



# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared V. PEREZ, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF MIAMI SPRINGS - PUBLIC HEARING 8/27/2012  
ORDINANCE NO. 1037-2012

in the XXXX Court,  
was published in said newspaper in the issues of

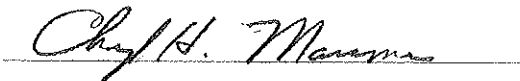
08/16/2012

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



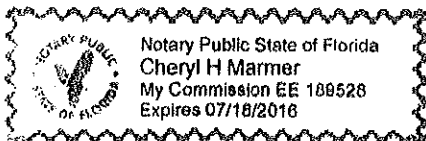
Sworn to and subscribed before me this

16 day of AUGUST, A.D. 2012



(SEAL)

V. PEREZ personally known to me



## PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, August 27, 2012, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinance:

ORDINANCE NO. 1037-2012 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 93-51, COLOR PALETTE COMPLIANCE; BY PROVIDING AN EXCEPTION PROVISION AND A VARIANCE PROCESS TO THE COLOR PALETTE COMPLIANCE PROGRAM ESTABLISHED BY THIS CODE SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

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

Magali Valls, CMC, City Clerk

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

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: 305.805.5006, no later than seven days prior to the proceeding.  
8/16 12-3-260/1932953M

\$ 86.89

RIVER CITIES GAZETTE  
Dolphin Publishing Company  
PUBLISHED WEEKLY  
MIAMI-DADE-FLORIDA

STATE OF FLORIDA )  
COUNTY OF DADE ) ss:

Before the undersigned authority personally appeared

*Thomas D. Curtis*

who on oath says that he/she is

*Publisher*

of the River Cities Gazette, a weekly newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issue(s) of

*Aug. 16<sup>th</sup>, 2012*

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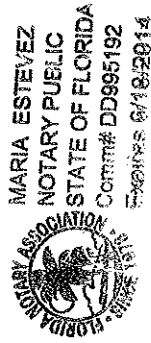
*Thomas D. Curtis*

Sworn to and subscribed before me this 16<sup>th</sup> day of

August A.D. 2012

*Maria Estevez*

My commission Expires:



## CITY OF MIAMI SPRINGS, FLORIDA PUBLIC HEARING

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Published, August 16, 2012.

\$70.00

ORDINANCE NO. 1037-2012

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 93-51, COLOR PALETTE COMPLIANCE; BY PROVIDING AN EXCEPTION PROVISION AND A VARIANCE PROCESS TO THE COLOR PALETTE COMPLIANCE PROGRAM ESTABLISHED BY THIS CODE SECTION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, in June of 2011 the City Council enacted Code Section 93-51 which required that all commercial buildings within the Neighborhood Business District, Central Business District, and Northwest 36<sup>th</sup> Street District would be painted in conformity with the City's established color palette by December 31, 2012; and,

**WHEREAS**, in seeking conformity with the City's color palette, the City Council declined to provide any review, appeal or variance procedure for the program; and,

**WHEREAS**, since the enactment of the Ordinance and the establishment of the painting compliance program, many comments and factual situations have been discussed with the City's officers and officials; and,

**WHEREAS**, in light of the foregoing, the City Council has conducted further discussion and debate in regard to the requirements of the program; and,

**WHEREAS**, as a result of the foregoing further discussions and debate, the City Council has determined that it is in the best interests of the city and its citizens to amend the ordinance and the painting compliance program to provide an exception provision and to allow the program access to the established variance process in the Code of Ordinances.

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

**Section 1:** That Code of Ordinance Section 93-51, Color Palette Compliance, is hereby amended as follows:

Section 93-51. Color Palette Compliance.

- (A) ...
- (B) ...
- (C) Procedure for Compliance. Owners of property within the applicable Business Districts of the City shall paint their buildings to conform with the aforesaid color palette in accordance with the following procedures:

- (1) All commercial buildings in the applicable Business Districts of the City are hereby required to be in conformity with the color palette of the City by no later than December 31, 2012.

- (a) Exception provision. Owners of property within the applicable Business Districts may be exempted from the color palette compliance program of this ordinance if they can establish, within the sole and exclusive discretion of the Zoning and Planning Director, that their building is subject to conformity with "branding" requirements imposed upon it by an appropriate third party or authority. If the Zoning and Planning Director fails to grant any requested exemption, the building owner may seek a further review of his decision before the City Council.

- (b) Variance provision. Owners of property within the applicable Business Districts who are not subject to "branding" requirements may seek a variance, in accordance with the established procedures and standards set forth in the Code of Ordinances, from compliance with the color palette painting program established by this ordinance.

- (2) ...
- (3) ...
- (4) ...
- (5) ...

(6) ...

(D) ...

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

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

**(THIS SPACE INTENTIONALLY LEFT BLANK)**

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this 27<sup>th</sup> day of August, 2012.

