | \$ 531,928 | \$ 56,421 |
| 3 | \$ 531,928 | 5.00% | \$ 26,596 | \$ 6,084 | \$ (69,290) | \$ 495,318 | \$ 58,678 |
| 4 | \$ 495,318 | 5.00% | \$ 24,766 | \$ 6,084 | \$ (69,290) | \$ 456,878 | \$ 61,025 |
| 5 | \$ 456,878 | 5.00% | \$ 22,844 | \$ 6,084 | \$ (69,290) | \$ 416,516 | \$ 63,466 |
| 6 | \$ 416,516 | 5.00% | \$ 20,826 | \$ 6,084 | \$ (69,290) | \$ 374,136 | \$ 66,005 |
| 7 | \$ 374,136 | 5.00% | \$ 18,707 | \$ 6,084 | \$ (69,290) | \$ 329,636 | \$ 68,645 |
| 8 | \$ 329,636 | 5.00% | \$ 16,482 | \$ 6,084 | \$ (69,290) | \$ 282,912 | \$ 71,391 |
| 9 | \$ 282,912 | 5.00% | \$ 14,146 | \$ 6,084 | \$ (69,290) | \$ 233,852 | \$ 74,246 |
| 10 | \$ 233,852 | 5.00% | \$ 11,693 | \$ 6,084 | \$ (69,290) | \$ 182,339 | \$ 77,216 |
| 11 | \$ 182,339 | 5.00% | \$ 9,117 | \$ 6,084 | \$ (69,290) | \$ 128,249 | \$ 80,305 |
| 12 | \$ 128,249 | 5.00% | \$ 6,412 | \$ 6,084 | \$ (69,290) | \$ 71,456 | \$ 83,517 |
| 13 | \$ 71,456 | 5.00% | \$ 3,573 | \$ 6,084 | \$ (69,290) | \$ 11,823 | \$ 86,858 |
| 14 | \$ 11,823 | 5.00% | \$ 591 | \$ 6,084 | \$ (69,290) | \$ (50,792) | \$ 90,332 |
| 15 | \$ (50,792) | 5.00% | \$ (2,540) | \$ 6,084 | \$ (50,792) | \$ (98,040) | \$ 93,945 |

\$ 231,552 \$ 91,260 \$ (1,020,852) \$ 1,086,301

Revenue under lease \$ 1,086,300

Loss of revenue \$ 65,448



Analysis of Antenna buyout

| Year | <u>Balance to be invested</u> | <u>Rate</u> | <u>Interest earned</u> | <u>Monthly Payment to be received</u> | <u>Revenue To GF</u> | <u>Balance</u> | <u>Revenues Under Current Lease</u> |
|------|-------------------------------|-------------|------------------------|---------------------------------------|----------------------|----------------|-------------------------------------|
| 1 | \$ 700,000 | 5.00% | \$ 35,000 | \$ 6,084 | \$ (72,614) | \$ 668,470 | \$ 54,251 |
| 2 | \$ 668,470 | 5.00% | \$ 33,424 | \$ 6,084 | \$ (72,614) | \$ 635,364 | \$ 56,421 |
| 3 | \$ 635,364 | 5.00% | \$ 31,768 | \$ 6,084 | \$ (72,614) | \$ 600,602 | \$ 58,678 |
| 4 | \$ 600,602 | 5.00% | \$ 30,030 | \$ 6,084 | \$ (72,614) | \$ 564,102 | \$ 61,025 |
| 5 | \$ 564,102 | 5.00% | \$ 28,205 | \$ 6,084 | \$ (72,614) | \$ 525,777 | \$ 63,466 |
| 6 | \$ 525,777 | 5.00% | \$ 26,289 | \$ 6,084 | \$ (72,614) | \$ 485,536 | \$ 66,005 |
| 7 | \$ 485,536 | 5.00% | \$ 24,277 | \$ 6,084 | \$ (72,614) | \$ 443,282 | \$ 68,645 |
| 8 | \$ 443,282 | 5.00% | \$ 22,164 | \$ 6,084 | \$ (72,614) | \$ 398,917 | \$ 71,391 |
| 9 | \$ 398,917 | 5.00% | \$ 19,946 | \$ 6,084 | \$ (72,614) | \$ 352,332 | \$ 74,246 |
| 10 | \$ 352,332 | 5.00% | \$ 17,617 | \$ 6,084 | \$ (72,614) | \$ 303,419 | \$ 77,216 |
| 11 | \$ 303,419 | 5.00% | \$ 15,171 | \$ 6,084 | \$ (72,614) | \$ 252,060 | \$ 80,305 |
| 12 | \$ 252,060 | 5.00% | \$ 12,603 | \$ 6,084 | \$ (72,614) | \$ 198,133 | \$ 83,517 |
| 13 | \$ 198,133 | 5.00% | \$ 9,907 | \$ 6,084 | \$ (72,614) | \$ 141,510 | \$ 86,858 |
| 14 | \$ 141,510 | 5.00% | \$ 7,075 | \$ 6,084 | \$ (75,614) | \$ 79,055 | \$ 90,332 |
| 15 | \$ 79,055 | 5.00% | \$ 3,953 | \$ 6,084 | \$ (79,055) | \$ 10,037 | \$ 93,945 |
| | | | \$ 317,428 | \$ 91,260 | \$ (1,098,651) | | \$ 1,086,301 |
| | | | | | \$ 1,086,300 | | |
| | | | | | \$ (12,351) | | |

