



AGENDA INFORMATION

CITY OF MIAMI SPRINGS

CITY COUNCIL

Regular Meeting

Monday, November 14, 2011

7:00 p.m.

Rebeca Sosa Theater – Community Center

1401 Westward Drive, Miami Springs

Mayor Xavier Garcia

Vice Mayor Dan Espino

Councilman Bob Best

Councilman George V. Lob

Councilwoman Jennifer Ator

City Manager James R. Borgmann

Assistant City Manager Ronald K. Gorland

City Attorney Jan K. Seiden

City Clerk Magali Valls



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Xavier M. Garcia

**Vice Mayor Dan Espino
Councilman George V. Lob**

**Councilman Bob Best
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, November 14, 2011
7:00 p.m.**

**Community Center – Rebeca Sosa Theater
1401 Westward Drive – Miami Springs**

1. Call to Order/Roll Call

2. Invocation: Councilman Best

Salute to the Flag: Students from Blessed Trinity Catholic School will lead the audience in the Pledge of Allegiance to the Flag

3. Awards & Presentations:

A) Proclamation – "Ray's Tae Kwon Do Center Day" (Tabled: 10-24-2011)

B) Proclamation – Tom Curtis – Dolphin Digest

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) 10-24-2011 – Regular Meeting

6. Reports from Boards & Commissions:

- A) 10-25-2011 – Ecology Board – Cancellation Notice
- B) 10-27-2011 – Code Review Board – Cancellation Notice
- C) 11-01-2011 – Code Enforcement Board – Minutes
- D) 11-02-2011 – Architectural Review Board – Cancellation Notice
- E) 11-07-2011 – Zoning and Planning Board – Cancellation Notice
- F) 11-08-2011 – Recreation Commission – Cancellation Notice
- G) 11-09-2011 – Golf and Country Club Advisory Board – Minutes
- H) 11-10-2011 – Board of Parks and Parkways – Cancellation Notice
- I) 11-15-2011 – Education Advisory Board – Rescheduling Notice
- J) 11-21-2011 – Revitalization and Redevelopment Ad-Hoc Committee – Cancellation Notice
- K) 11-07-2011 – Board of Adjustment – Approval of Actions Taken at their Meeting of November 7, 2011, Subject to the 10-day Appeal Period

7. Public Hearings: None

Board of Appeals
Board of Adjustment Case # 19-V-11
Pedro González
1259 Bluebird Avenue
Zoning: R1B Single Family Residential
Lot Size: 75 x 122'

Applicants are seeking a variance from Code Section 150-013 (A) (4) to retain replacement ficus hedges.

8. Consent Agenda:

- A) Approval of the City Attorney’s Invoice for October 2011 in the Amount of \$12,690.00

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members
- B) Selection of Top 3-5 Candidates to be Interviewed for the Position of City Manager
- C) Curtiss Mansion, Inc. – Discussion of Legal Opinion from the Dade County Commission on Ethics Regarding the Possibility of the City Council Acting as the Board of Directors for a For-Profit Legal Entity Owned by Miami Springs
- D) Discussion Regarding the Rebeca Sosa Theater Rental Application
- E) Discussion Regarding the Youth Advisory Board

10. New Business:

- A) Confirmation of the Fifth Member of the Police and Firefighters Retirement System Board as Required by Code of Ordinance Section 35.56 (A) (3), as a Ministerial Duty
- B) Consideration of Copywriting/Registering the City's New Logo and Tag Line
- C) Resolution No. 2011-3530 –A Resolution of the City Council of the City of Miami Springs Authorizing the City Manager to Apply for a 2012 Edward Byrne Memorial Justice Assistance Grant from the Federal Drug Control and System Improvement Program, through the Office of Grants Coordination Justice Assistance Grant Administration for Miami-Dade County; Authorizing the City Manager to Execute Grant Contracts and Agreements, Execute Contracts and Agreements to Accomplish Grant Funding Purposes, Expend Funding for Established and Authorized Purposes, Receive and Expend Additional Funding that Might Become Available, Execute Amendatory Application Documentation, and to Exercise all Contractual Rights, Authorizations and Privileges Available to the City; Effective Date
- D) First Reading – Ordinance No. 1028-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 96.05, Street Numbers; Display; to Provide Clarified Provisions and Requirements Related to the Display of Street Numbers on Structures in the City; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date
- E) First Reading – Ordinance No. 1029-2011 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 70-10, Parking Restricted in Certain Areas; to Provide Clarified Provisions on Permitted Parkway Parking, Prohibited Parkway Use; Prohibited Parkway Parking Exceptions, Enforcement and Signage; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date

10. New Business: (Continued)

- F) First Reading – Ordinance No. 1030-2011 – An Ordinance of the City Council of the City of Miami Springs Repealing Chapter No. 134, Weapons; which Includes Code Section 134-01, Firearms and Air Rifles; Discharge Prohibited; 134-02, Careless Exhibition of Weapons; 134-03, Forfeiture of Weapons and Arms; 134-04, Return of Weapons and Arms and Forfeiture on Failure to Receive Same; 134-05, Disposal of Weapons and Arms; and 134-06, Taking Possession of Weapons and Arms; Repealing all Ordinances or Parts of Ordinances in Conflict; Directions to Codifiers; Effective Date
- G) Recommendation that Council Approve an Expenditure to Allied Trucking of Florida, the Lowest Responsible Bidder, in the Amount \$4,000.00 for Concrete Screenings, Pursuant to Section 31.11 (E) (5) of the City Code

Recommendation that Council Approve a Change Order to Leadex Corporation, in the Amount of \$8,490.00 to Construct a Berm Around the Playground Using Sand Fill, Spread and Compact the Concrete Screening Throughout the Play Area as Needed and Remove Existing Concrete Walk and Replace with New ADA Ramp
- H) Special Event Funding Request Application – All Angels Academy
- I) Request for Meeting from the Revitalization and Redevelopment Ad-Hoc Committee to Have a Presentation from Calvin, Giordano & Associates, Inc. to their Board and the Architectural Review Board in December

11. Other Business:

- A) Fiscal Year 2010-2011 Fourth Quarter Budget Status Report (Unaudited)
- B) Rescheduling of the November 28, 2011 Regular Council Meeting and Selection of Date for City Manager Candidate Interviews

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 **REGULAR MEETING** in the Council Chambers at City Hall on Monday, October 24, 2011, at 6:30 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 6:35 p.m.

The following were present:

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

Also Present:

- City Manager James R. Borgmann
- Assistant City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Chief of Police Peter G. Baan
- Finance Director William Alonso
- Human Resources Director Loretta M. Boucher
- Recreation Director Omar L. Luna
- Building & Zoning Office Supervisor Harold "Tex" Ziadie
- City Clerk Magali Valls

2. Invocation: Councilwoman Ator offered the invocation.

Salute to the Flag: The audience participated. Miami Springs Adventist School Students led the audience in the pledge of allegiance.

Mayor Garcia presented baseball caps to the students that participated in the Pledge of Allegiance.

3. Awards & Presentations:

3A) Proclamation – Ray’s Tae Kwon Do Center

The presentation of the “Ray’s Tae Kwon Do Center Day” Proclamation was rescheduled for the November 14th Regular Meeting.

4. Open Forum:

No speakers.

5. Approval of Council Minutes:

5A) 10-10-2011 – Regular Meeting

Minutes of the October 10, 2011 Regular Meeting were approved as written.

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

Mayor Garcia announced that Council would recess to conduct an Executive Session.

City Attorney Jan K. Seiden stated that the City Council would participate, along with the City Manager and Assistant City Manager and the meeting would last for approximately 45 minutes.

Recess to conduct Executive Session with City Council at 6:40 p.m.

Council Meeting was reconvened at 7:36 p.m.

6. Reports from Boards & Commissions:

6A) 10-11-2011 – Recreation Commission – Minutes

Minutes of the October 11, 2011 Recreation Commission meeting were received for information.

Vice Mayor Espino commented that the Recreation Commission held a lengthy conversation about green space, expanded park space and the use of the current parks that was also a topic of discussion at the strategic planning meetings and the Community Summit.

6B) 10-12-2011 – Golf and Country Club Advisory Board - Minutes

Minutes of the October 12, 2011 Golf and Country Club Advisory Board were received for information without comment.

6C) 10-13-2011 – Board of Parks and Parkways – Cancellation Notice

Cancellation Notice of the October 13, 2011 Board of Parks and Parkways meeting was received for information without comment.

6D) 10-17-2011 – Revitalization and Redevelopment Ad-Hoc Committee – Cancellation Notice

Cancellation Notice of the October 17, 2011 Revitalization and Redevelopment Ad-Hoc Committee meeting was received for information without comment.

6E) 10-18-2011 – Education Advisory Board – Minutes

Minutes of the October 18, 2011 Education Advisory Board meeting were received for information.

Vice Mayor Espino mentioned that the Education Advisory Board discussed Art in Public Places and the minutes indicated that there was only one sponsor, but he has not received any information regarding sponsorship. The minutes also reflect that the Board is looking for direction on how to move forward with establishing the Youth Council.

Mayor Garcia asked the Board Liaison, Councilman Lob, to reach out to the Board secretary and report back on what direction the Board is looking for.

City Manager Borgmann suggested that the Administration could attend the next Education Advisory Board meeting.

Assistant City Manager Gorland explained that information was provided to the Board members for their last meeting. He spoke with Board member Libby Manning who is working on the project.

City Attorney Seiden noted that the Resolution establishing the Youth Council provides for a representative from each school to appoint one member.

Councilman Best stated that the Education Advisory Board asked who would be the responsible adult to oversee the Youth Council should they convene a meeting.

Councilwoman Ator recalled that the responsibility for overseeing the Youth Council would rotate to a different school each year.

Mayor Garcia asked the Administration to check the resolution to confirm how to proceed with the Youth Council and if there is any doubt to schedule an agenda item for Council to resolve the issue.

6F) 10-20-2011 – Historic Preservation Board – Cancellation Notice

Cancellation Notice of the October 20, 2011 Historic Preservation Board meeting was received for information without comment.

7. Public Hearings:

None.

8. Consent Agenda:

None.

9. Old Business:

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

None.

9B) Selection Process for New City Manager (Tabled: 10-10-2011)

Mayor Garcia stated that this item was tabled from the October 10th meeting. He noted that there were a number of resumes that were provided for Council's review. He asked Councilman Best if his recommendation to appoint Assistant City Manager Gorland to the position still stands.

Councilman Best confirmed that his recommendation to appoint Mr. Gorland still stands based on the information presented. He said that City Manager Borgmann will retire in January and the Assistant City Manager is qualified to take over the position.

Mayor Garcia recommended reducing the list of twenty-four candidates to three or five of the most qualified candidates so that the process can move forward. He asked if there were any other options.

Vice Mayor Espino stated that Council received the resumes of the twenty-four most qualified applicants and there were forty-six in total. He separated the resumes into three categories and reached a total of eleven people in terms of the most qualified. The resumes are only a fraction of what the individuals are and he is not sure if he can reduce the number to three or five. He recommended selecting ten or twelve to give presentations so that Council can get to know them personally.

Councilwoman Ator was concerned how Council would reduce the number of candidates from twenty-four to the final three or five if there is not a lot of information about the individuals. She said that the top ten to twelve could make presentations if that is what is required. She agrees with reducing the number to three or five but is not sure how to do that.

Councilman Lob said that he is waiting for some answers to questions that he had asked and he would like a few more days before making a decision. He noted that one candidate withdrew his application who commented that when a City Manager selects an Assistant City Manager it is based on his ability to take over his job. He would like to fully evaluate the candidates and is not ready to offer any names at this time.

Mayor Garcia commented that he was prepared to make a decision to select three to five. He asked the City Attorney if Council members could interview the candidates individually over the telephone.

City Attorney Seiden responded that it would not be illegal, but it would be more appropriate to bring in the individuals to answer questions at one time. He would not recommend individual calls because what one candidate says to one Councilmember he might not say to all of them and it should be on the public record.

Mayor Garcia said that based on his research he received a lot of information and that is how he was able to narrow down the list to five or six. He hoped that Council would have been able to agree on the final candidates.