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

Vice Mayor Lob	“ _____ ”
Councilman Best	“ _____ ”
Councilwoman Bain	“ _____ ”
Councilwoman Ator	“ _____ ”
Mayor Garcia	“ _____ ”

---

Zavier M. Garcia  
Mayor

**ATTEST:**

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Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**



Jan K. Seiden, Esquire  
City Attorney

First reading: 06-25-2012  
Second reading: 08-13-2012 Tabled  
Second reading: 08-27-2012





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CITY OF MIAMI SPRINGS - PUBLIC HEARING 8/27/2012  
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*V. Perez*  
\_\_\_\_\_

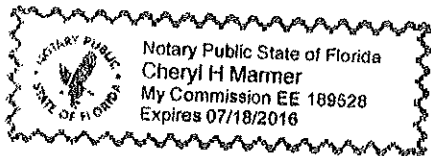
Sworn to and subscribed before me this

16 day of AUGUST, A.D. 2012

*Cheryl H. Marmer*  
\_\_\_\_\_

(SEAL)

V. PEREZ personally known to me



## PUBLIC HEARING

The Miami Springs City Council will conduct a public hearing at their regular meeting on Monday, August 27, 2012, at 7:00 p.m. in the Council Chambers at City Hall, 201 Westward Drive, Miami Springs, Florida regarding the following proposed ordinance:

ORDINANCE NO. 1038-2012 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS DELETING ALL REFERENCES TO THE ABRAHAM TRACT SUB-DISTRICT OF THE AIRPORT, MARINE AND HIGHWAY BUSINESS DISTRICT CONTAINED IN ARTICLE XV AND IN CODE OF ORDINANCE SECTIONS 150-154, 150-157, AND 150-158; ESTABLISHING CODE OF ORDINANCE SECTION 150-165, ABRAHAM TRACT DISTRICT; PROVIDING PURPOSE, PERMITTED USES, PROHIBITED USES, ADULT RELATED BUSINESS REGULATIONS, SETBACKS AND FLOOR AREA, HEIGHT LIMITATIONS, OFF-STREET PARKING AND LOADING, SIGNAGE, DEVELOPMENT REVIEW PROCEDURES, REQUIREMENTS FOR DEVELOPMENT REVIEW, EXEMPTIONS, FEES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; DIRECTIONS TO CODIFIERS; EFFECTIVE DATE

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12-3-261/1932954M  
8/16

# 98.23

RIVER CITIES GAZETTE  
Dolphin Publishing Company  
PUBLISHED WEEKLY  
MIAMI—DADE—FLORIDA

STATE OF FLORIDA )  
COUNTY OF DADE ) SS:

Before the undersigned authority personally appeared

*Morgan D. Coats*  
who on oath says that he/she is  
*Publisher*

of the River Cities Gazette, a weekly newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issue(s) of

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*[Signature]*

Sworn to and subscribed before me this 16<sup>th</sup> day of

August A.D. 2012

*[Signature]*

My commission Expires:

  
MARIA ESTEVEZ  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# DD985192  
Expires 6/18/2014



CITY OF MIAMI SPRINGS, FLORIDA  
PUBLIC HEARING

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Published, August 16, 2012

\$ 70.00

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**WHEREAS**, the City Council of the City of Miami Springs has actively supported the commercial development of the properties located in the Abraham Tract area of the City; and,

**WHEREAS**, in anticipation of achieving its goal of commercially developing the Abraham Tract properties, the City Council has proposed, debated, approved and authorized various Evaluation and Appraisal Report ("EAR") and Comprehensive Plan ("Comp Plan") Amendments; and,

**WHEREAS**, the City Council recently authorized the hiring of Calvin, Giordano and Associates ("Consultants") to provide the consultation services required for the implementation of its "EAR" and "Comp Plan" Amendments; and,

**WHEREAS**, the City's Consultants have suggested that the implementation process is best served by the establishment of the three previous sub-districts of the Airport, Marine and Highway Business District as stand-alone Districts; and,

**WHEREAS**, in light of the City Council’s stated priority for the development of the Abraham Tract area, the Consultants have proposed the deletion of all references to the Abraham Tract Sub-District from the Airport, Marine and Highway Business District and the contemporaneous creation of a new “Abraham Tract District”, and;

**WHEREAS**, the City Council has reviewed the proposed deletions from the Airport, Marine and Highway Business District, and the District Boundary Regulations proposed for the establishment of the new “Abraham Tract District”, and has determined that the adoption of the foregoing Ordinance amendments are in the best interests of the City and its citizens:

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

**Section 1:** That Code of Ordinance Article IV, Airport, Marine and Highway Business District, and Code of Ordinance Sections 150-154- 150-157, 150-158, 150-160 and 150-161 are hereby amended as follows:

**ARTICLE XV: AIRPORT, MARINE AND HIGHWAY BUSINESS DISTRICT**

**Sec. 150-154. Purpose.**

The purpose of the Airport, Marine and Highway Business District (AMHBD) is to provide for large-scale commercial uses on large sites with a limited number of highway access driveways. The zoning regulations set forth herein are meant to allow a wide range of compatible uses. Such uses and structures are allowed only where they form complimentary groupings of facilities and activities, and where a particular combination of proposed uses would be appropriate to the surrounding area by nature of use and design.