11. Other Business:

11A) Scheduling of Council Workshop Meeting to Discuss An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-041, R-1A District; 150.042, R-1B District; 150.043, R-1C District, and 150-044, R-1D District, to Provide New Building Height Limitations, Lot Coverage Restriction, and Side Yard Requirements for Two-story Structures; Repealing all Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date (First Reading: 11/13/2006 - "Second" First Reading: 11/28/2006 - "Third" First Reading: 12/11/2006)

Council scheduled a Workshop Meeting for Wednesday, January 17, 2007 at 7:30 p.m.

11B) Consideration of Offers to Sell City Cell Tower Leases to Third Party

Council considered the offers received by the City and **rejected** any efforts to sell off the City's interests in the cell tower.

12. Reports & Recommendations:

12A) City Attorney: None

12B) City Manager

- Attendance Boundary Regulations

Reported that he received the preliminary attendance boundary regulation studies that seem to be favorable for reducing the student population at Springview Elementary and Miami Springs Senior High. He offered to provide copies to Council.

- Post Buckley Schuh & Jernigan

Said that he received a response from Post Buckley Schuh & Jernigan in regard to a September 2006 newspaper article and a representative from the company would appear before Council to provide further explanation if Council feels this is necessary

- Baseball Registration

Said that Little League Baseball registration will take place at the Recreation Center on the next five Saturdays until February 10, 2007, from 9 a.m. to 12 noon.

- Pelican Players

Said that the Pelican Players are signing up for winter classes and the information is posted on Channel 77.

Analysis of Antenna buyout

| Year | Balance to be <u>invested</u> | Rate | Interest <u>earned</u> | Monthly Payment <u>to be received</u> | Revenue <u>To GF</u> | Balance | Revenues Unde <u>Current Lease</u> |
|------|----------------------------------|-------|---------------------------|--|-------------------------|------------|---------------------------------------|
| | | | | | \$ 75,000 | \$ 17,324 | |
| 1 | \$ 750,000 | 0.25% | \$ 1,875 | | \$ (82,000) | \$ 669,875 | \$ 71,945 |
| 2 | \$ 669,875 | 0.35% | \$ 2,345 | | \$ (82,000) | \$ 590,220 | \$ 73,384 |
| 3 | \$ 590,220 | 1.50% | \$ 8,853 | | \$ (82,000) | \$ 517,073 | \$ 74,852 |
| 4 | \$ 517,073 | 2.00% | \$ 10,341 | | \$ (82,000) | \$ 445,414 | \$ 76,349 |
| 5 | \$ 445,414 | 2.00% | \$ 8,908 | | \$ (82,000) | \$ 372,323 | \$ 77,876 |
| 6 | \$ 372,323 | 3.00% | \$ 11,170 | | \$ (82,000) | \$ 301,492 | \$ 79,433 |
| 7 | \$ 301,492 | 3.00% | \$ 9,045 | | \$ (82,000) | \$ 228,537 | \$ 81,022 |
| 8 | \$ 228,537 | 4.00% | \$ 9,141 | | \$ (82,000) | \$ 155,679 | \$ 82,642 |
| 9 | \$ 155,679 | 4.00% | \$ 6,227 | | \$ (82,000) | \$ 79,906 | \$ 84,295 |
| 10 | \$ 79,906 | 5.00% | \$ 3,995 | | \$ (83,901) | \$ (0) | \$ 85,981 |
| | | | \$ 71,901 | \$ - | \$ (821,901) | | \$ 787,778 |
| | | | | Revenue under lease | \$ 787,778 | | |
| | | | | Income (Loss) of revenue | \$ 34,123 | | |