Councilwoman Ator explained that she separated the resumes as suggested by the Mayor, but she is not prepared at this time to reduce the list to three to five.

City Manager Borgmann suggested that the top ten candidates could be ranked in order to be able to reduce the number to the top five. The top five should be on everyone's list.

City Attorney Seiden advised Council that they should narrow down the list to five or ten and reach an agreement at the next meeting on which candidates they want to interview.

Councilman Best felt that Human Resources should narrow down the list in order to avoid the political ramifications. He said that the Assistant City Manager's position was eliminated in the budget and it does not seem fair the way that Council is treating him.

City Attorney Seiden responded that the selection process had passed the Human Resources level and it is now at the political level.

Council agreed that each one of them will come back at the next meeting with a list of the top five candidates.

9C) Recommendation that Council Waive the Competitive Bid Process and Approve an Extension Agreement for an Additional 12 Month Period, to the Pelican Playhouse, Inc. (Ralph Wakefield), for an Annual Stipend of \$20,000.00, for Theatrical Services, Pursuant to Section 31.11 (E) (6) (g) of the City Code

City Manager James R. Borgmann stated that the agreement provides for \$15,000 automatically in quarterly payments and if there are funds remaining in the repairs and maintenance budget of \$5,000 the balance goes to the Pelicans.

Mayor Garcia commented that Mr. Wakefield does a very good job of taking care of the equipment.

Councilwoman Ator explained that she pulled the item from the consent agenda at the last meeting and now there is an amended Extension Agreement. Her concern is related to the "G" rating.

City Attorney Seiden stated that the "G" rating standard is included on the application form and if the production is outside of the "G" rating it must be approved by the City Council as provided on page two of the agreement.

Councilwoman Ator mentioned that the "G" rating was based on the rating of the Motion Picture Association of America system. Councilman Best had said that this rating system is different than the rating for stage productions. She would like to outline exactly what a "G" rating means even though there is an appeal process.

City Attorney Seiden referred to previous minutes when Council discussed the "G" rating when a motion was made to accept the recommendation of Pelican Playhouse to institute the "G" rating, conditional upon the County's requirements, with the exception for Council review on a case-by-case basis.

Discussion ensued regarding the "G" rating standard and the difference between stage and film performances.

Vice Mayor Espino would want the rating to apply across the board to the various forms of performances that can occur at the Playhouse.

City Attorney Seiden reiterated that the application includes language noting that the Rebeca Sosa Theatre is a family oriented venue and performances are to be for General Audiences and shall contain no strong language, sex, nudity or drug usage ("G" rating). Miami Springs Council approval is required for any performances that do not comply with this rating.

Councilwoman Ator would like to add a sentence noting that all residents are encouraged to use the theatre; she does not want to discourage use of the theatre.

Councilman Best commented that the agreement with the Pelican Playhouse includes a provision that the performances under their directorship will meet the "G" rating. If another entity comes in from the outside their performance would deserve scrutiny.

Councilman Lob asked if everyone who performs in the Theatre would have to abide by the contract. He suggested that each performance could have a rating, except for "X" rating.

City Attorney Seiden clarified that there is an extensive provision in the standard agreement on what is considered offensive conduct. In addition, there is a similar provision that provides for an appeal process through the City Council. Councilwoman Ator is requesting another sentence of encouragement to say that if someone feels that their production has been denied because it is not rated "G" they have the opportunity to appear before Council to request approval.

Councilwoman Ator reiterated that the City should encourage productions and she had received feedback that the "G" rating would be similar to censorship. She would like to keep people from having that perception.

City Attorney Seiden agreed that the language could be added to the application, as suggested by Councilwoman Ator.

Vice Mayor Espino moved to approve the Extension Agreement for Theatrical Services, as amended. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

9D) Background Check Policies and Standards Progress Report

City Manager James R. Borgmann stated that the Administration is going through the process to assure the residents that whenever their kids are involved in any program or activity that the individuals who will be working with them are of good character and have a favorable background.

City Manager Borgmann explained that Parks and Recreation Director Luna came from the City of Homestead where they had a Code of Ethics and work was undertaken to revise the document in order to fit Miami Springs. He asked Mr. Luna to present his report for Council's consideration.

Recreation Director Omar Luna advised Council that at the present time the City does not have standards in place for the youth leagues to follow in regard to background check policies and fingerprinting and it is important to adopt standards for the City's protection. Currently the youth leagues are conducting their own background checks, but not fingerprinting and their standards vary. Some leagues follow standards set by certain agencies and what they are doing is fine, but there are loopholes because every league is different. If an incident were to occur on one of the City's fields, the City would be responsible.

Mr. Luna emphasized the importance of setting standards for the youth leagues that are run by volunteers. If someone does not pass the background check, it will not be public record; the individual will be advised. He noted that in the City of Homestead it took four to six months to finalize the project that was set forth by resolution, and it worked.

Mayor Garcia hoped that it would not take Miami Springs four to six months to finalize the policy.

Mr. Luna said that the policy could be implemented for the youth leagues and the organizations can use their own resources to conduct the background checks. They must submit a letter from an accredited organization and they will be provided with the City's standards to follow.

Councilwoman Ator commented that the standards set forth by Mr. Luna seem stricter than the current standards. In essence, the youth sports organization would be required to conduct the background checks according to the City's standards. She knows of people who coach both Little League and soccer.

Mr. Luna said that when the policy is set, consideration must be given to whether or not it applies to more than one sports organization. If someone passes the background check for Little League, the City could keep a record of it and if someone coaches another sport in the same year, they would not have to go through another background check.

Councilwoman Ator noted that a background check is only required every two years.

Mr. Luna responded that the standards are up for consideration; he prefers the one-year process.

Councilwoman Ator felt that it would not be fair to make each sports organization pay for their background checks. She asked if there could be an agreement for dividing the cost between the organizations and the City and it would make the process more efficient.

Mayor Garcia mentioned that the Little League has different standards than the soccer league because the accredited agency conducts their own background checks. He thought that it could be an issue if someone says that they already passed the check for one organization and does not want to comply with another organization's policy.

Councilwoman Ator reiterated that it seems the City's policy would be stricter than the other organizations.

Mr. Luna commented that the City would be using the same standards as the Florida Department of Children and Families. He is not trying to add anything that is more stringent. For example, the Florida Youth Soccer Association (FYSA) has their own background check policy and they will be told to use the City's standard policy and document it with a certified letter.

City Manager Borgmann referred to Mr. Luna's recommendation that the City should provide the youth sports programs with the same policy that is followed for the basketball league and other City youth programs. This would make a more uniformed policy and provide stability to the process for background checks and fingerprinting. The City currently follows the State Statute and it is recommended to establish the same policy in order to protect the children.

Councilwoman Ator asked why the City would make someone go through more than one background check if the City's policy is more stringent.

Mayor Garcia responded that the Little League is sanctioned and each local organization is required to screen every coach and parent based on their standards for insurance purposes.

Councilman Best concurred with Mayor Garcia explaining that any Little League organization in the United States must follow a set policy.

Councilman Lob clarified that each sports organization requires a background check according to their regulations and it is paid for; it is not an option. He asked if the City sets a policy that is mandated if it would only apply to the home teams or any team that plays on the City's fields. Some organizations may not want the City to set more stringent standards for them.

City Manager Borgmann said that the City would only mandate the requirement for those teams who utilize the City's fields on a routine basis.

Councilman Best commented that traveling baseball teams are outside the mandate of Little League baseball.

Mr. Luna explained that most teams from other municipalities follow the same guidelines that are set by the youth soccer or football organizations.

Councilman Lob reiterated his concern about teams from other areas not agreeing to follow the City's guidelines if they are more stringent than the individual league guidelines.

Mr. Luna learned from a Risk Manager for Little League of America that they conduct background checks on the parents and coaches for anything they might have done to a minor under the age of eighteen. They do not check for what they might have done to someone over the age of eighteen because that is up to the local city to conduct the additional check.

To answer the Mayor's question, Mr. Luna clarified that the requirements for background checks and fingerprinting are different; fingerprinting is required every five years and background checks every one or two years. He emphasized that the City must have a written policy that he can provide to the youth organizations requiring them to submit a list of the approved individuals.

Councilwoman Ator asked if the City would make the list available to each organization.

Mr. Luna agreed that he could prepare a database list of the approved individuals that could be sent to all the representatives of the various youth leagues.

Mayor Garcia asked the City Manager to provide him with a copy of the correspondence that he sent to the various sports leagues asking for the list of approved individuals.

Councilman Lob asked the City Manager to provide copies for the entire Council.

Mayor Garcia commented that the football league is currently in the playoffs and the City still does not have a list and basketball has just started.

Council decided to require the background checks on an annual basis, as recommended by Mr. Luna, and to implement a volunteer course teaching the parents and coaches the guidelines every two years.

Councilman Best moved to approve the background check policies and standards for youth sports organizations. Councilman Lob seconded the motion which was carried 5-0 on roll call vote.

10. New Business:

10A) Recommendations from the Education Advisory Board Regarding Partnering with the School System to Establish a STEM Academy and to Recognize Former Chair Mindy McNichols for Ten Years of Service

City Manager James R. Borgmann stated that the Education Advisory Board has recommended partnering with the Miami-Dade County Public School System to establish a Science, Technology, Engineering and Mathematics (STEM) Academy and to recognize former Chair Mindy McNichols for ten years of service to the Board.

City Manager Borgmann said that he is aware of STEM programs through the City's association with Captain Barrington Irving and his academy. This recommendation is different because it would be sponsored through the school system.

Councilman Best moved to approve the recommendations on both items. Councilwoman Ator seconded the motion.

City Attorney Seiden questioned what support the Board is asking for because without specific details, it might come back to Council again.

City Manager Borgmann was of the opinion that the Education Advisory Board is asking the City to step-up and support a STEM academy in the community and partner with the County in order to provide funding.

Councilwoman Ator clarified that the Education Advisory Board minutes indicated that they are not asking the City for funding.

Councilman Lob explained that the Board is asking for the City's support of the program.

Vice Mayor Espino agreed that the Education Advisory Board minutes indicated that funding is limited to the School Board.

City Attorney Seiden clarified that the motion to approve would be the establishment of policy of the Council and not any activity or action necessary on their part.

Councilwoman Ator stated that the residents of the community would like Council to support a STEM Academy at the High School and that does not seem like a policy.

Mayor Garcia said that Council would be supporting the STEM Academy without any financial support and encouraging the School Board to continue their support and funding. He explained that he received a draft letter of support to send to the School Board.

City Attorney Seiden clarified that Council would be establishing a policy.

City Manager Borgmann referred to the Education Advisory Board minutes. He noted that Ms. Méndez-Cartaya with Miami-Dade County Public Schools explained that as communities are becoming more demanding in regard to programming for their schools, this is a time of limited resources for the school district and the two parties have been negotiating program enhancements that the municipalities would compensate for. The cities may have bonding capacities that the school district does not have. He explained that it is clear that there are funding expectations that the municipalities might help support in that realm.

Councilwoman Ator reiterated that the Education Advisory Board minutes indicated that they are not asking Council to make any financial commitment.

Vice Mayor Espino commented that he is on the Board of Directors for Monsignor Edward Pace Senior High School and they are starting a STEM program within the confines of the current curriculum because it is costly to expand it to a full academy.

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

10B) Resolution No. 2011-3528 – A Resolution of the City Council of the City of Miami Springs Providing for the Fifth Amendment to the FY2010-2011 General Fund and Special Revenue and Capital Projects Fund Budgets; by Increasing General Fund Revenues from Undesignated Reserves to Cover Authorized and Approved General Fund Expenditures; By Increasing the Road and Transportation Fund of the Special Revenue and Capital Projects Budget to Account for Additional C.I.T.T. Funded Sidewalk and Road Repairs; Providing Intent; Specifying Compliance with Accepted Budgetary Processes and Procedures; Effective Date

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

Attorney Seiden stated that the total amount is \$220,159.00 and it will be the last budget amendment for Fiscal Year 2010-2011.

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

10C) Resolution No. 2011-3529 – A Resolution of the City Council of the City of Miami Springs Providing for the First Amendment to the FY2011-2012 General Fund and Special Revenue and Capital Projects Fund Budgets; By Re-Appropriating Reserved Fund Balances to Fund Open Encumbrances Through September 30, 2011; Effective Date

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

Attorney Seiden stated that this is the first amendment to the budget that is done every year.