The AMHBD is divided into the following three smaller districts due to the diverse nature and location of each of the sub-districts, to-wit:

(A) *Airport Golf*; the area surrounding the golf course which is bounded by Curtiss Parkway, Fairway Drive and Deer Run.

~~(B) *Abraham Tract*, south of 36th Street.~~

**Sec. 150-155. Permitted Uses.**

(a) Principal uses and structures permitted generally.

- (1) Restaurants.
- (2) Hotels.
- (3) Offices, business and professional; studios and medical and veterinary clinics; boarding for veterinary services only.
- (4) Agencies for travel and insurance and similar services.
- (5) Automobile rental agency.
- (6) Business colleges, secretarial schools and similar educational facilities.
- (7) Banks, savings and loan associations and similar financial institutions.
- (8) Catering business.
- (9) Retail stores, except those dealing in second-hand merchandise other than antiques.
- (10) Service establishments, including personal service establishments such as barber and beauty shops, manicure/pedicure shops, skin care (aesthetics), physical therapy clinics, etc. No physical therapy clinic shall be open for business between the hours of 10:00 p.m. and 6:00 a.m.
- (11) Service establishments for the repair of shoes, small home appliances, clocks and watches, printing/photocopying service shops; not to exceed 2,500 square feet.
- (12) Service establishments for the repair of small aviation- or marine-related avionics or electronics; not to exceed 2,500 square feet.
- (13) Stereo/video/electronics rental, sales and/or service.
- (14) Dry cleaning and/or laundry; self-service or laundromat only when sanitary and safe disposal of wastewater is provided, and when operated without producing smoke or noxious fumes or odors.
- (15) Domestic pet grooming only, prohibiting a "pet shop" type business or the boarding, maintaining or keeping of domestic pets on-premises anytime between 7:00 p.m. and 7:00 a.m.

- (16) Cultural or recreational facilities such as urban plazas, health and athletic clubs, theaters, auditoriums, libraries, art galleries and museums.
- (17) Gas stations.
- (18) Parking garages.
- (19) Funeral homes.
- (20) Post office.
- (21) Structures and uses required for necessary performance of governmental functions.
- (22) Structures and uses relating to operation of public utilities and requiring location within the district to serve it or neighborhood districts.
- (23) Other enterprises or businesses which are similar to enterprises or businesses enumerated herein, which have been approved by the City Council upon application and hearing.

(C) Permissible principle uses and structures; limitations as to location.

- (1) Any retail service establishments shall be limited to the ground floor of principal structures.
- (2) Retail and service establishments shall front on pedestrian portions of the street right-of-way, or on other pedestrian open space areas with public access from streets, and shall occupy at least 50 percent of the ground floor street frontage.
- (3) Parking garages are allowed as a principal use.

(D) Accessory uses and structures.

- (1) Uses and structures customarily accessory and incidental to specified principal uses and structures, and which do not alter the character of the district, are allowed subject to limitations and provisions established by this ordinance and other applicable City ordinances and regulations.

(E) Permissible accessory uses and structures; limitations as to location.

- (1) Access drives are allowed along the adjacent minor street frontage and shall be located and designed in a manner which will insure smooth flow of vehicular and pedestrian circulation.

**Sec. 150-156. Prohibited Uses.**

- (A) Adult bookstore, except in Abraham Tract, as will be more specifically provided by regulatory ordinance.

- (B) Adult-related business, except in Abraham Tract, as will be more specifically provided by regulatory ordinance.
- (C) Arcades, billiard and pool parlors.
- (D) Automotive auctions, sales and service facilities.
- (E) Bar or package store.
- (F) Clinical laboratory.
- (G) Gun shop or gun range.
- (H) Pawn shop.
- (I) Any residential uses, except in the Abraham Tract Area.
- (J) Storage facilities
- (K) Any large- or medium-scale repair or service facilities.
- (L) Any industrial or any large- or medium-scale manufacturing operation or facilities.
- (M) Open air, tented, or booth-operated flea markets or any other retail/wholesale operation not contained within a business building, except as otherwise allowed by § 110-01 through 110-03.
- (N) Any other use that is not compatible with, or is disruptive or offensive to, any adjacent residential zoning district by reason of proximity to the district through noise generation, offensive operational by-products (such as odor, dust, smoke, gas, vibrations, etc.,) or by the creation of any nuisance condition.

**Sec. 150-157. Lot and floor area; setbacks.**

- (A) Maximum lot coverage: The maximum allowable lot coverage for all main and accessory buildings shall be determined by the F.A.R. and setback regulations.
- (B) Floor area limitations.
  - (1) For the purpose of this sub-section the floor area ratio (F.A.R.) shall be the total floor area of a building or buildings on a building site divided by the area of the site. See also §150-002 (C) (38).
  - (2) In Airport Golf, the maximum ratio of building floor area to lot area shall not exceed 1.0 F.A.R.