Analysis of Antenna buyout

\$ 17,324

| Year | Balance to be invested | Rate | Interest earned | Monthly Payment to be received | Revenue To GF | Balance | Revenues Unde Current Lease |
|------|---------------------------|-------|--------------------|-----------------------------------|------------------|------------|--------------------------------|
| 1 | \$ 600,000 | 1.00% | \$ 6,000 | | \$ (66,865) | \$ 539,135 | \$ 71,945 |
| 2 | \$ 539,135 | 1.00% | \$ 5,391 | | \$ (66,865) | \$ 477,661 | \$ 73,384 |
| 3 | \$ 477,661 | 2.00% | \$ 9,553 | | \$ (66,865) | \$ 420,350 | \$ 74,852 |
| 4 | \$ 420,350 | 2.00% | \$ 8,407 | | \$ (66,865) | \$ 361,892 | \$ 76,349 |
| 5 | \$ 361,892 | 2.00% | \$ 7,238 | | \$ (66,865) | \$ 302,264 | \$ 77,876 |
| 6 | \$ 302,264 | 3.00% | \$ 9,068 | | \$ (66,865) | \$ 244,467 | \$ 79,433 |
| 7 | \$ 244,467 | 4.00% | \$ 9,779 | | \$ (66,865) | \$ 187,381 | \$ 81,022 |
| 8 | \$ 187,381 | 5.00% | \$ 9,369 | | \$ (66,865) | \$ 129,885 | \$ 82,642 |
| 9 | \$ 129,885 | 5.00% | \$ 6,494 | | \$ (66,865) | \$ 69,514 | \$ 84,295 |
| 10 | \$ 69,514 | 5.00% | \$ 3,476 | | \$ (72,990) | \$ 0 | \$ 85,981 |
| | | | \$ 74,775 | \$ - | \$ (674,775) | | \$ 787,778 |

Revenue under lease \$ 787,778

Loss of revenue \$ 113,003

CITY OF MIAMI SPRINGS



City Manager's Office
201 Westward Drive
Miami Springs, FL 33166-5289
Phone: (305) 805-5010
Fax: (305) 805-5040

Ronald K. Gorland
Assistant City Manager

TO: Honorable Mayor Garcia and Members of the City Council

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

FROM: Ronald K. Gorland, Assistant City Manager and Building & Code Dir. *RK*
Tex Ziadie, Building & Code Supervisor

SUBJECT: Maintenance of Property-Roof Cleaning Discussion (MS Code 93-13)

DATE: September 22, 2011

As per previous discussions with Council, On September 1st, Code Compliance began a sweep of the City for Maintenance of Property, specifically for condition of building paint and roofs. This had been announced in advance in the Gazette, in the special Miami Springs 85th Anniversary edition on August 25th. In the future, Code Compliance areas of focus will also be announced on Channel 77 (Comcast customers only), on the City Web Site and at each regular Council meeting, covering the current month and subsequent month. The current house/roof sweep will take up the month of October also and possibly go into November.

To date, we have given Courtesy Notices to 106 residences for needing to have their roof cleaned. Specially designed Notices for roof cleaning were used (copy attached). Although we have had a number of complaints, as we fully expected, the response has been fairly good. Already at least 10 locations have been observed having their roofs cleaned. In 2009, the Council was given a full briefing on roof cleaning by Tex Ziadie, with a PowerPoint presentation showing some of the types of violations. We will be repeating that presentation at the September 26th meeting, along with photos of some of the residences recently given Courtesy Notices for their roof. A print out of the presentation is attached for your reference.

Agenda Item No.

City Council Meeting of:

SEPT 26, 2011



**CITY OF
MIAMI SPRINGS
Florida**

201 Westward Drive
Miami Springs, FL 33166
(305) 805-5030

COURTESY NOTICE!

ADDRESS: _____

The residents of Miami Springs have always taken great pride in maintaining their properties in keeping with the theme of "Beautiful Miami Springs" and we appreciate your efforts. While making inspections in your area today, I noticed the following items needing your attention and compliance:

CODE SECTION: 93-13(E-2)

Roof has excessive mold, mildew or dirt deposits.

CORRECTIVE ACTION NEEDED:

Have roof cleaned

**PLEASE SEE OTHER SIDE
FOR CAUTIONS!**

This is a Courtesy Notice. If no action is taken **within 30 days**, a formal Notice of Violation will be issued.

Your anticipated cooperation is appreciated. Thank you for helping to keep the theme "Beautiful Miami Springs!"

Date

Code Compliance Officer

QUESTIONS OR COMMENTS? PLEASE CALL ME →

CODE TEXT

MIAMI SPRINGS CODE OF ORDINANCES

Sec. 93-13. Maintenance of property by owner.