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

10D) Notification and Discussion Regarding City Use of Social Networking (Facebook and Twitter)

City Manager James R. Borgmann stated that after extensive discussion the City is now using Twitter, but not Facebook since there are still some concerns about the two-way communication. There is a sentence included in every Tweet that states that feedback is not encouraged or published. The City is sending out messages to let everyone know about various events and activities, including Halloween, Veterans Day, Council meetings, etc.

To address Councilman Best's concern, City Manager Borgmann explained that the issue is related to two-way discussions and the ability to capture responses because that involves the public records law. The Twitter account only allows one-way communication through the "tweets".

Mayor Garcia commented that the information on Twitter is provided to those people who choose to follow Miami Springs.

Assistant City Manager Gorland clarified that the information on Twitter can be accessed without setting up an account.

City Attorney Seiden clarified that Facebook is constantly changing and the City cannot use it for a number of reasons because there is no way to control the information stream. The controls on Twitter are possible because the City can provide a list of all the followers and there are no responses.

Mayor Garcia explained that opening a Twitter account allows the option for sending messages to your cell phone instantly as soon as the information is posted.

10E) Recommended Code Revisions:

10E1) Street Number Display Requirements

City Manager James R. Borgmann stated that there are many issues of concern that are addressed on a daily basis that might not be clear in the Code of Ordinances.

Building and Code Compliance Supervisor Harold "Tex" Ziadie explained that street number display is a common code violation and the recommendation is to amend the code to provide for a minimum street number size of at least 3-inches and that the numbers be in a contrasting color from the mounting surface. He showed examples of street number displays that are hard to read and could become a life safety issue. The Code should also include language prohibiting bushes or hedges that obscure the numbers from the street.

Councilman Best noted that several years ago, a recommendation was made for the numbers to be displayed in the rear of the home so that emergency crews could access the homes through the alley. He commented that his home has numbers in the rear, but he does not know how many people have done the same thing.

Mr. Ziadie recalled that there was discussion about rear house numbers many years ago and it was never put into the Code. There are very few houses that have numbers in the rear, although many have the numbers on their automated garbage container.

Council directed the City Attorney to draft an ordinance requiring house numbers to be a minimum of 3-inches in size and of a contrasting color to the mounting surface, not blocked by vegetation.

Mr. Ziadie asked for direction on how to handle existing house numbers that are clearly visible, but may not be 3-inches in size.

Mayor Garcia suggested that there should be an informational process for the residents about the new regulation.

City Attorney Seiden suggested including a provision stating that the ordinance is not applicable to numbers that currently exist that are clearly visible from the street.

Assistant City Manager Gorland commented that if a certain size is required, there should be a provision to say that the numbers must be replaced within two years if they are not the required size; otherwise, the code cannot be enforced.

Councilman Lob suggested sending a letter to all households informing them of the minimum size requirements for house numbers.

Vice Mayor Espino was of the opinion that it is acceptable if numbers are clearly visible and no less than 2-inches. The issue is not about size; it is about visibility.

Chief of Police Peter G. Baan recommended that the numbers should be a minimum of 3-inches, based on his experience.

Mayor Garcia would like notification to the residents to mention that the minimum size for the house numbers is a recommendation from the City's Police Department in the interest of public safety. He added that some house numbers, regardless of size, cannot be seen at night without proper lighting.

10E2) Westward Drive Median Parking Regulation

Mr. Ziadie stated that currently the Code states that parking is allowed on Curtiss Parkway and Morningside Drive and that it is prohibited on other streets in the City, but does not specifically state Westward Drive. There is an ongoing problem with residents who live on Westward Drive and park their vehicles in the median. Code Compliance does not have the ability to ticket those vehicles, since they might not belong to the homeowner.

Mr. Ziadie explained that the Police Department cannot adequately enforce parking in the median unless "No Parking" signs are posted. He added that the intent of the City is not to install more signs, but to properly enforce the Code.

Mayor Garcia said that he does not understand the problem with parking on Westward Drive.

Vice Mayor Espino commented that people who live on Westward Drive may use the median for overflow parking when there is a party or if there is an event at Prince Field. There are only a few houses that egregiously use the median for their own parking on a regular basis and the question is how those cases should be addressed.

Councilwoman Ator suggested that the license plate numbers could be checked and warnings sent to those violators.

Mr. Ziadie responded that only the Police Department has the ability to check the license plates.

Councilwoman Ator explained that Code Compliance could make note of the license plate numbers and keep track of the violators.

Mr. Ziadie advised Council that the normal procedure for notifying residents who have vehicles parked on the Westward Drive median is that they are given a verbal notice of the violation, a case is created and the information is entered into the computer. He said that there are only two houses that Code Compliance has had to notify on a consistent basis.

City Attorney Seiden commented that this particular section of the Code is poorly written. It states that *“any other use of any part of such parkways or the use of parkways in any other manner, and any such use as is hereby allowed on Curtiss Parkway and Morningside Drive on the parkways of any other street in the City is prohibited.”*

Chief of Police Baan recalled that years ago there were complaints from apartment buildings about patrons to the local bars parking in the apartment complexes. The apartments applied stickers to the windows of the cars notifying the owners that their cars would be towed if they parked there again and it worked very well.

Councilwoman Ator stated that the stickers are hard to remove and it would only make people angry.

Mr. Ziadie advised Council that the Code Compliance Officers are lenient with people who are having a party, a garage sale or if there is a function at the Recreation Center.

The City Attorney said that Council must decide first if they want to enforce no parking in the median on Westward Drive or not. If they do, the discussion already indicates that there will be a number of exceptions for special events. He offered to change the ordinance to specifically prohibit parking on Westward Drive, and include a provision for special events, with a temporary card to be placed on the cars of the egregious violators.

Mayor Garcia reiterated that there are only two houses on Westward Drive that park cars in the median all the time and those residents who only park there for a limited amount of time would not be allowed if the Code is changed.

The City Attorney suggested placing “No Parking” signs in the specific areas of concern.

Mayor Garcia referred to the problem with people parking in the swales where signs were placed in specific areas.

City Attorney Seiden said that he would draft a better ordinance that gives the City the right to allow parking with special permits; if cars are parked inappropriately Code Compliance will provide a notice and the City reserves the right to install signs in specific areas of increased enforcement.

Mr. Ziadie noted that warnings are not given to the mail carrier and lawn companies that park on Westward Drive.

Chief Baan mentioned that in order to enforce signs under the County's prohibited parking ordinance the signs must be placed by the County. If the City installs the signs they can only be enforced by the municipal ordinance and prosecution would be costly.

City Attorney Seiden will draft an ordinance with exceptions during the day for mail carriers, lawn services, etc.

Council **directed** the City Attorney to draft an ordinance that reserves the City the right to allow parking on Westward Drive with special permits and exceptions for service vehicles; if cars are parked inappropriately Code Compliance will provide a notice and the City reserves the right to install signs in specific areas of increased enforcement.

11. Other Business:

11A) Scheduling of Board of Appeals Meeting to Hear Appeal of Board of Adjustment Case No. 19-V-11

Council **scheduled** the Board of Appeals meeting for Monday, November 14, 2011 at 7 p.m.

11B) Consideration of Scheduling a Workshop Meeting to Discuss Additional Code Revisions (Commercial Vehicles, Canopies and Sheds, Reverse Frontage, etc.)

City Attorney Seiden referred to a list of code items that will require major discussion that should be addressed during a Workshop meeting.

Discussion ensued regarding available dates for scheduling a Workshop meeting.

Council agreed to set a date at the next Council meeting.

11C) Vote of Confidence for the City Manager as Required by Section 4.02 (2) of the City Charter

Mayor Garcia stated that a vote of confidence for the City Manager is required by Section 4.02 (2) of the City Charter.

Mayor Garcia wondered if a vote is necessary since Mr. Borgmann only has a couple of more meetings before he retires.

Councilman Best moved to give a vote of confidence to the City Manager. Councilman Lob seconded the motion which was carried 4-1 on roll call vote with Vice Mayor Espino casting the dissenting vote.

Councilwoman Ator believed that Council is required to take this action at the first meeting in October, and this is the second meeting. In the future, she would like to follow the Code provision.

Mayor Garcia would like Council to have an evaluation form to follow in the future.

12. Reports & Recommendations:

12A) City Attorney

Commission on Ethics

City Attorney Seiden reported that he and CMI President Jo Ellen Morgan Phillips will be attending a meeting tomorrow with the Commission on Ethics in regard to an opinion he requested.

12B) City Manager

FDOT Meeting

City Manager Borgmann informed Council that the Florida Department of Transportation (FDOT) is asking to schedule individual meetings with the Mayor and Council members in regard to the rebuilding of the N. W. 36th Street Bridge on Friday, October 28th. He recommended to the person that FDOT should attend an upcoming Council meeting to make a presentation and to receive Council's comments. The person responded that she would check with her superior and call him back.

City Manager Borgmann said that he would let the person know of Council's availability on Friday, if FDOT does not agree to attend a Council meeting.

Councilwoman Ator responded that she is not available on Friday.

Halloween

City Manager Borgmann announced that the Halloween celebration will be held on Saturday, October 29th from 6:00 to 10:00 p.m.

Veterans Day

City Manager Borgmann reminded everyone of the Veterans Day celebration at 10:45 a.m. on Friday, November 11th at the War Memorial on Curtiss Parkway.

Hurricane Rina

City Manager Borgmann is watching Hurricane Rina that could make an impact on South Florida as early as Saturday, October 29th.

November Meetings

City Manager Borgmann noted that the November meetings are scheduled for November 14th and November 28th which is the Monday after Thanksgiving. He asked Council if they had any special plans for the holiday because City Staff sometimes goes out of town that week and it makes it difficult to prepare for the second meeting. He asked Council if they wanted to re-schedule the second meeting.

Councilwoman Ator commented that other days are available the last week in November.

Mayor Garcia asked the City Manager to let Council know the dates that are available.

Special Events Schedule

City Manager Borgmann reported that Council receives the Special Events schedule every Friday to keep them up to date on what is happening. All groups are encouraged to call the City Manager or Public Information Specialist Carol Foster to report their events.

Elevator Repair

City Manager Borgmann confirmed that the elevator in City Hall will be going out of service on Wednesday, October 26th. The Human Resources Director will move to the Finance Department and there will be a table in the lobby for the Building Department to meet with people downstairs.

Vaccine Drive

City Manager Borgmann announced that Commissioner Sosa's annual vaccine drive will be held at the Community Center on November 10th from 9:00 a.m. to 11:00 a.m.

Strategic Planning

City Manager Borgmann reported that two additional strategic planning sessions will be held at 7:00 p.m. on Tuesday, November 15th for the residents and at 6:00 p.m. on Wednesday, November 16th for the businesses.

12C) City Council

Strategic Planning

Councilman Lob stated that he had received numerous requests for holding a strategic planning session for businesses on a Sunday when businesses are not open.

City Manager Borgmann will contact Session Facilitator Bill Busutil in regard to Councilman Lob's request.

Assistant City Manager Gorland commented that the strategic planning meeting notices were published in the River Cities Gazette and there was a disappointing turnout by the business community.

City Manager Borgmann announced that the River Cities Gazette will publish a notice in the issue that goes out to all the residents this week. Perhaps the 6:00 p.m. meeting for the businesses could be changed to 7:00 p.m.

Councilman Lob suggested a third meeting on a Sunday for one hour to accommodate the business owners that expressed an interest.

Strategic Planning

Councilwoman Ator commented that every business owner received a flyer about the strategic planning meetings, but no one really understood what the process involved.

Community Calendar

Councilwoman Ator said that she receives the Community Calendar and is not sure where to find the events on the City website. She would like to create a calendar on the website where someone can click on an event and save it on an i-calendar.

Turkey Trot

Councilwoman Ator reminded everyone of the Annual Turkey Trot.

Halloween

Councilwoman Ator wished everyone a nice Halloween.

Community Summit

Vice Mayor Espino offered to provide the minutes from his Community Summit.