~~(3) Sites located in the Abraham Tract may have an F.A.R. up to 2.5 only after Board of Adjustment and City Council review and approval. Preliminary approval for proposed development projects with an F.A.R. greater than 1.0 shall be given only for specific projects which are determined by the City to substantially increase public transit use and decrease private automobile use. At a minimum, such projects in the Abraham Tract shall only be approved they conform to the following standards:~~

~~(a) They shall not have a higher density or intensity than called for by Miami Dade County's Future Land Use Element for Metropolitan Activity Centers;~~

~~(b) They shall be located and site designed so that principal building entrances are within 750 feet walking distance of a transit stop or stops;~~

~~(c) They shall have between principal building entrances and the transit stop or stops an attractively paved, landscaped, rain-protected and shaded pedestrian pathway;~~

~~(d) They shall have no more than 75 percent of the parking otherwise required for the uses which they contain;~~

~~(e) They shall contain a mix of uses that include at least three of the following:~~

~~(1) *Commercial* such as: Hotels, indoor amusement, movie theaters, *restaurants*, neighborhood shopping centers, community shopping centers, regional shopping centers, small size stores, medium size stores, department stores, convenience stores, beauty and personal services, gym and health clubs.~~

~~(2) *Residential* such as: 7-15 units/acre, 15-24 units/acre, over 24 units/acre.~~

~~(3) *Institutional* such as: High intensity recreation, cultural facilities, day care centers, parks, intermediate schools, secondary schools, colleges, religious facilities, correctional facilities, social service agencies, government agencies.~~

~~(C) Notwithstanding the foregoing, all proposed development in this portion south 36<sup>th</sup> Street shall be subject to review and approval by Miami Dade County and Miami Dade County Aviation.~~

(D) Minimum setbacks for all developments in AMHBD.

(1) Adjacent to streets a minimum 10 ft. front yard setback is required from the property line.



- (2) In that area of the AMHBD bounded by Deer Run and Fairway and Eldron Drives, there shall be a 20 foot rear yard setback required for the following parcels:
  - (a) 627 Eldron Drive
  - (b) 655 Eldron Drive
  - (c) West 150 feet of 151 Fairway Drive

Beginning with the east 150 feet of 151 Fairway Drive, there shall be a required 35 foot rear yard setback for all properties eastward to 500 Deer Run. All properties in this section of the AMHBD shall be required to construct and maintain a six (6) foot high masonry wall along the rear property line adjacent to the Golf Course as part of any new construction project.

- (3) Adjacent to residential districts, rear yard setbacks shall have be a minimum depth of 5 feet.
- (4) Adjacent to residential districts, side yard setbacks shall have a minimum depth of thirty (30) feet which shall include the required ten (10) foot landscaped buffer area provided in Code Section 150-160 (B) (3) (a).
- (5) Pedestrian open space may be provided at any level that serves the commercial uses.
- (6) All setbacks may be used for utility rights-of-way.

**Sec. 150-158. Height limitations.**

- (A) For those structures north of N. W. 36<sup>th</sup> St. in the AMHBD:

Structures located within 150 feet from adjoining residential districts or those to be located North of Fairway Drive shall not exceed four stories or a height of 55 feet (to the highest point of the structure).

- ~~(B) For those structures in the Abraham Tract:~~

- ~~(1) Structures located in this district south of 36th Street shall not exceed a height 120 feet.~~
- ~~(2) Notwithstanding the foregoing, the maximum height allowed in this portion south of 36th Street shall be subject to review and approval by Miami Dade County and Miami Dade County Aviation.~~

**Sec. 150-159. Off-street parking and loading.**

(A) Parking standards and requirements:

See § 150-016. – However, in those cases where parking spaces are located within a parking structure or within the proposed building, parking space dimensions may be reduced to 8.5 ft. x 18 ft.

(B) Off-Street loading.

- (1) For the purpose of this sub-section a loading space is defined as a space within the main building or on the same lot, logically and conveniently located for bulk pickups and deliveries. A loading space shall be scaled to the size of the delivery vehicle anticipated, plus a space of six feet in length greater than the vehicle anticipated to be accommodated. No loading berth shall be less than a minimum of 12 feet in width and a length of not less than 35 feet, and shall be directly accessible from a street without crossing or entering any other required off-street loading or off-street parking spaces.
- (2) All developments shall provide off-street loading which shall be located and designed so as to provide safe and convenient access by delivery vehicles with minimal interference with the movement and parking of other vehicles on the premises. Subject to the approval of the City Zoning and Planning Board and the City Council, loading areas may be required to be placed in locations separated from other activities or screened by appropriate physical barriers.
- (3) Required off-street loading stalls shall be reserved for loading purposes, and shall not be used for parking of vehicles other than those in the process of loading or unloading. No vehicle being loaded or unloaded shall project into any public walkway or street.
- (4) Off-street loading facilities shall be properly drained to prevent damage to abutting property or public streets, and shall not be used for any purpose other than loading and unloading. At no time shall the loading area be used for storage.

**Sec. 150-160. Site planning.**

The site plan for developments within the AMHBD shall provide for safe and efficient functioning of intended uses, including pedestrian and vehicular circulation, and for harmonious and convenient groupings of structures and activities.

(A) Location and design requirements.