(A) It is the duty of all owners or occupants of property within the City, including both developed and undeveloped whether vacant or occupied, to maintain such property in a safe, clean, and presentable condition. It shall be unlawful to deposit, store, keep, or maintain, or permit to be deposited, stored, kept, or maintained any of the following items listed in Sections (1)--(7) below on any lot, parcel, or tract of land or body of water in any zoning district. It is not the intent hereof to prohibit the deposit of trash or junk in a usual location for waste collection, provided it is not, or will not become, a nuisance and the trash or junk will be collected by the waste division of the public works department or a City-licensed commercial waste collector as provided in § 93-12.

(E) It shall be unlawful for any owner or occupant of property within the City to maintain said property in a condition that is detrimental to the public health, safety and general welfare by permitting said property:

(1) To be in a state of general disrepair or deteriorated condition.

(2) To have excessive scaling of paint or other protective coating, or the **accumulation of excessive mildew or rust to the exterior of any building or structure, its roof, roof facia, awnings, shutters or other exterior attachments to the building or structure.**



Tex Zindie
Code Compliance Officer
Building Dept. Supervisor

**CITY OF
MIAMI SPRINGS**
At the Heart of it All!

201 Westward Drive Miami Springs, FL 33166
(Office) 305-805-5030 (Fax) 305-805-5036 (Cell) 786-253-0497
zindie@miamisprings-fl.gov
www.miamisprings-fl.gov

**We STRONGLY suggest that you consult a professional about cleaning your roof. A tile roof can be extremely dangerous and slippery to climb on. One minor misstep could lead to tragic results. Walking on older roofs could also cause cracks and other damage to them if you are not very careful where and how you step. Please be cautious and call a professional. There are products on the market now that can be sprayed on a roof from the ground and may remove the vast majority of the mold and other contaminants on your roof after a short gestation period, at which time they can be rinsed off. These products can be easily found through an Internet search. However, we still recommend that you consult a professional. There are a number of local companies and contractors who do roof cleaning. Also be careful to only hire a company or contractor who is fully insured!
Always better safe than sorry.**

*City of Miami Springs
Code Compliance*

February 23, 2009
September 26, 2011



*Improving the look of our
roofs!*

The Code-General Provision

Sec. 93-13. Maintenance of property by owner.

(A) It is the duty of all owners or occupants of property within the City, including both developed and undeveloped whether vacant or occupied, to maintain such property in a safe, clean, and presentable condition.

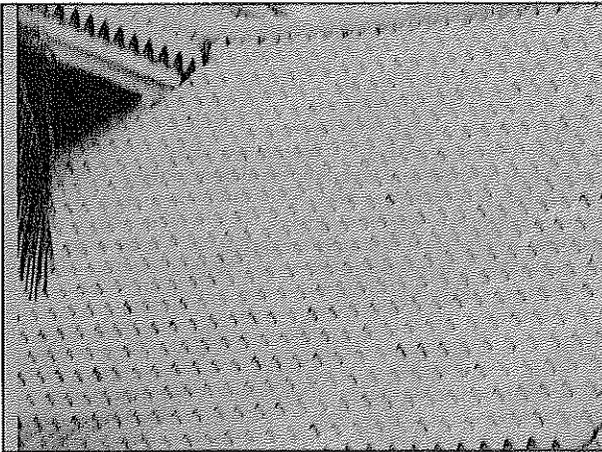
The Code-Specific Provision

(E) It shall be unlawful for any owner or occupant of property within the City to maintain said property in a condition that is detrimental to the public health, safety and general welfare by permitting said property:

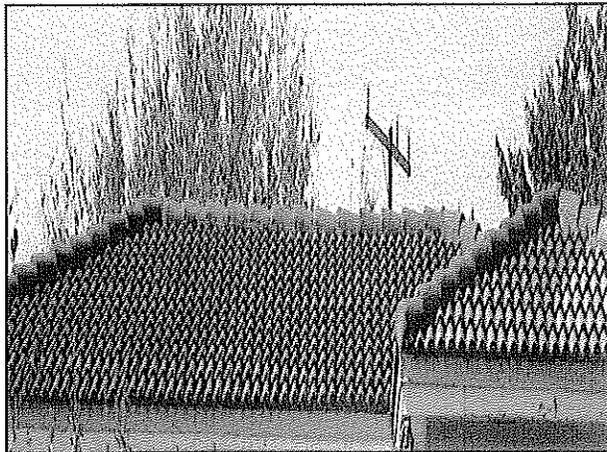
(2) To have excessive scaling of paint or other protective coating, or the accumulation of excessive mildew or rust to the exterior of any building or structure, its roof, roof fascia, awnings, shutters or other exterior attachments to the building or structure.