Bark for Life

Vice Mayor Espino reported that the first "Bark for Life" was held on Saturday, October 22nd and three pets were adopted. The event also raised funds for cancer and many people signed up for participation in the Relay for Life.

Junior Orange Bowl Pageant

Vice Mayor Espino announced that his wife was one of the judges for the Junior Orange Bowl Pageant and the City will be hosting the finals next year at the Community Center.

Senior Report

Vice Mayor Espino is looking forward to giving the Senior report on Wednesday, October 26th.

Blessed Trinity Festival

Vice Mayor Espino reported that the Blessed Trinity Festival will be held on Thursday, November 3rd through Sunday, November 6th.

Elected Official of the Year

Vice Mayor Espino announced that the South Florida Hispanic Chamber of Commerce selected him to be the recipient of the 2011 Elected Official of the Year award. He will be recognized on Thursday, November 3rd at the Biltmore Hotel.

Halloween

Vice Mayor Espino wished everyone a Happy Halloween.

Halloween

Councilman Best reminded everyone to drive safely on Halloween night because many kids will be out on the street.

Crime Watch Program

Mayor Garcia spoke with Chief Baan about invigorating the Neighborhood Crime Watch Program since many people have expressed an interest in becoming active in the program. He asked if information could be circulated through Twitter or some other means in order for the residents to receive updates and crime reports.

Filming

Mayor Garcia reported that a filming of a mini-series was done on Melrose Drive that will appear on the Starz Network and information is posted on www.vf.com

Halloween

Mayor Garcia urged everyone to be safe on Halloween.

Parking

Mayor Garcia asked the City Manager to follow up on the two-hour parking at the shopping center next to the Hurricane Bar & Grill.

Victory Garden

Mayor Garcia attended the ground breaking of the All Angels' Victory Garden that teaches kids about history.

Christmas Event

Mayor Garcia announced that the Recreation Department Staff is working diligently on bringing snow to the Circle for the Christmas Event. He thanked them for their help to make this possible and looks forward to a very successful event.

Veterans Day

Councilwoman Ator said that her son Avery offered to sing the Marine Corp. hymn on Veterans Day.

Breast Cancer

Mayor Garcia announced that this is Breast Cancer Awareness month and to keep all breast cancer survivors in our thoughts and prayers.

13. Adjourn.

There being no further business to be discussed the meeting was adjourned at 9:48 p.m.

Zavier M. Garcia
Mayor

ATTEST:

Magali Valls, CMC
City Clerk

Approved during meeting of: ____

Transcription assistance provided by Suzanne S. Hitaffer.

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



City of Miami Springs
Ecology Board
Cancellation Notice

The Ecology Board Meeting of Tuesday, October 25, 2011 has been canceled in advance.

Allene M. Paz
Secretary to the Board

cc: Mayor and Council
City Manager
Assistant City Manager
City Attorney
Ecology Board Members
Post



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, October 27, 2011 has been canceled in advance.

A handwritten signature in cursive script, reading "Magali Valls".

Magali Valls, CMC
City Clerk

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



DRAFT

CITY OF MIAMI SPRINGS, FLORIDA

The regular meeting of the **Miami Springs Code Enforcement Board** was held on **Tuesday, November 1, 2011** at 7:01 p.m. in the Rebeca Sosa Theater at the City Community Center, 1401 Westward Drive.

1) Call to Order/Roll Call

The meeting was called to order at 7:01 p.m. by Chairman Marlene B. Jimenez.

Present: Chairman Marlene B. Jimenez
Vice-Chairman Raul Saenz
Jacqueline Martinez-Regueira
John Bankston
Rhonda Calvert
Walter Dworak
Robert Williams

Also Present: Code Compliance Officer Harold (Tex) Ziadie
Code Compliance Officer Lourdes Taveras
Council Liaison-Councilwoman Jennifer Ator

2) Invocation/Salute to the Flag

All present participated.

3) Approval of Minutes:

Minutes of the October 4, 2011 meeting were **approved as written**.

Vice-Chairman Raul Saenz moved to approve the minutes of October 4, 2011. Member **John Bankston** seconded the motion, which was passed unanimously by acclamation, all members voting "aye".

Tex Ziadie administered the oath to all who were present to give testimony.

4) OLD BUSINESS- CASES

- 1) Case# 08-2178
Address: 240 Lenape Drive
Owner: Domingo Santana and Milagros Solis
Violation: Section 151-04 Work Without a Permit

Mr. Santana and Ms Solis were not present. Tex Ziadie asked that this case be heard last, to give them time to appear. After the cases below were heard and acted on, this case was decided as follows:

Vice-Chairman Raul Saenz made a motion that if this case does not come into compliance by January 1, 2012, then a fine of \$50 per day shall begin at that time. Member Rhonda Calvert seconded the motion. There was discussion as to how long this case had gone on and how many extensions had been granted. The roll was then called and the motion passed by a vote of Four to Three with Members Jacqueline Martinez Regueira, Robert Williams and Chairman Marlene Jimenez voting "nay."

5) NEW BUSINESS-CASES

- 1) Case# 07-997, 07-480 & 07-1534
Address: 489 Lafayette Drive
Owner: Deutsche Bank National Trust Company
Violation: Request for Reduction of Fine

Code Compliance Officer Lourdes Taveras summarized the prior actions of the Board in this case as follows:

At the Aug. 22, 2007 Board meeting, the following motion was made:

Vice-Chairman Raul Saenz made a motion to uphold the action of the Code Compliance Officer in both of the above cases, 07-480 and 07-997, and to issue liens against the property in the amount of \$100 per day for each case, said fine to begin on the date of the tickets being issued. Therefore, the fine in case 07-480 would be \$100 per day starting on March 1, 2007 and the fine in case 07-997 would be \$100 per day starting on March 26, 2007. The motion was seconded by member Rhonda Calvert and it passed unanimously on roll call vote.

The following month in a case of the grass being too high (07-1534) the Code Enforcement Board took the following action:

Member Walter Dworak made a motion to uphold the action of the Code Compliance Officer in the above case and to issue a lien against the property in the amount of \$100 per day starting on the date that the ticket was issued, July 13, 2007. The motion was seconded by member John Bankston and it passed unanimously on roll call vote.

On June 17, 2011 the structure was completely demolished, therefore bringing the property into compliance. The total fees for each case are as follows:

Case #07-480 WWP 1,569 days at \$100 per day is \$156,900

Case #07-997 WWP 1,544 days at \$100 per day is \$154,400

Case#07-1534 GW 71 days at \$100 per day is \$7,100

Total owed to the City is \$318,400.00

On August 29, 2011, the current property owners (Deutsche Bank National Trust Company) applied for a hearing to request a reduction of fine.

The City estimates its expenses in this case to be approximately \$1,000.

Debbie Satell of 700 South Palmetto Park Road, Boca Raton, Florida, from Aldridge Connors, LLP, representing Deutsche Bank National Trust Company then spoke as follows:

Ms Satell stated that the Bank had come into possession of the property in January of this year. She summarized their actions since then, regarding getting the property into compliance as soon as they could. She stated that there had been some delay due to problems with the Building Permit for Demolition, but the Bank had solved them as quickly as they could, accomplishing the demolition by June of this year. The Bank was asking that the fine be reduced to no more than \$10,000.

There was brief discussion among the members.

Vice-Chairman Raul Saenz made a motion that the fine be reduced to \$5,000, plus the City's costs of \$1,000, for a total of \$6,000. Member Walter Dworak seconded the motion and after brief discussion it passed unanimously on roll call vote.

2) Case# 08-998
Address: 914 Ibis Avenue
Owner: Fabian Maldonado and Sandra Vitteri
Violation: 151-04 Work Without a Permit

Tex Ziadie reported that this case had been removed from the docket as the property owners had submitted plans this week and they are pending review by our Structural Engineer tomorrow.

3) Case# 08-1247
Address: 851 Bluebird Avenue
Owner: Joseph M. Corey
Violation: Request for Reduction of Fine

Code Compliance Officer Lourdes Taveras summarized the prior actions of the Board in this case as follows:

At the June 4, 2009 Board meeting the following motion was made:

Board member Walter Dworak made a motion that a lien be placed on the property in the amount of \$50 per day, starting on June 4, 2009 until the location is brought completely into compliance. The motion was seconded by Rhonda Calvert and it passed unanimously on roll call vote.

On October 7, 2011 an inspection of the property was performed, the alterations in the garage area and in the house were removed. The bathrooms and interior walls were demolished. The new property owner Joseph M. Corey, submitted an Escrow Agreement with the City to complete the work to code within 60 days from the closing date.

On October 19, 2011, Mister Joseph Corey applied for a hearing to request a reduction of fine.

Between June 4, 2009 and Oct. 7, 2011 there were 855 days; total amount due to the City is \$42,750.00.

The City estimates its expenses in this case to be approximately \$1,250.

Mister Joseph Corey of 510 Hunting Lodge Drive stated the following:

He had purchased the house as a wedding present for his son. They did not come into possession until October 19, 2011. Through some extraordinary efforts, they managed to close and put escrow money down with the City in just a few days. He commended the City for their rapid response to his need. Since then they have cleaned and restored the pool, cleaned the roof, applied for permits for a fence and they have plans for new windows and other improvements to the property. He was asking that the fine be waived.

There was brief discussion by the Board.

Vice-Chairman Raul Saenz made a motion that the fine in this case be reduced to \$1,500. The motion was seconded by Member Jacqueline Martinez Regueira and it passed unanimously on roll call vote.

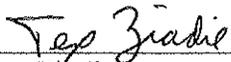
6) **Council Liaison Report and Request**

Councilwoman Ator was present. She thanked the Board again for their service and said that the City was still moving forward with improving Code Compliance. Tex Ziadie stated that he had not been so encouraged about Code Compliance in the City for many years and he felt that the Council was truly standing behind the Department. He gave some details about the current sweeps for Maintenance of Property and roof cleaning. Councilwoman Ator detailed some issues that had been raised by residents. Vice-Chairman Raul Saenz expressed some concern about the tree Ordinance. There was discussion about how the Ordinance came about and the benefits of being a Tree City USA. Several members made positive comments about that.

7) **Adjournment**

There being no further business the meeting was duly adjourned at 8:01 p.m.

Respectfully Submitted:



Tex Ziadie
Code Compliance Officer
Supervisor-Building Department
Acting as Clerk of the Board

Approved as written during meeting of:

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



City of Miami Springs, Florida

Architectural Review Board

CANCELLATION NOTICE

The Architectural Review Board meeting of November 2, 2011 has been canceled in advance.

A handwritten signature in cursive script, reading "Flora R. Sakal".

Flora R. Sakal
Clerk of the Board

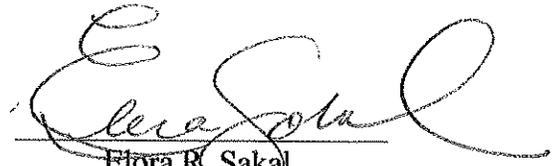
cc: City Council
City Manager
Assistant City Manager
City Attorney
City Clerk
City Planner
Architectural Review Board Members
Post



Zoning and Planning Board

Cancellation Notice

The Zoning and Planning Board meeting of Monday, November 7, 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



City of Miami Springs, Florida

Recreation Commission

CANCELLATION NOTICE

The Recreation Commission meeting scheduled for Tuesday, November 8, 2011 has been canceled in advance.

A handwritten signature in black ink, appearing to read "Elora R. Sakal", is written over a horizontal line. The signature is stylized and cursive.

Elora R. Sakal
Clerk of the Board

cc: City Council
City Manager
Assistant City Manager
City Clerk
City Attorney
Recreation Commission Members
Post

DRAFT



CITY OF MIAMI SPRINGS, FLORIDA

The **Golf and Country Club Advisory Board** met in Regular Session at 7:00 p.m., on Wednesday, November 9, 2011 in the Rebeca Sosa Theatre at the Community Center.

1) Call to Order/Roll Call

The meeting was called to order at: 7:12 p.m.

The following were present:

Chairman George Heider
Ken Amendola
Michael Domínguez
Mark A. Trowbridge * Arrived at 7:14 p.m.