- (1) Access drives shall be provided from adjacent minor street frontage, and shall be located and designed to insure smooth flow of vehicular and pedestrian circulation.

- (2) Pedestrian access may be provided at any suitable location, but shall be separated from vehicular access points, except where signalization is used to control pedestrian and vehicular movements.
  - (3) Accessory parking lots shall be constructed and designed in accordance with §150.016.
  - (4) Loading zones and the parking of commercial vehicles shall be arranged so as to provide safe access from driveways and public streets, to prevent interference with vehicular and pedestrian circulation on the premises, and to avoid friction with traffic passing the premises.
  - (5) All utilities shall be placed underground, and there shall be appropriate provisions made for servicing such utilities.
- (B) Protective screening and landscaping.
- (1) In general, landscaping shall not reduce visibility and create a hazard to vehicular and pedestrian circulation, nor to public safety and security.
  - (2) Landscaping shall be required in all accessory open areas, and protective masonry screening and hedges shall be required for the protection of adjacent property.
  - (3) In addition to landscape regulations established in § 150-016, the following additional requirements shall apply.
    - (a) Where any development site in this district adjoins a residential district, there shall be a landscaped buffer area, ten feet wide, located along the portion of the site which directly abuts the residential district. Landscaping shall include and continuously be maintained as a hedge not less than six feet in height in order to form a continuous screen. In addition, one tree shall be provided for each 30 linear feet. The buffer area shall include a 72-inch high masonry wall which shall be located inside the required hedge and extend along the length of the adjoining residential property lines, except for sites on through-streets, where a masonry wall shall be no closer than ten feet to the property line and parallel to the street right-of-way. No off-street parking shall be allowed in the buffer area.
    - (b) At least ten percent of the building site shall be reserved for interior landscaping, and all such landscaping shall be continuously maintained by the owner. No row of parking spaces shall exceed ten spaces without a five foot minimum width of landscaped area to divide any continuation of such row of parking. (Applicable to a "parking-on-grade" condition only).

- (c) On side streets, shade trees shall be provided at a maximum of 30-foot intervals, not less than five feet from the curb line.
- (d) For the purpose of this sub-section, the protective masonry wall may be constructed of CBS concrete block or another Miami-Dade County approved pre-fabricated concrete material. Stucco and painting are required for all protective boundary walls, and special architectural features such as the use of brick, stone, wood or metal on these walls may be allowed if approved by the City Zoning and Planning Board and the City Council upon proper application and hearing.
- (e) The owner of AMHBD property, or his or her agent, shall be responsible for the maintenance of the protective masonry wall and of all landscaping which shall be maintained at a set height and in good condition so as to present neat and orderly appearance, and shall be kept free from refuse and debris. All landscaped areas shall be provided with a readily available irrigation system.

**Sec. 150-161. Signs.**

Signs in the AMHBD shall meet all the requirements specified in § 150-030, and the following additional limitations:

No signs in either the Airport Golf district shall face the nearby residential district.

- (A) One sign structure, not exceeding 30 feet in height, and having not more than two sign surface areas, may be erected along principal street frontage from which there is a major entrance to the development. Signs may contain only the name of the establishment and facilities within the development. Each sign surface shall be limited to 30 square feet for each acre or portion thereof, of land occupied by the development.
- (B) For individual establishments, identification signs are allowed, but shall not exceed ten percent of the wall surface area.
- (C) Detached signs shall not be allowed, except for the purposes of parking, vehicular and pedestrian directional signs so long as these signs shall not have a width, length or diameter exceeding five feet. No billboards shall be allowed.
- (D) Artificial lighting may be used to illuminate the premises of advertising copy and shall be directed away from any adjacent residential area and traffic flow.
- (E) Any sign allowed in this district, by this or any other ordinance, shall be required to have the approval of the City Zoning and Planning Board and the City Council before a sign permit is issued.

**Sec. 150-162. Development Procedures.**

- (A) Any development within the AMHBD shall be required to have the site and development plans approved as provided herein before a building permit is issued, to insure that development is in accord with the intent of this district. It shall be the responsibility of the City Zoning and Planning Board to review such plans, and to make recommendations for modification, approval, or denial in accordance with § 150-101 and 150-102.
- (B) Applications for site and development plan approval shall be submitted to the Planning Office according to the provisions of the zoning code and the additional requirements and procedures specified herein.
- (C) The application for site and development plan approval shall include but shall not be limited to:
  - (1) Plans, maps, studies and data which may be necessary to determine whether the particular proposed development meets the intent of the AMHBD, and the specific requirements and standards contained in this sub-section.
  - (2) A survey showing property and ownership lines; existing structures, alleys, easements and utility lines.
  - (3) A preliminary development concept plan for the proposed development including the following information:
    - (a) General nature of the proposed development, planned uses and activities and the name of the developer.
    - (b) Location, height, floor area, external appearance, and use of existing structures if any; and approximate location, orientation, height, floor area ratio, and use of proposed structures.
    - (c) Points of ingress and egress for vehicular and pedestrian traffic, circulation patterns within the project, including location and design of east/west roadways, where required.
    - (d) Location, character, and scale of parking and service facilities, including area and number of parking spaces, character of structural parking, if any; location of loading areas and commercial vehicle parking.
    - (e) Any additional materials and information as may be required by the proper agencies of the City.