**SOME
EXAMPLES**

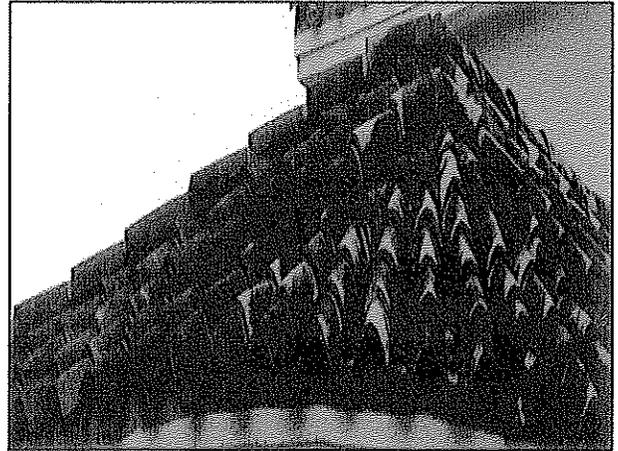
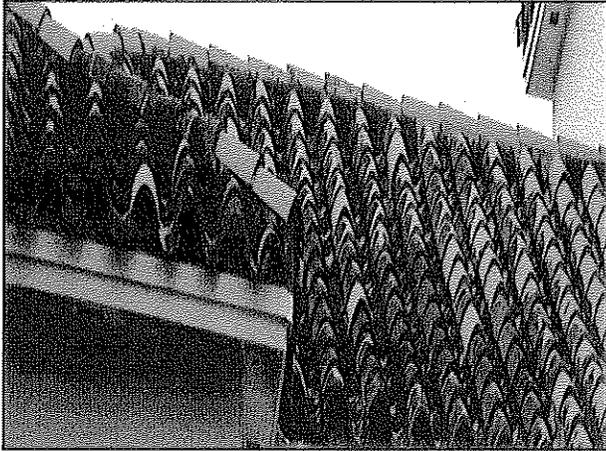
TWO RED
CLAY ROOFS
IN GOOD
SHAPE



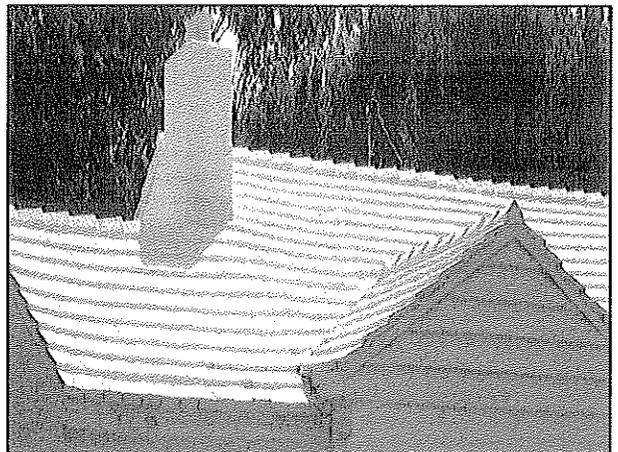
TWO RED CLAY
ROOFS WITH
MODERATE
STAINING