Absent: Mark Safreed

Also present: Golf Superintendent Sandy Pell
Board Secretary Elora Sakal

2) Approval of Minutes

Minutes of the October 12, 2011 meeting were approved as amended.

Board member Amendola moved to approve the minutes. Board member Dominguez seconded the motion which was carried 3-0 on roll call. (Board member Trowbridge abstained as he was not in attendance at that meeting).

3) Old Business

a) Appointing of new Vice Chair

This item was tabled until there was a full board.

b) Surveys

This item was tabled until there was a full board.

Chairman Heider welcomed the new board member Mark A. Trowbridge to the Golf Advisory Board and each member introduced themselves.

Chairman Heider explained to Board member Trowbridge that the board is attempting to put together a survey of questions that would be distributed to either the golfers or the members of the golf course.

Board member Trowbridge asked Chairman Heider if in terms of surveying if they would also be looking to survey some of the groups that host tournaments and events that are held at the golf course.

Chairman Heider responded that he would like to put the surveys on the golf website. He stated that he would like to distribute the surveys to the members who play at the golf course frequently.

c) Marketing

Golf Superintendent Sandy Pell said that the golf course is going to be in the visitor's bureau and travel planners and guides in all the hotel rooms. The golf course will also be on a new video board located at the concierge's desk with a banner ad in sixty hotels. She noted that there is also going to be a banner on the visitor's bureau's webpage.

Superintendent Pell distributed an example of a small French/Canadian guide that the French/Canadian residents can have at no charge. The golf course is advertising on a monthly basis two times a month in the French/Canadian newspaper. She commented that the golf course has joined the South Florida Canadian Golf Pass through Johnny Laponzina's who is also in charge of the Premier Card.

Golf Superintendent Pell explained that Golf Director Mike Aldridge is running three Saturday ads in the sports section of the Miami Herald. There are also going to be ads in the Gazette. She said that they joined the Latin American Businessman's Association and will be doing a banner ad.

Superintendent Pell mentioned that they have created new rack cards and have flyers in both French and Spanish. The IT Department is looking into the possibility of an e-mail blast with the 1,200 e-mail addresses they have accumulated from the Living Social and Groupon deals that they have previously sold.

Chairman Heider asked if the e-mails have been in house and Superintendent Pell replied that they have been in house and they are going to place the ads and e-mail them.

Chairman Heider asked what their budget number was and Superintendent Pell responded that their total annual advertising budget was \$34,500.

Chairman Heider asked if Golf Director Aldridge is receiving the zip codes of where customers are coming from and Superintendent Pell replied that she believes he is pursuing by entering it into the computer as they sign in.

Board member Amendola commented that it sounds like the golf course is being very proactive.

Superintendent Pell said that she has been helping Golf Director Aldridge a lot in order to head the golf course in the right direction.

Board member Amendola questioned if Canadians have been going to the golf course and Superintendent Pell said that there were four Canadian golfers at the course today and two of them were first time guests and became members.

Superintendent Pell advised the board that they will soon have new signs welcoming guests and advising them of the rules of the golf course. There will also be new paint lines replacing the ropes that mark off the greens because the paint lines look a lot nicer than ropes.

Board member Amendola explained that sunflower seeds are being eaten and the shells are being spit out and it can affect the ball. He suggested possibly putting it in the rules somehow so guests are aware.

4) New Business:

a) Financial Reports FY2010-2011

This item was tabled until there is a full board.

Chairman Heider commended Sandy Pell for adhering to the budget on the maintenance side of it and Superintendent Pell thanked him.

b) John Foy Report

Board member Amendola stated that he noticed Mr. Foy mentioned doing greens with the deep tine and then filling it with the 80/20 mixture because he seems to think that will have a very positive affect. He asked Superintendent Pell if she had any plans on doing that.

Superintendent Pell replied that they have done that in the past. It is generally done in the summer although it was not done this summer, but she does plan on using that mixture.

Chairman Heider asked what was happening to the sod in the picture on page four of the hand out that was distributed by Superintendent Pell.

Superintendent Pell said that it is a green profile and Mr. Foy explains himself in the description given on that page of the report. She noted that Mr. Foy is basically talking about pencil-tining which she does quite often at the golf course since she has her own machine with pencil-tines.

Board member Amendola asked Superintendent Pell if she has to bring in a machine when she does the deep core and Superintendent Pell replied that she has a gentleman that does it.

Chairman Heider asked if the irrigation system was functioning properly and Golf Superintendent Pell replied that is functioning fine.

Chairman Heider commented that overall Mr. Foy gave a good report and he was happy with the condition of the golf course.

Board member Amendola noted that Mr. Foy is finding the decrease in revenues in just about every golf course that he visits and that the Miami Springs golf course is not the only one having difficult times.

Superintendent Pell said that the golf course is in much better shape than some of the other golf courses that Mr. Foy has been to. She noted that they do have to work harder because money is scarce and residents are spending less on leisure activities.

Chairman Heider commented that the golf course has found some ways to generate more revenue such as the four o'clock special that generated over \$40,000 worth of revenue in a three month span.

Board member Amendola asked Superintendent Pell if the four o'clock special had been moved to three o'clock due to the time change.

Superintendent Pell replied that it has been changed as of today.

Board member Dominguez asked if the new golf course budget was adequate with regards to the cutting of the fertilizer.

Superintendent Pell noted that the new budget is adequate for the leveled maintenance that they are utilizing. Since the grass on the golf course is old grass between 60 to 70 years old, it needs to be maintained and fertilized more. She said that it was going to take another year or so to get caught up but they are able to make due with what they have.

Chairman Heider asked if Superintendent Pell will start to cut back on cutting the grass since the grass does not grow as fast during the winter time.

Superintendent Pell responded that they do cut back on cutting the grass. In the winter the grass will be mowed a maximum of once a week if that.

Chairman Heider asked if there was any consideration of putting the rye grass around the fringes of the greens and Superintendent Pell said that she would not suggest doing that because it will integrate into the green.

Board member Dominguez asked Superintendent Pell how she sees the course recovering.

Superintendent Pell stated that the course is recovering nicely now. She noted that she could not project how slowly that recovery was going to be based upon the age of the grass, but it was going much slower than she expected.

Board member Dominguez asked Superintendent Pell if she expects this growing season to affect the course as much as last season and Superintendent Pell responded that it should not effect them as much.

Board member Dominguez commended Superintendent Pell and Golf Director Aldridge for their effort and hard work given the circumstances of the economy. He expressed his concern about an ad in the Miami Herald regarding the decrease in home values in Miami Springs and being the highest in the State of Florida that is being hurt with the prices. He noted that he believes that Golf Director Aldridge and Superintendent Pell are doing a good job of maintaining the golf course and working hard to keep it in business.

Superintendent Pell commented that it is important to have a marketable product.

5) Other Business

Chairman Heider said that if there are no pressing issues to be discussed, the next meeting can be held on January 11, 2012.

6) Adjournment

Board member Amendola moved to adjourn. Board member Trowbridge seconded, which was carried 4-0 on a voice vote.

There was no further business to be discussed and the meeting was adjourned at 7:43p.m.

Respectfully Submitted,

Elora Sakal
Clerk of the Board

Approved as _____ during meeting of: _____

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

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

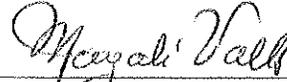


City of Miami Springs, Florida

BOARD OF PARKS AND PARKWAYS

CANCELLATION NOTICE

The Board of Parks and Parkways Meeting of Thursday, November 10, 2011 has been canceled in advance.



Magali Valls, CMC
City Clerk

cc: Mayor and Council
City Manager
Assistant City Manager
Board of Parks and Parkways Members
Board Secretary
Post

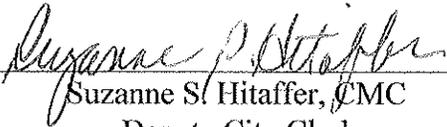


City of Miami Springs, Florida

Education Advisory Board

RESCHEDULING NOTICE

The Education Advisory Board Meeting of Tuesday, November 15, 2011 has been rescheduled to Wednesday, November 16, 2011 at 6:30 p.m. and will be held in the Rebeca Sosa Theatre at the Community Center.



Suzanne S. Hitaffer, CMC
Deputy City Clerk

cc: City Council
City Manager
Assistant City Manager
City Attorney
Deputy City Clerk
Education Advisory Board Members
Post



City of Miami Springs, Florida

CANCELLATION NOTICE

The Revitalization and Redevelopment Ad-Hoc Committee Meeting of Monday, November 21, 2011 has been canceled in advance.


Suzanne S. Hitaffer
Secretary to the Board

cc: Mayor and Council
City Manager
City Attorney
City Clerk
Post



CITY OF MIAMI SPRINGS, FLORIDA

The **Board of Adjustment** met in Regular Session at 7:00 p.m., on November 7, 2011 in the Rebeca Sosa Theatre at the Community Center.

1) Call to Order/Roll Call

The meeting was called to order at 7:13 p.m.

The following were present:

Chairman Manuel Pérez-Vichot
Ernie Aloma
Kevin Berounsky
Ariana Fajardo
Alternate Bill Tallman * Arrived at 7:16 p.m.

Absent: Vice Chairman Francisco Fernández

Also present: City Attorney Jan K. Seiden
City Planner James H. Holland
Board Secretary Elora R. Sakal
Deputy City Clerk Suzanne Hitaffer

2) Approval of Minutes: October 3, 2011

Approval of the minutes for October 3, 2011 was **tabled**.

3) Old Business:

**A) Case # 20-V-11
Olga Lawson
295 Nahkoda Drive
Zoning: Single Family Residential
Lot Size: 118.000 x 120**

Applicant is seeking a variance from Code Section 150-017 Recreational Vehicles (B) *Parking and Storage*: To store a boat in the side yard of their property.

City Planner Holland said that there were two boats parked in the side yard, and one was removed in order to be able to request a variance for the remaining boat. He stated that there is a blue canvas top and framework that can be seen from the street. There were two alternatives that the applicants could choose from.

City Planner Holland explained that there is a vehicle parked behind the boat and perhaps the two could trade positions to move the boat farther back on the lot.

*Bill Tallman arrived at this time.

Applicant Olga Lawson commented that if she moved the boat back, it would be blocking the access into the side yard from the side gate.

Chairman Pérez-Vichot asked if the applicant was able to remove the blue canvas top and Ms. Lawson replied that she is able to remove the canvas top.

City Planner Holland stated that there were no courtesy letter responses.

Board member Fajardo moved the approval of the requested variance with the caveat that the bimini top continues to remain down while it is parked in its current location. Board member Berounsky seconded the motion which was carried unanimously on voice vote.

City Attorney Seiden explained to the applicant that this Board only makes recommendations to Council who will review the minutes at their regular meeting on Monday, November 14, 2011, but they will not discuss the case. He reminded the applicant of the ten-day appeal period and advised them to stay in touch the City Planner after the appeal period to see if any appeals have been filed.

**B) Case # 25-V-11
Eugenio Lugo and Kathy Harris
230 Albatross Street
Zoning: R-1C Single Family Residential
Lot Size: 75 ft. x 127 ft.**

Applicants are seeking a variance from Code Section 150-017 Recreational vehicles (B) *Parking and storage*: To store a boat in the side yard of their property.

City Planner Holland explained that the boat is parked on north side of the residence and is not visible from the street. The recommendation for this case was denial as there is space in the rear yard to park the boat and would entail the construction of a gate off of the alley.

Chairman Pérez-Vichot asked if there was any correspondence and City Planner Holland replied that none was received.

Applicant Kathy Harris commented that a driveway was built for the boat 17 years ago and has been in that location for 17 years. She stated that the part of the driveway that faces north faces a ten unit efficiency which has two bathroom windows and a four foot window. She noted that she has twelve trees alongside of the boat and feels that she has adequately obscured the view.

Board member Aloma recommended that the applicants change the color of the tarp to brown or green so that it will blend in more.

Chairman Pérez-Vichot asked if they were able to put the boat in the rear yard.

Ms. Harris explained that it is a small back yard and there is no opening in the fence and it would require another slab for the boat. She also noted that the narrow alley makes it difficult to maneuver.

Board member Tallman asked the applicant to clarify if the boat can be pushed back farther and the applicant replied that it cannot.