- (D) Where a proposed development is planned to be constructed in stages, the timing of the first stage shall be indicated. The information concerning the nature of the development, uses, location and floor areas to be developed shall also be supplied. The same information shall be provided for succeeding stages. Initiation of succeeding stages shall be made dependent upon the completion of earlier stages and the supplying of any information that may be required by the proper City agencies.
- (E) When a proposal contains provisions concerning the establishment and continuing operation and maintenance of improvements and facilities for common use by the occupants of the project and the general public, but which are not provided, operated, or maintained at general public expense, the owner shall give assurance in the manner provided in the following sub-section, (F), to the City that such improvements and facilities will be maintained without future expense to the City, and that the development will conform to approved site and development plans.
- (F) The City, may, at its discretion, require a surety performance bond to insure that the owner and developer will comply with the requirements and provisions of this sub-section, or may require such other security as may be deemed appropriate by the City Council.

**Sec. 150-163. Fees and administrative reviews.**

- (A) Each application filed with the Planning Office shall be accompanied by the payment of a fee, to be determined by the Planning Office depending on the scope of the project, to cover the expenses incurred by the City in processing and reviewing the application for development.
- (B) The applicant shall reimburse the City for the cost of any legal or engineering services incurred by the City in reviewing or processing any application.
- (C) The City Zoning and Planning Board shall have the responsibility to review all site and development plans and to make recommendations for modification, approval, or denial to the City Council in accordance with § 150-101 and 150-102.
- (D) Any decision or recommendation by the City Zoning and Planning Board shall be reviewed for final approval by the City Council in accordance with the procedures set forth in § 150-113.

**Section 2:** That new Code of Ordinance Section 150-165, Abraham Tract District, is hereby created as follows:

## Sec. 150-165. Abraham Tract District

### A. Purpose.

This District is intended to encourage large-scale development of a wide range of compatible and complimentary uses, along with uses not permitted elsewhere within the City.

### B. Permitted uses.

#### (1) Principal uses and structures generally permitted.

- (a) Adult related businesses (subject to the provisions of Code Chapter 132, and the regulations contained in Section (D) of this ordinance).
- (b) Agencies for travel and insurance and similar services.
- (c) Airport parking
- (d) Animal hospitals
- (e) Aviation-related schools
- (f) Automobile sales and service, new and used
- (g) Automobile rental agency.
- (h) Banks, savings and loan associations and similar financial institutions.
- (i) Bar if related to restaurant within the same building or within a hotel.
- (j) Catering business.
- (k) Clinical laboratory.
- (l) Dry cleaning and/or laundry
- (m) Domestic pet grooming and boarding
- (n) Government uses, including public utility structures and facilities
- (o) Gun shops and/or indoor ranges
- (p) Hotels.
- (q) Medical clinics
- (r) Mixed-use development, excluding residential
- (s) Motion picture studios
- (t) Offices, business and professional
- (u) Package stores
- (v) Parcel delivery services
- (w) Pawn shops and gold buying enterprise
- (x) Personal and repair service establishments
- (y) Post office.
- (z) Restaurants.
- (aa) Retail stores, including membership warehouse stores
- (bb) Stereo/video/electronics rental, sales and/or services
- (cc) Storage warehouse facilities

(dd) Other enterprises or businesses which are similar to enterprises or businesses enumerated herein, which have been approved in conjunction with site plan approval, as specified herein.

(2) Accessory buildings and structures. Uses and structures customarily accessory and incidental to specified principal uses and structures, and which do not alter the character of the district, and which have been approved in conjunction with site plan approval

**C. Prohibited uses.**

(1) Automotive auctions

(2) Educational uses, other than aviation-related schools

(3) Manufacturing operations or facilities.

(4) Open air, tented, or booth-operated flea markets or any other retail/wholesale operation not contained within a business building, except as otherwise authorized by Code Sections 110-01 through 110-03

(5) Places of public assembly for 1000 or more. This shall not apply to hotels and ancillary uses

(6) Residential uses.

**D. Adult related business regulations**

Reserved

**E. Setbacks and floor area.**

(1) The minimum setback for all yards shall be no less than 10 feet.

(2) Floor Area limitations.

For the purposes of this sub-section the floor area ratio (F.A.R.) shall be the total floor area of a building or buildings on a building site divided by the area of the site. See also Code Section 150-002 (C) (38). The maximum base F.A.R is no more than 1.0. Sites may be developed with F.A.R. of up to 3.0 through compliance with the Floor Area Ratio Bonus Program provided below:

(a) Floor Area Bonus Program. For a project to receive a Floor Area Ratio bonus, a development project must meet the bonus criteria herein or seek green building certification in Design Bonus Category (I). Design bonuses for additions to existing buildings are added to the existing FAR of the building; however, the proposed FAR (existing building plus addition) shall not exceed a FAR of 3.0.