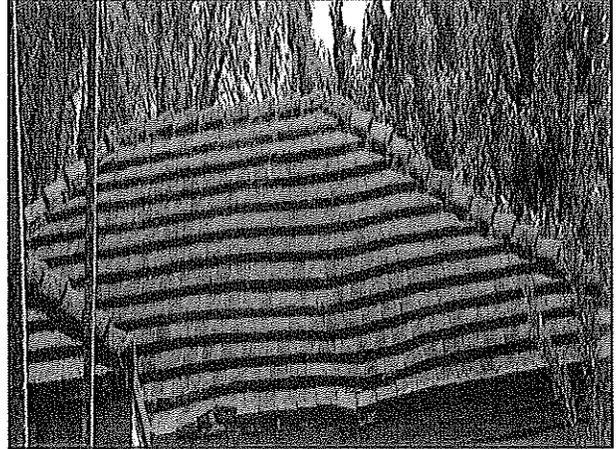


TWO RED CLAY
ROOFS WITH
SEVERE STAINING

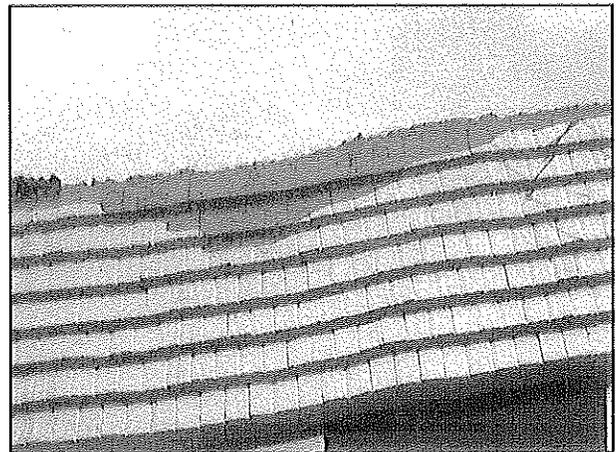


CURRENT TILE
ROOFS
1 Clean
1 Moderate
1 Severe



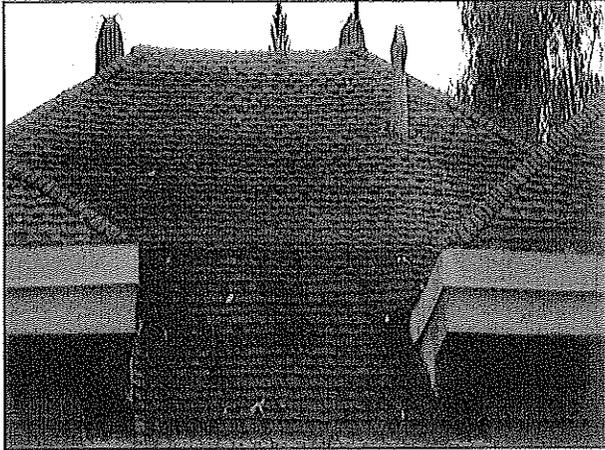
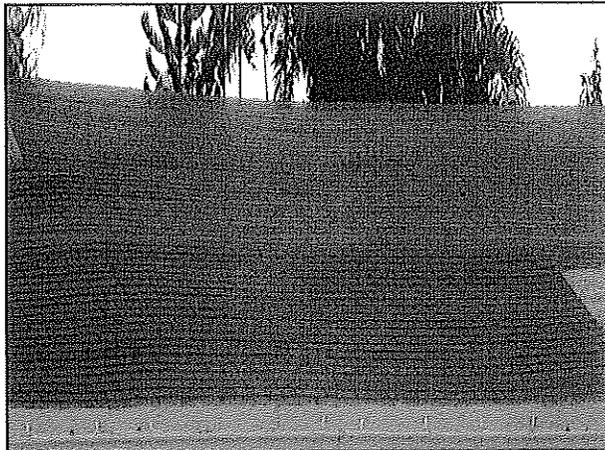


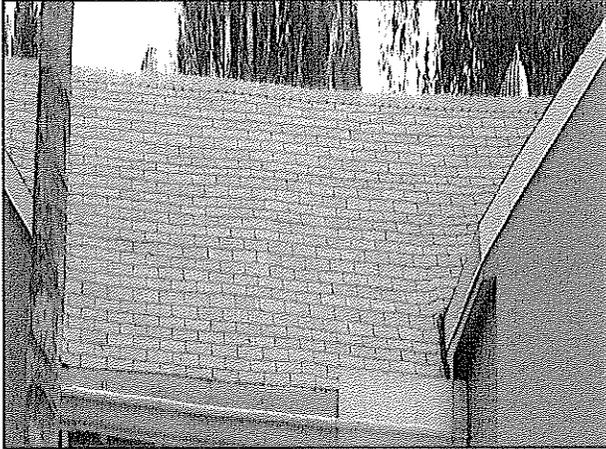
PAINTED CEMENT
TILE ROOFS
Clean
Faded and stained



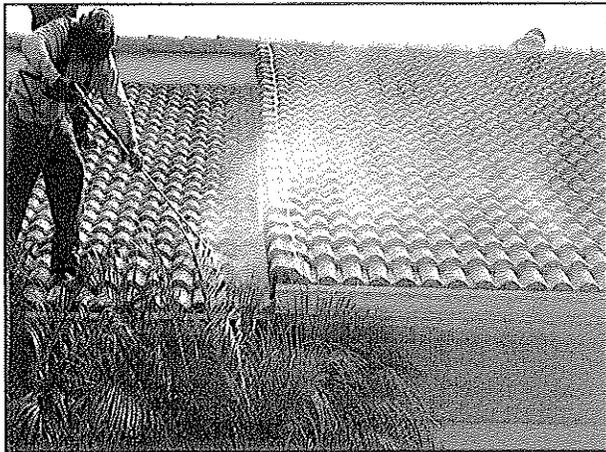


ASPHALT SHINGLE
ROOFS
(No Notices being currently given as
they cannot be pressure cleaned)