Board member Fajardo said that applicants must comply with the code if a boat can be parked in the back yard. The question is whether or not the applicants can place the boat in the back yard.

Ms. Harris replied that she cannot push it back any farther due to a chain link fence that is behind the boat and a porch that sticks out.

Chairman Pérez-Vichot stated that the survey is not correct as it does not show landscaping.

City Attorney Seiden explained to the applicants that they must maintain the bamboo screening that is in front of the boat.

Board member Fajardo recommended approval based on the fact that the boat cannot be placed in the back yard and there is no other garage space for it. Board member Aloma seconded the motion which was carried 5-0 on voice vote.

City Attorney Seiden explained to the applicants that this Board only makes recommendations to Council who will review the minutes at their regular meeting on Monday, November 14, 2011, but they will not discuss the case. He reminded the applicants of the ten-day appeal period and advised them to stay in touch the City Planner after the appeal period to see if any appeals have been filed.

C) **Case # 26-V-11**
Juan and Dawn Hoyos
85 Glendale Drive
Zoning: R-1C Single Family Residential
Lot Size: 100 ft. x 108 ft.

Applicants are seeking a variance from Code Section 150-017 Recreational vehicles (B) *Parking and storage*: To store a boat in the side yard of their property.

City Planner Holland explained that the boat cannot be placed in the back yard, however, it is highly visible from the street and he has no objection to granting the variance provided that it is screened from public view.

Chairman Pérez-Vichot asked if there was any correspondence and City Planner Holland replied that there was no correspondence.

Board member Berounsky questioned if the canopy top can be taken down and Mr. Hoyos replied that it cannot be taken down but he would be willing to put plants or a fence as it was recommended.

Board member Aloma commented that the applicant could plant something parallel to Glendale Drive so that most of the boat is concealed and it is still able to be taken in and out of that area.

Chairman Pérez-Vichot stated that since it cannot be placed in the back and the only place for the boat is on the side yard, proper screening must remain on the side yard and never encroach on the front.

City Planner Holland suggested that the applicants plant palms to block the view of the boat.

City Attorney Seiden commented that if the board would consider it, the board could grant the variance, subject to screening and it would be approved by the City Planner and the applicant would bring in a plan for approval.

Board member Berounsky moved to approve the variance with the recommendation that the applicant provides adequate screening and gets approval from the City Planner. Board member Aloma seconded the motion which was carried unanimously on voice vote.

City Attorney Seiden explained to the applicant that this Board only makes recommendations to Council who will review the minutes at their regular meeting on Monday, November 14, 2011, but they will not discuss the case. He reminded the applicant of the ten-day appeal period and advised them to stay in touch the City Planner after the appeal period to see if any appeals have been filed.

4) **New Business:**

- A) **Case # 27-V-11**
Manuel and Gloria Cordoves
280 Navajo Street
Zoning: R-1C, Single-Family Residential
Lot size: 60 ft. x 135 ft.

Applicants are requesting a variance from Code Section 150-017 Recreational vehicles (B) *Parking and storage*: To store a boat in the side yard of their property.

City Planner Holland said that there was no correspondence for or against this variance. The boat is parked on a concrete slab in the side yard behind a wooden fence and is barely visible from the street. He recommends approval for this variance.

Chairman Pérez-Vichot noted that it cannot be placed in the rear yard and cannot be pushed back any farther because of the air conditioning unit.

Board member Berounsky moved to approve. Board member Aloma seconded the motion which was carried unanimously on voice vote.

City Attorney Seiden explained to the applicant that this Board only makes recommendations to Council who will review the minutes at their regular meeting on Monday, November 14, 2011, but they will not discuss the case. He reminded the applicant of the ten-day appeal period and advised them to stay in touch the City Planner after the appeal period to see if any appeals have been filed.

- B) **Case # 28-V-11**
Mavel Ruiz
670 Falcon Avenue
Zoning: R-1B, Single-Family Residential
Lot size: 10,125 ft.

Applicant is seeking a variance from Code Section 150-034 to permit the location of an air conditioning compressor in the side yard.

City Planner Holland mentioned that the code cited in the memorandum was incorrect. The proper code section is 150-034. He stated that the applicant is proposing a fairly significant addition to the residence on the east side of the property. He said that the crawl space that is presently in the rear yard will be eliminated because part of the addition will be in that area. There is no reason why the compressor cannot go in the rear yard of the new addition of the property.

Chairman Pérez-Vichot asked if there was any correspondence and City Planner Holland replied that there was no correspondence.

Applicant Mavel Ruiz said that she proposed to place the compressor in the same place but on the opposite side of the property because there will be a new garage and master bedroom.

Chairman Pérez-Vichot asked why the applicant cannot put the compressor in the back of the addition.

Ms. Ruiz explained that the plans already include a drawing for a pool and a new terrace.

Chairman Pérez-Vichot noted that the compressor could be placed on the south east corner of the new addition.

Ms. Ruiz commented that a pump and other pool mechanisms would be placed there and Chairman Pérez-Vichot said that everything could be put in that location.

Board member Aloma asked why the compressor needs to be moved if the existing location says green area and Ms. Ruiz replied that the crawl space that is located behind the compressor is currently not an open space but is going to be opened and made larger.

Board member Aloma asked if that was the only crawl space and Ms. Ruiz said that there are two crawl spaces.

Board member Aloma asked why the applicant cannot open the other crawl space.

Ms. Ruiz distributed photos of the crawl space vents.

Discussion ensued regarding crawl spaces.

Board member Fajardo mentioned that part of the reason behind this code is because of the noise and the neighbors. The impact of putting a five ton unit on the west side of the property is not going to affect anyone because there is a street there versus on the other side where it would be much closer to the neighbor's house.

Ms. Ruiz stated that their neighbors have a garage on the side where she would like to have the compressor.

Board member Aloma said that where the applicant has the unit is where it needs to stay if she does not want a problem as far as meeting the code. All the applicant would have to do is change her preference for the crawl window so that it would be converted to the other window.

Board member Fajardo advised the applicant that a decision does not have to be made tonight and she could return next month with her architect and discuss the crawl space issue.

Ms. Ruiz explained that she believes that the architect chose this certain location for the compressor because of all the electrical that is going to be in the garage. It does not matter to her whether it is on the west side or the rear.

City Attorney Seiden asked if the architect reviewed the city code and Ms. Ruiz replied that the architect told her that she would need a variance.

Board member Aloma moved to deny the variance. Board member Fajardo seconded the motion which was carried unanimously 5-0 on voice vote.

City Attorney Seiden explained to Ms. Ruiz that she has a right to appeal their decision. He advised Ms. Ruiz that if she decides to appeal she must do so within 10 days and speak with the City Planner and he will help her with whatever she needs. He stated that Ms. Ruiz's other alternatives are to redesign and leave the compressor on the west side of the property in some fashion that would be acceptable to her and her architect or to move it where it is required to be in the rear yard.

**C) Case # 29-V-11
Craig P. McDonald
4999 N.W. 36th Street
Zoning: N.W. 36th Street District
Lot size: 0.666 acres**

Applicant is seeking a variance from Code Section 150-164 for the redevelopment of an existing site located within the N.W. 36th Street Corridor and compliance with the N.W. 36th Street Design Guidelines in Section 150-164.

City Attorney Seiden advised the board that Council passed new district boundary regulations for the NW 36th Street District. He stated that this was the first case pursuant to the new ordinances that are really meant for new construction. He noted that there are a number of variances and what the board is being asked to review is to give McDonald's relief from these ordinances because of the fact that they are already an existing establishment.

City Planner Holland mentioned that there may be another case such as this one for the Pilot House. It is a similar situation although the Pilot House has been vacant for several years.

Chairman Pérez-Vichot said that he reviewed the variances and his fear, and as stated before by other board members, is that the board does not have the expertise to judge on some of the variances and is concerned with overstepping boundaries. He noted that Section L has three exceptions of compliance.

City Attorney Seiden commented that in his opinion this variance does not fall within the exemption provisions of Section L. One of the variances is to avoid the review process by the Architectural Review Board because in this particular case the board is dealing with a highly branded existing structure that is really only renovating based upon what they need to change in their branding.

City Attorney Seiden explained that one of the jobs that the board is going to determine is in granting relief, if they decide they want to grant relief, is that it would be a hardship or a burden to impose regulations that were really meant for new construction or renovations. This code is being opposed upon with a building that has existed for 30+ years.

Chairman Pérez-Vichot said that the Code section should be changed and it should not apply to those buildings.

City Attorney Seiden noted that maybe this case will serve as an impetus to provide another exemption.

Craig McDonald, President of Corporate Property Services, Inc. stated that McDonald's had been in that location for many years and cannot lose their corporate brand or image.

Board members viewed a PowerPoint presentation on laptop computers provided by the applicant.

Mr. McDonald explained that this is a renovation to the interior and exterior of the building and modification of the ADA spaces so they are compliant. Other changes that will be made to this building include, a new contemporary roof, wall signage, new entry, and eliminating the outdoor dining area.

Mr. McDonald commented that they cannot lose vehicular access to 36 Street. He stated that they are complying with the color palette, but are not able to comply with the architectural standards.

Board member Aloma asked why the McDonald's in Doral is different and why the McDonald's on 36th Street cannot reflect Miami Springs.

Roseangela Demello, from McDonald's Corporation, stated that the design in Doral is their prototype design and the only thing they did was include a different element on the façade which was the stone.

Peter Menendez, from Menendez Management, explained that the facade in the Doral building was not done in any way to comply with the City of Doral.

Board member Aloma commented that what he is trying to say is that there is a certain amount of freedom to change the image.

Chairman Pérez-Vichot stated that the board is getting into an area that is not their concern.

Mr. McDonald noted that if they were building from scratch they would be able to comply, but adding those elements to be able to comply would be cost prohibited.

Mr. McDonald stated that they are not able to provide pavers throughout the site because 18 wheeler trucks would destroy the pavers. With regards to symbolic color, McDonald's needs their national identity and trademark logo, signature roof element and signage element in order to provide the brand recognition.

Mr. McDonald mentioned that the code states that the NW 36th Street District goal is to provide successful commercial operations that will enhance the district in overall commercial revitalization and he believes that this project will certainly help the City achieve that goal.

Chairman Pérez-Vichot explained that there are three exceptions on the code. He noted that he does not see the board granting variances without providing an opportunity for any other business to come in and request relief from this code.

Board member Fajardo said that she respectfully disagreed. She mentioned that some of the variances that are being requested are not anything major and it is a business that is looking to improve its image.

City Attorney Seiden advised the board that when a code in its application to a particular property creates hardship or a problem, the board needs to attempt to provide an alternative so the City could get a revitalized building.

Discussion ensued regarding other businesses on 36th Street and the possibility of those businesses wanting to renovate as well.

Pedro Menendez, Franchisee of McDonald's, stated that what they are trying to do is improve the image of the store. He reiterated that this is not a new business and it is a business that has been there since 1974. He is asking that the board consider their request.

Board member Aloma moved to approve the variance as submitted. Board member Fajardo seconded the motion which carried 4-1 on roll call vote Chairman Pérez-Vichot casting the dissenting vote.

City Attorney Seiden explained to the applicant that this Board only makes recommendations to Council who may or may not review the minutes at their regular meeting on Monday, November 14, 2011, but they are welcomed to attend the meeting. Council may appeal the case themselves due to the nature of some of the things the Chairman has brought up. He reminded the applicant of the ten-day appeal period and advised them to stay in touch with the City Planner after the appeal period to see if any appeals have been filed.

5) **Other Business:** None

6) **Adjournment**

There was no further business to be discussed and the meeting was adjourned at 8:22 p.m.