(b) Schedule of Floor Area Ratio Bonuses for Projects in the Abraham Tract District

<u>Element</u>	<u>Amount of FAR Bonus</u>
<u>Hotel units</u>	<u>0.01 per hotel room</u>
<u>Meeting, assembly, and conference rooms hotels</u>	<u>0.01 per 500 sq. ft. of such space, not to exceed 0.25.</u>
<u>Provision of a Porte Cochere.</u>	<u>0.25</u>
<u>Landscape maturity - this bonus applies to landscaping that has achieved a minimum of 50% of maximum average height at time of planting.</u>	<u>0.25</u>
<u>Inclusion of an entry plaza, when not part of a required yard or setback, occupying a Minimum of 15% of the building width</u>	<u>0.25 for each 150 sq. ft. of Entry plaza, maximum 0.25</u>
<u>Decorative gates/fences or permitted walls permitted between buildings and surrounding sites. Material composed of wrought iron or aluminum. CBS may be used with wrought iron or aluminum. However, the area of the CBS must not exceed 50% of the total area of the gate, fence or perimeter gate. Alley may be 100% CBS.</u>	<u>0.25 for each 1% of Fence/gate, 25 maximum. (0.25 x amount of the % = Bonus)</u>
<u>Lighting-installation of decorative lighting</u>	<u>0.25</u>
<u>Green Building Certification. LEED (New Construction or Major Renovation) Silver or greater, or certification by the Florida Green Building Council.</u>	<u>1.0</u>

(c) Procedure for Securing Green Certification by City

- (i) The applicant must successfully register the project with the Green Building Certification Institute or the Florida Green Building Coalition, or other third party certifying agency as approved by the Planning and Zoning Director, and provide evidence or such registration.
- (ii) Applicant shall have a minimum of one (1) LEED accredited professional, or other similarly accredited professional, on the design team. Applicant shall provide a copy of the LEED accreditation certificate or similar certification and describe the role of the LEED accredited professional on the design team.
- (iii) The applicant must provide a copy of the pertinent credit checklist indicating which credits the applicant intends to achieve along with a written narrative and detailed drawings and plans illustrating the applicant's intent to meet the prerequisites as described in the applicable LEED Rating System of FGBC Designation for the specific building type.
- (iv) Prior to the issuance of the first principal building permit the applicant shall post a performance bond equal to 5% of the total cost of the construction in order to secure performance and fulfillment of the applicant. In lieu of the bond required by this Section, the City may accept an irrevocable letter of credit from a financial institution authorized to do business in Florida or provide evidence of cash deposited in an escrow account in a financial institution in the State of Florida in the name of the applicant and the City. The letter of credit or escrow shall be in the same amount of the bond if it were posted. If the project fails to meet the criteria required for the certification by the Green Building Certification Institute or other nationally recognized certifying agency within one (1) year after receiving the City's certificate of occupancy, the applicant shall either request an extension or forfeit one hundred percent (100%) of the bond. The applicant, for good cause shown, may request an extension of time of up to one (1) additional year to achieve certification. Such extension may be granted at the sole discretion of the City Council after having considered the factors and improvements necessary to achieve the requisite certification. If certification is not achieved within two (2) years after receiving the City's certificate of occupancy, the applicant shall forfeit one hundred percent (100%) of the bond to the City.

**F. Height limitations.**

- (1) Structures or portions of structures shall not exceed the height limitations provided in the Miami-Dade County Airport Height Zoning Area Map dated September 20, 2006 or as may be thereafter amended.
- (2) Notwithstanding the foregoing, all development shall be subject to review and approval by Miami-Dade County, Miami-Dade County Aviation Department, and the Federal Aviation Administration.
- (3) Notwithstanding the foregoing, no structure or portion thereof shall exceed one hundred and fifty (150) feet in height.

**G. Off-street parking and loading.**

- (1) New development shall be in compliance with Code Section 150-016 Notwithstanding the foregoing, the number of spaces required for Mixed Use developments shall be 75% of the sum of the total spaces required for the total of the uses, if it can be demonstrated to the City Planning and Zoning Department that the individual uses have variable peak usage, otherwise, all required spaces shall be provided.
- (2) Accessory parking lots shall be constructed and designed in accordance with Code Section 150-016.
- (3) Loading zones and the parking of commercial vehicles shall be arranged so as to provide safe access from driveways and public streets, to prevent interference with vehicular and pedestrian circulation of the premises, and to avoid friction with traffic passing the premises.
- (4) Off-street loading.
  - (a) Except as provided herein, below, every building or building group or part thereof, hereafter erected and having a gross floor area of more than 10,000 square feet which is occupied by commercial uses or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building(s) off-street loading berths as follows:

<u>10,000 to 24,999 square feet</u>	<u>One Berth</u>
<u>25,000 to 59,999 square feet</u>	<u>Two Berths</u>
<u>60,000 to 120,000 square feet</u>	<u>Three Berths</u>
<u>For each additional 80,000 square feet</u>	<u>One Berth</u>

A loading berth shall have the minimum dimensions of 12 feet in width, 35 feet in length and 14 feet of vertical clearance.