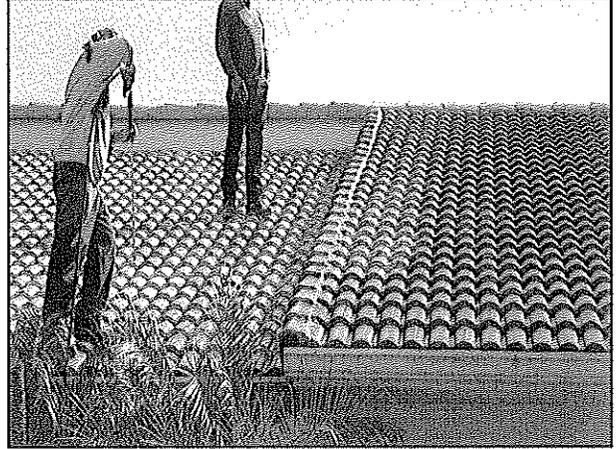




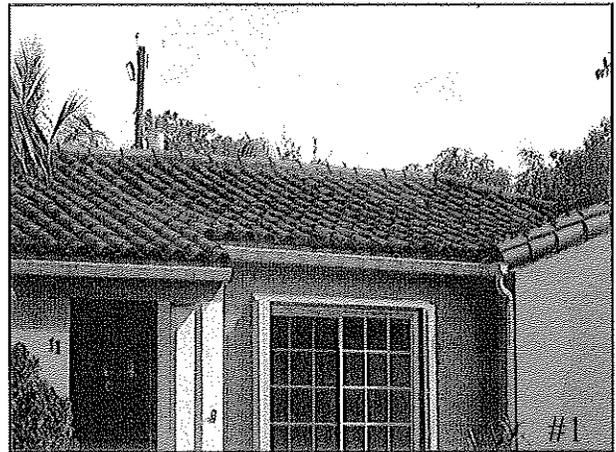
CLAY TILE ROOF
CLEANING

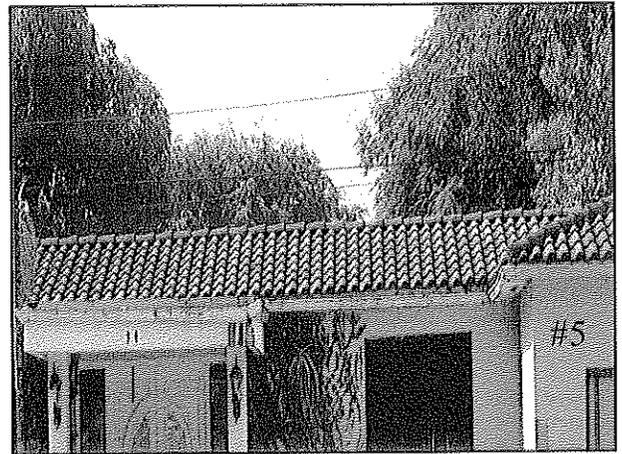
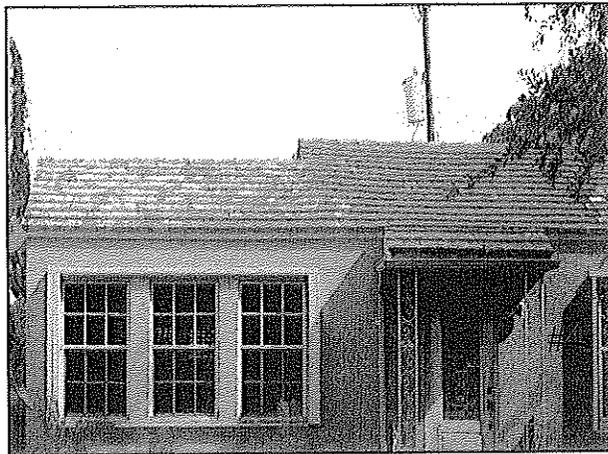
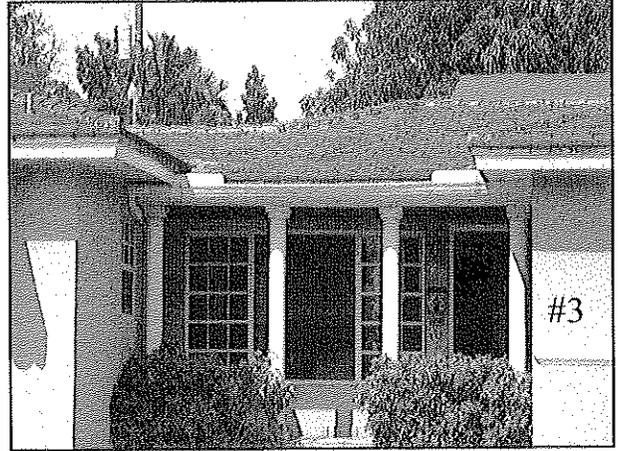