Respectfully Submitted,

Elora R. Sakal
Board Secretary

Approved as _____ during meeting of: _____

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

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

**PLEASE
REMEMBER TO
BRING YOUR
BOARD OF
APPEALS PACKET
TO THE
COUNCIL MEETING!**

Important

The City of Miami Springs
 Summary of Monthly Attorney Invoice
 Orshan, Lithman, Seiden, Ramos, Hatton & Huesmann, LLLP

November 3, 2011 for October

<u>General Fund Departments</u>	<u>Cost</u>	<u>Hours</u>
Office of the City Clerk	1,713.15	12.69
Human Resources Department	148.50	1.10
Risk Management	418.50	3.10
Finance Department	621.00	4.60
Building, Zoning & Code Enforcement Department	1,964.25	14.55
Planning	675.00	5.00
Police Department	33.75	0.25
Public Works Department	81.00	0.60
Recreation Department		0.00
IT Department	108.00	0.80
Golf	67.50	0.50
General - Administrative Work	6,859.35	50.81
Sub-total - General Fund	<u>\$12,690.00</u>	<u>94.00</u>
<u>Special Revenue, Trust & Agency Funds</u>		
Golf Course Operations		0.00
L.E.T.F.		0.00
Due from Pension Funds		<u>0.00</u>
Sub-total - Special Funds	\$0.00	0.00
GRAND TOTAL: ALL FUNDS	\$12,690.00	94.00

Agenda Item No.

City Council Meeting of:

NOV 14, 2011

City of Miami Springs				
Attorney fees				
Month		October		
Period		1 2012		
			Debit	Credit
001 0601 514 3111				
001 0601 514 3101			12,690.00	
550 5950 519 3101				
560 5970 519 3101				
410 3301 533 3100				
420 3501 535 3100				
430 3401 534 3100				
001 5706 572 3100				
150 5010 519 3101				
610 0000 519 3101	PL0103			
650 2011 521 3101				
001 0000 131 7000				
001 0000 101 0100				12,690.00
550 0000 101 0100				
560 0000 101 0100				
410 0000 101 0100				0.00
420 0000 101 0100				0.00
430 3401 534 3100				
001 0000 101 0100				
150 0000 101 0100				
661 0000 101 0100				
650 0000 101 0100				
669 0000 518 3101			0.00	
669 0000 207 0100				0.00
			12,690.00	12,690.00



**OFFICE OF THE CITY CLERK
MEMORANDUM**

TO: Honorable Mayor Garcia and Members of the City Council
FROM: Magali Valls, City Clerk *M. Valls*
DATE: November 1, 2011
SUBJECT: PENDING BOARD APPOINTMENTS

The following appointments are pending:

<u>APPOINTING COUNCILMEMBER</u>	<u>CURRENT MEMBER</u>	<u>TERM EXPIRES</u>	<u>ORIGINAL APPOINTMENT DATE</u>	<u>LAST APPOINTMENT DATE</u>
<u>Architectural Review Board</u>				
Mayor Zavier M. Garcia	Kathy Fleischman*	10-31-2012	VACANT	VACANT
<u>Code Enforcement Board</u>				
Mayor Zavier M. Garcia	Raúl Sáenz	11-30-2011	11-14-2005	12-08-2008
Vice Mayor Espino – Group II	John Bankston	09-30-2011	09-23-2002	10-28-2008
Vice Mayor Espino – Group II	Rhonda Calvert	09-30-2011	09-25-2006	10-13-2008
<u>Code Review Board</u>				
Mayor Zavier M. Garcia	Connie Kostyra*	04-30-2012	VACANT	VACANT
<u>Disability Advisory Board</u>				
Mayor Zavier M. Garcia	Charlene Anderson*	12-31-2013	VACANT	VACANT
Vice Mayor Espino – Group II	Peter Newman*	12-31-2013	VACANT	VACANT
Councilwoman Ator – Group IV	Roxana Garcia	12-31-2013	08-12-2002	12-10-2007
<u>Ecology Board</u>				
Councilman Lob– Group III	Dr. Mara Zapata*	04-30-2013	VACANT	VACANT
<u>Historic Preservation Board</u>				
Vice Mayor Espino (Group II)	Yvonne Shonberger	02-28-2014	06-13-2005	02-11-2008
Councilwoman Ator – Group IV	M.A. Goodlett-Taylor**	01-31-2013	01-24-1983	01-22-2007

Memo to Council
November 1, 2011
Page 2

Recreation Commission

Vice Mayor Espino – Group II Dr. Stephanie Kondy 04-30-2014 06-13-2005 04-14-2008

- * Kathy Fleischman resigned on April 19, 2011.
Connie Kostyra resigned on April 28, 2011.
Peter Newman resigned on August 1, 2009.
Charlene Anderson resigned on June 6, 2011.
Dr. Mara Zapata resigned from the Ecology Board to become a member of the Education Advisory Board.

- ** Council confirmation required per §153.11 of the City Code of Ordinances: “..... No board member who shall have served three consecutive terms of office shall be eligible to serve an additional term of office for 2 years thereafter, unless the appointment for any additional term shall be confirmed by a majority of the council.....”

cc: City Manager
Assistant City Manager
City Attorney
Affected Board Members

11-14-11

M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL

CC: MAGALI VALLS, CITY CLERK

FROM: LORETTA M. BOUCHER, HR DIRECTOR/RISK MANAGER

DATE: SEPTEMBER 23, 2011

RE: SELECTION PROCESS FOR NEW CITY MANAGER

As you are already aware, the deadline for the submittal of resumes for the City Manager position is on September 30, 2011. After that date, it is my intention to provide each of you with copies of each resume for those candidates listed in the "most qualified" category. Naturally, upon request, any additional resumes will be provided to each of you even if only one of you requests a copy of any other resume.

I will then request that the City Manager place an item on the next City Council agenda for a determination as to what procedure the Council wishes to use in evaluating and interviewing the prospective candidates.

In my experience, if it is possible to reach a consensus on the number of candidates to invite for interviews, the process will be more efficient. Notwithstanding the foregoing, you may also elect to interview all the "most qualified" candidates, and even some of the candidates from the other listing categories. However, it is suggested that the resumes provided be reviewed in advance of the Council meeting at which the review and screening process will be determined, so that the decision on the number of applicants to invite for interviews need not be carried over to the next City Council meeting.

Please contact me to discuss any questions you have regarding this matter.

LMB/nds

M E M O R A N D U M

TO: MAYOR AND CITY COUNCIL

CC: MAGALI VALLS, CITY CLERK

FROM: LORETTA M. BOUCHER, HR Director/Risk Manager

DATE: SEPTEMBER 30, 2011

RE: City Manager Position – Final Applicant List

Attached is the final list of applicants that have submitted a resume for the City Manager position. I will be waiting for your directive to proceed.

Please contact me to discuss any questions you have regarding this matter.

LMB/nds

CITY MANAGER - MOST QUALIFIED APPLICANTS

MOST QUALIFIED APPLICANTS
GUERLIN ESCAR-MANGOS
CONSTANTINO S. PURRINOS
HECTOR A. RIVERA, SR.
MICHAEL L. STAMPFLER
MARK A. KUTNEY
KELVIN L. BAKER SR.
LAWRENCE A. MILLER
RONALD W. STOCK
RALPH ROSADO
JAMES N. SKINNER
DANIEL A. ROSEMOND
RONALD K. GORLAND
ANDREW M. BARTON
ROBERT T. HALFHILL
BUFORD R. WITT
CHERYL HARRISON-LEE
WALTER K. MUNCHHEIMER
JOHN J. McCUE
ROGER D. FREE
JORGE L. VERA
KENNETH R. FIELDS
LAURA J. HANNAH
JUDY S. WHITIS

Magali Valls

City Council Meeting of:

11-14-2011 *JB*

From: Jan Seiden [jseiden@olsrhh.com]
Sent: Monday, October 31, 2011 12:41 PM
To: James R. Borgmann; Ronald K. Gorland; William Alonso; 'JoEllen Phillips'; RChaves@floridatax.com; 'Erik Wishneff'; Magali Valls; Xavier Garcia
Cc: Councilman Dan Espino; Jennifer Ator; Mayor Xavier Garcia; Councilman Bob Best; Councilman George V. Lob
Subject: FW: Your Ethics Opinion
Attachments: RQO 11-27 Seiden.pdf

Here is the legal opinion I requested from the M-D County Commission on Ethics for your review and comment. JKS

Jan K. Seiden, Esq.
 Orshan Lithman Seiden Ramos Hatton Huesmann & Fajardo, LLP
 150 Alhambra Circle, Suite 1150
 Coral Gables, Florida 33134
 Tel: 305-858-0220
 Fax: 305-854-6810

From: Frigo, Victoria (COE) [mailto:FRIGOV@miamidade.gov]
Sent: Monday, October 31, 2011 12:27 PM
To: Seiden, Jan
Subject: Your Ethics Opinion

Hello Jan,
 Attached is the ethics opinion you requested on behalf of Miami Springs. The original letter is being sent to you today via first class mail. Please feel free to contact me if I can be of further assistance.
 Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY
 Phone: 305 350-0601
 Fax: 305 579-0273

miamidade.gov 

19 West Flagler St., Suite 820
 Miami, FL 33130

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.



Via First Class Mail
and
email at jseiden@dolarchk.com

October 31, 2011

ETHICS COMMISSIONERS

Dawn Adly, chair
Charlton Copeland, vice chair
Nelson Bellido
Judge Seymour Gelber
Kerry E. Rosenthal

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
PRESIDENT

ARDYTH WALKER
STATE GENERAL COUNSEL

Jan Seiden, Esq.
Orshan, Lithman, Seiden et al.
150 Alhambra Circle, Suite 1150
Coral Gables, FL 33134

RE: RQ0 11-27
Voting Conflicts for Elected Officials
County Code at Sec. 2-11.1 (d)

Dear Mr. Seiden:

You asked if Miami Springs City Council Members would have voting conflicts based solely on their prohibited relationships with an entity or entities before them.

In public session on October 25, 2011, the Ethics Commission found that elected officials in the City of Miami Springs would have conflicts if they voted on matters brought to them by entities on which they also served as directors. This opinion is based on the plain meaning of the Ethics Code at Sec. 2-11.1 (d)¹ and numerous opinions of the Ethics Commission.²

The Commissioners recognized the City's interest in maintaining ownership of the historic Curtiss Mansion and, at the same time, obtaining tax credits associated with renovation of the Mansion. The IRS allows for rehabilitation tax credits under the Historic Preservation Tax Incentives Program, but the IRS does not allow a governmental or nonprofit entity to claim the rehabilitation tax credit.³

¹ Under Sec. 2-11.1 (d) of the County Code, a city council member may not vote on any matter if he/she may benefit from the vote or if he/she has one of the enumerated relationships with the entity before him/her.

² See RQ0 04-04 to Co. Commissioner Durrin Rolle; RQ0 04-09 to Palmetto Bay Village Attorney Eve Brunsis on behalf of Council Member John Broder; and RQ0 10-20 to Key Biscayne Council Member Michael Kelly.

³ Money used to renovate the Curtiss Mansion was obtained primarily from two sources, i.e., (1) grants of approximately two million dollars from Miami-Dade County, funded by government bond revenues that qualified for tax exemptions and (2) donations of approximately one million dollars obtained from Curtiss Mansion, Inc., a nonprofit organization that also qualified for tax exemptions.

The City of Miami Springs plans to create a series of entities, at least one of which will be a for-profit entity that will manage the Curtiss Mansion and place the property "in service," as per an IRS requirement. This for-profit entity will then qualify for the tax credit.

In the scenario you presented, all elected officials of the City of Miami Springs would be precluded from voting on any matters related to the Curtiss Mansion if they also served as officers of the Board of Directors of one or more of the entities bringing Mansion issues before them. Under the County Code, a prohibited relationship creates a *per se* voting conflict independent of whether any personal benefit inured to the elected official.⁴

The Ethics Commissioners suggested that to overcome the voting prohibition, the City of Miami Springs may wish to seek relief from the Board of County Commissioners with an amendment to the Ethics Code or to allow city staff, not elected officials, to sit as the board of directors of the entities it proposes to form.

This opinion construes the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance only and is not applicable to any conflict under state or federal law. The City may wish to seek further guidance from the State of Florida Ethics Commission and/or the State Attorney General.

Please feel free to contact me or Victoria Frigo, Staff Attorney, if we can be of further assistance.

Sincerely,



JOSEPH CENTORINO
Executive Director

⁴ The County Ordinance is sometimes misread as similar to State law. An indispensable element of a voting conflict under State law is that a *special private gain or loss inures* to the official, to the principal that employs the official, or to relatives or business associates of the official. Fla. Stat. 112.3143 (2011). Under the County Code, a finding of profit or enhancement is not required if a prohibited relationship exists.

REBECA SOSA THEATER RENTAL APPLICATION

Miami Springs Community Center
 1401 Westward Drive
 Miami Springs, FL 33166
 Contact: Ralph E. Wakefield
 305-884-6804

Production Date(s): _____

Applicant Organization: _____

Applicant Contact Name: _____ Phone No. _____

Type of Organization: Profit Non-Profit

Address: _____

Telephone: _____ Email Address: _____

Website: _____

Additional Contact Person: _____ Phone No. _____

Event Description: _____

Public or Private? _____

Food Served or Sold? _____ Alcohol Served or Sold? _____

(Must receive prior approval of Miami Springs Council)

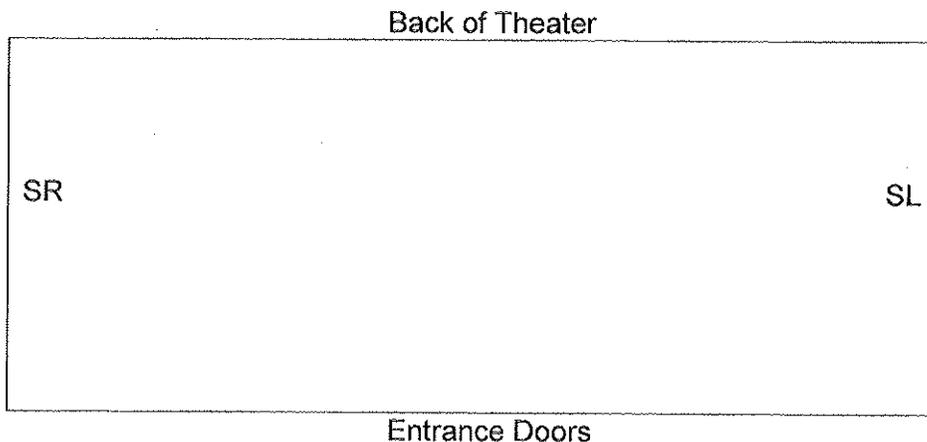
Please note that the Rebeca Sosa Theater is a family-oriented venue. Performances are to be for "general audience" and shall contain no strong language, sex, nudity or drug usage (G film rating). However, the Miami Springs Council invites you to apply for their approval to perform any productions that do not comply with the G rating. Please speak with Ralph Wakefield regarding that process.

Stage Load-In Date/Time	
Stage Load Out Date/Time	
Rehearsal Start Date	
Rehearsal Dates	From _____ to _____
Circle rehearsal days: M T W TH F S S	
Production Opening Date	
Production Run Dates	From _____ to _____
Circle performance days: M T W TH F S S	

Please check all that apply:

Theater Usage	Type of Event	Special Needs/Equipment
<input type="checkbox"/> Theater*	<input type="checkbox"/> Drama or Musical	<input type="checkbox"/> Stage Lighting
<input type="checkbox"/> Dressing Rooms	<input type="checkbox"/> Dance	<input type="checkbox"/> Microphones*
<input type="checkbox"/> Green Room	<input type="checkbox"/> Conference/Seminar	<input type="checkbox"/> CD Player
<input type="checkbox"/> Staging	<input type="checkbox"/> Multi Media	<input type="checkbox"/> DVD Player
<input type="checkbox"/> Lobby	<input type="checkbox"/> Fashion Show	<input type="checkbox"/> Screen
<input type="checkbox"/> Box Office Personnel*	<input type="checkbox"/> Film Screening	
<input type="checkbox"/> Lighting Technician*	<input type="checkbox"/> Other _____	
<input type="checkbox"/> Sound Technician*		

Please show us how the stage and seating is to be set up. We supply 4' X 4' platforms.



Number of Chairs in the Audience: _____

Number of Tables for lobby: _____

**NON-REFUNDABLE \$100 DUE WITH APPLICATION.
APPLICATION DUE AT LEAST THREE WEEKS BEFORE USE OF THEATER.
MAKE CHECKS PAYABLE TO: THE CITY OF MIAMI SPRINGS**

Attach copy of proof of non-profit status and/or proof of insurance.

Completed By: _____

Print Name

Date: _____

*See attached Visiting Company Rental Schedule for fees.

FEE SCHEDULE

NON-PROFIT ORGANIZATIONS * :

- Monday through Sunday
Daily Fees * \$ 350.00 each day
* (Each daily fee is for 4-hours of use)

- Hourly Fees..... \$ 50.00
(For each additional hour or part of an hour in excess of the 4-hours provided by the payment of the daily fee).

* Organization is required to provide proof of non-profit status and proof of special event insurance for each performance.

PROFIT ORGANIZATIONS * :

- Monday through Sunday
Daily Fees *\$ 450.00 + applicable sales tax
* (Each daily fee is for 4-hours of use)

- Hourly Fees.....\$ 50.00 + applicable sales tax
(For each additional hour or part of an hour in excess of the 4-hours provided by the payment of the daily fee).

* Organization is required to provide proof of special event insurance for each performance.

REHEARSAL USAGE :

(Either Profit or Non-Profit Organizations)

- Daily Rehearsal Fees.....\$ 150.00 *
(Use for 3-hours)

- Hourly Fees.....\$ 50.00 *
(For each additional hour or part of an hour of use)

* Profit Organizations shall also be required to pay all applicable sales tax on amounts paid for use to City.

SOUND TECHNICIAN SERVICES:
(Either Profit or Non-Profit Organizations)

- Fee for each performance.....\$ 50.00 *
- Fee for each wireless microphone used
per performance.....\$ 10.00 *

* Profit Organizations shall also be required to pay all applicable sales tax on amounts paid for sound technician services and microphone usage fees.

LIGHTING TECHNICIAN SERVICES:
(Either Profit or Non-Profit Organizations)

- Fee for each performance.....\$ 50.00 *

* Profit Organizations shall also be required to pay all applicable sales tax on amounts paid for lighting technician services.

BOX OFFICE SERVICES:
(Either Profit or Non-Profit Organizations)

- Fee for each individual per performance.....\$ 50.00 *

* Profit Organizations shall also be required to pay all applicable sales tax on amounts paid for lighting technician services.

TOTAL FEES DUE: \$ _____

11-14-2011

RESOLUTION NO. 2011-3515

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS ESTABLISHING A CITY YOUTH ADVISORY COUNCIL; PROVIDING FOR COUNCIL MEMBERSHIP, APPOINTMENT PROCEDURES, TERM OF MEMBERSHIP, MEETINGS OF THE COUNCIL, COUNCIL OFFICERS AND DUTIES, CITY SUPPORT SERVICES, SCHOOL SUPPORT SERVICES, ABSENCES OF MEMBERS, APPLICABLE LAW, COUNCIL DUTIES AND RESPONSIBILITIES; CONTINUITY OF COUNCIL; EFFECTIVE DATE.

WHEREAS, the City has discussed various methods to promote and support student involvement with local government and community issues; and,

WHEREAS, the City has been advised that other local governments authorized the establishment of Youth Advisory Councils; and,

WHEREAS, Youth Advisory Councils are meant to engage the youth of the community in local issues, promote decision making skills, and provide a platform for the development of youth leadership; and,

WHEREAS, Youth Advisory Councils serve in an advisory capacity to the City Council with respect to the many community matters affecting the various age groups of children in the City; and,

WHEREAS, the City Council of the City of Miami Springs has determined that it is both proper and appropriate, and beneficial to the City and its citizens, to establish a Youth Advisory Council for the City of Miami Springs:

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

Section 1: That the City Council of the City of Miami Springs hereby authorizes and establishes a Youth Advisory Council for the City in accordance with the following provisions:

CITY OF MIAMI SPRINGS YOUTH ADVISORY COUNCIL

Section 1: Establishment of Youth Advisory Council. There is hereby established a Youth Advisory Council which shall act in an advisory capacity to the City Council of the City of Miami Springs. The purpose of the Youth Council is to provide the youth of the City of Miami Springs with a vehicle to learn about government, participate in the process of city government, represent and articulate the needs of youth in the City, and advise the Mayor and City Council on matters affecting the youth and teen population, especially City programs relating to youth and teens.

Section 2: Council Membership. The Youth Advisory Council shall consist of seven (7) members. Each member shall be a resident of the City of Miami Springs and must be in at least the fifth grade to qualify for membership on the Council.

Section 3: Appointment to Council. Each student interested in becoming a member of the Council shall complete a membership application and comply with whatever other conditions or requirements may be imposed by the prospective member's school. Each of the following Miami Springs Schools shall nominate one student for membership on the Youth Advisory Council:

1. Miami Springs Senior High School.
2. Miami Springs Middle School.
3. Miami Springs Elementary School.
4. Springview Elementary School.
5. All Angels Academy.
6. Blessed Trinity Catholic School.
7. Seventh Day Adventist School.

The City Council will review all the information and documentation submitted by each school in support of its nominated member, and the City Council shall then be required to ratify each membership nomination by a majority vote of the Council.

Section 4: Term of Membership. Each appointed Youth Advisory Council member shall serve a one year term of office, beginning on October 1st and concluding on May 31st of each school year. Membership during one term shall not disqualify a member from serving on subsequent Youth Advisory Councils.

Section 5: Meetings of the Council. The Youth Advisory Council shall meet on a quarterly basis in the City of Miami Springs Council Chambers, and shall be required to submit status reports, Council recommendations and meeting minutes to the City Council on a timely basis.

Section 6: Council Officers. The members of the Council shall elect a Vice-Chairperson and Secretary at its first meeting following ratification of all students to the Council. The Chairperson shall be the high school appointee to the Council who shall be responsible for conducting all Council meetings. If the Chairperson is unavailable or unable to conduct any Council meeting, the Vice-Chairperson shall assume the Chairperson's duties. The Council Secretary shall be responsible for providing timely advance notice of all meetings, in conjunction with the clerical assistant assigned to the Council by the City, as well as providing the City Council with all Council status reports, recommendations and meeting minutes.

Section 7: City Support Services. The City shall allow the Youth Advisory Council to conduct its meetings in the City Council Chambers or at such other alternate location as may be timely designated. In addition, the City shall provide clerical assistance for all Council related activities, and insure that appropriate materials and supplies are made available to Council members.

Section 8: School Support Services. On a rotating basis, as may be determined jointly by the schools nominating members for the Council, at least one adult advisor shall be provided for all Council meeting and activities.

Section 9: Absences of Council Members. Absences from any two consecutive quarterly Council meetings shall cause the absent member to be automatically removed from the Council, unless either of the absences is excused by a majority vote of the remaining members of the Council.

Section 10. Applicable Law. The acts, actions and activities of the Youth Advisory Council shall be subject to Sunshine Law (Florida Statute Section 286.011) and Public Records Law (Florida Statute Chapter No. 119) of the State of Florida.

Section 11. Council Duties and Responsibilities. The Youth Advisory Council shall have the following duties and responsibilities:

1. Evaluate and review issues affecting youth in the City.
2. Increase volunteerism and enhance civic education.
3. Promote leadership and advocacy for youth issues.
4. Develop and perform at least one community service project during each academic year.
5. Facilitate meetings with youth to discuss issues important to the community.
6. Share ideas and discuss issues, concerns and suggested improvements with the City Council or the participating schools.
7. Assist in planning youth and recreation activities.
8. Evaluate and advise the City Council on issues assigned to the Youth Advisory Council by the City Council.

Section 12. Continuity of Council. The Youth Advisory Council provisions established by this Resolution shall remain in full force and effect until superseded by subsequent City Council Resolution.

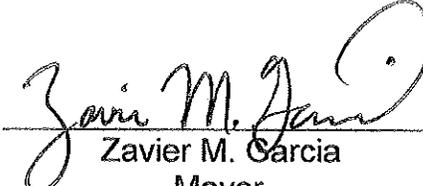
Section 2: That the provisions of this Resolution shall be effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Miami Springs, Florida,
this 9th day of May, 2011.

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

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




Zavier M. Garcia
Mayor

ATTEST:


Magali Valls, CMC
City Clerk

APPROVED AS TO LEGALITY AND FORM:


Jan K. Seiden, City Attorney