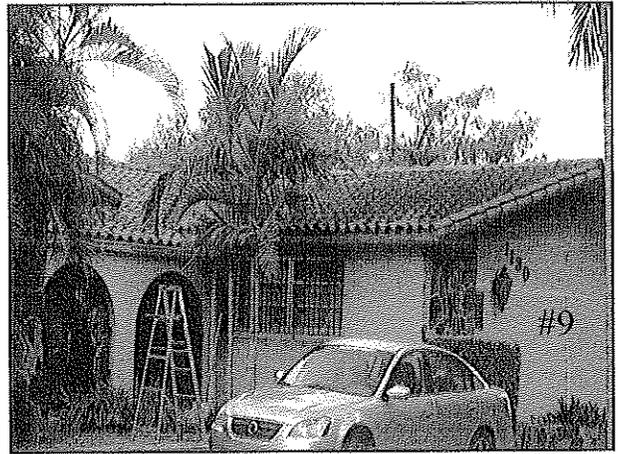
Note the difference
between the clean (left)
and dirty sides

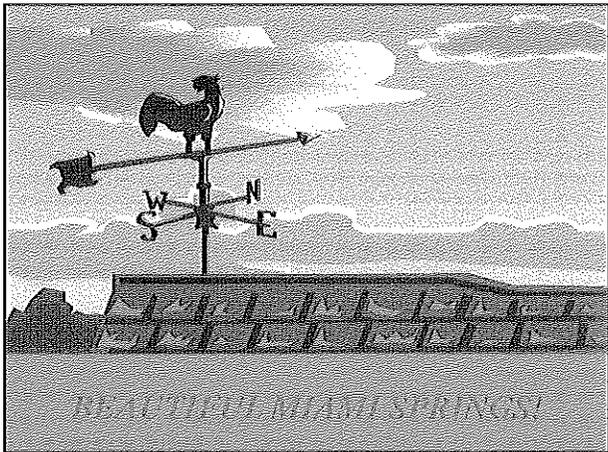
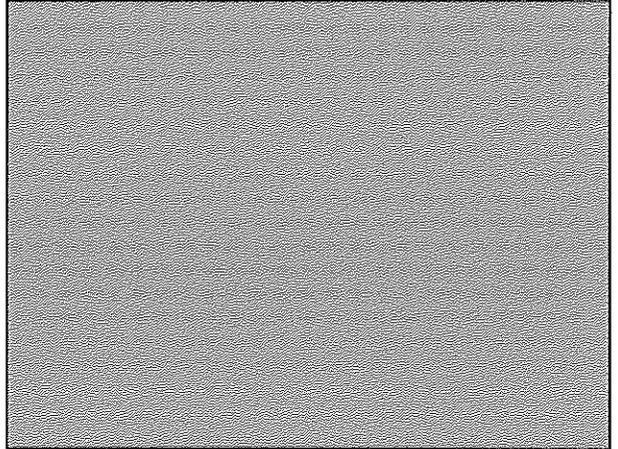
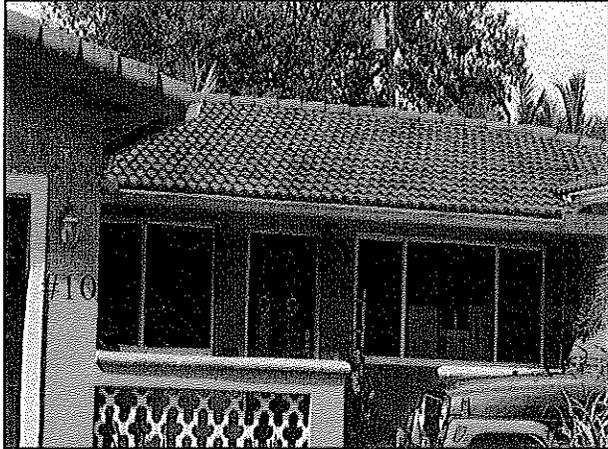


Current properties
that have received
Courtesy Notices









AGENDA ITEM

11B

TO BE

SUBMITTED

AT A LATER DATE