- (b) Irrespective of floor area, Hotels having fewer than 200 rooms shall not be required to provide off-street loading berths. One berth shall be required for each 100 additional hotel rooms or major fraction thereof.
- (c) Off-street loading facilities shall be properly drained to prevent runoff or damage to abutting properties or public streets, and shall not be used for any purpose other than loading and unloading. At no time shall the loading area be used for storage.

#### **H. Signage**

Signage shall be in accordance with Code Section 150-030 (G).

**I. Development Review Procedures.** An application for development review shall be submitted to the Planning and Zoning Department for processing. No construction or alterations governed by this ordinance may begin without such approval. Additional review by Miami-Dade County and Miami-Dade County Aviation may be required.

- (1) Review for projects not requiring City Council approval. The Planning and Zoning Director and City Building Official shall review all permit applications not requiring City Council approval such as accessory and minor structures such as fences, sheds, replacement of sign faces, new signage, and exterior wall re-painting or re-roofing to ensure the improvements are in compliance with the district boundary regulations.
- (2) Projects requiring formal review by the City Council. The following formal approval process for the City shall apply to all new construction, remodeling and renovation projects.
  - (a) Mandatory preliminary review meeting with City Staff and owner/developer representatives. This meeting shall be scheduled following City Staff's preliminary review of all project submittals.
  - (b) Applications for variances, if any, shall be submitted to the City Board of Adjustment for review and consideration in accordance with the procedures set forth in Code Sections 150-110 through 150-113.

- (c) The City Zoning and Planning Board will have the responsibility to review all site and development plans and to make recommendations for modification, approval or denial to the City Council in accordance with Code Sections 150-101 and 150-102.
- (d) The decisions and recommendations of the City Board of Adjustment and Zoning and Planning Board will be reviewed for final approval by the City Council in accordance with the procedures set forth in Code Section 150-113.
- (e) The City Council will authorize the preparation and issuance of a Development Order for each project application which has completed the Development Review Process.

**J. Requirements for Development Review.** The following shall be submitted to the Planning and Zoning Department to initiate development review:

- (1) A fully completed application form
- (2) A letter of intent which generally describes the proposed development, including timing and phasing, if any
- (3) A filing fee
- (4) Five copies of the following plans and exhibits with a sheet format of 24 inches by 36 inches and five copies with a sheet format of 11 inches by 17 inches shall accompany the development permit application for preliminary review. Thereafter, the format and number of copies shall be as determined by the Planning and Zoning Department
  - (a) Existing Site Characteristics Map. A certified land and as-built survey, no more than one year old, which specifies acreage or square footage illustrating:
    - (i) Existing natural features, including, but not limited to trees and other vegetation
    - (ii) Existing buildings and other structures
    - (iii) Existing utility lines and easements

(b) Site Development Plan

- (i) A scaled (engineering scale) drawing clearly illustrating proposed buildings and other structures and any existing buildings and structures which are to be retained, including use, height, dimensions and setbacks
- (ii) Proposed off-street parking spaces and driveways, including location, construction materials setbacks and loading zones
- (iii) Proposed fences and walls, including location, construction material, dimensions, setbacks, and height
- (iv) Proposed utility lines and easements
- (v) Traffic flow patterns and the location of all curb cuts
- (vi) A vicinity map showing all land uses within 300 feet from all property lines and all curb cuts and median cuts within 300 feet. The map may be inset and scaled accordingly. One inch equals 100 feet is recommended
- (vii) Dumpster location(s)
- (viii) Proposed location and elevations of signs, including height, dimensions, setbacks, construction materials and color.

(c) Landscape Plan

- (i) A scaled (engineering scale) drawing clearly illustrating proposed and existing trees, shrubs grass and other vegetation where required, including location, height, caliper, canopy area to be removed or spread and type of plant by both common and botanical classifications. All plans must be signed and sealed by a registered landscape architect
- (ii) Proposed depressions and berms and other topographical features
- (iii) Method of irrigation

(d) Architectural Plan

- (i) A scale drawing clearly illustrating all proposed building floor plans and elevations, including height, dimensions, color, surface materials and textures.
- (ii) Location of all mechanical equipment
- (iii) Exterior façade color samples complying with the approved color palette

(e) Tabular Summary

- (i) Total gross area and net site area
- (ii) Proposed floor area by type of use and total gross floor area
- (iii) Floor area ratio, base and bonus calculations
- (iv) Area and percentage distribution of total gross project site, including areas proposed for landscaped open space, impervious surfaces and building coverage
- (v) Number, size and ratio of off-street parking spaces

(f) Drainage Plan

- (i) Location and square footages of all buildings, roads, parking Lots, driveways, green areas, and other significant pervious and impervious areas
- (ii) Existing elevations at the corners and center of proposed Buildings, as well as proposed finished floor elevations
- (iii) Sufficient elevations and calculations to show retention of Storm water on the site.

- (5) The Planning and Zoning Director shall have the authority to waive any of the foregoing requirements not appropriate to a specific development permit application and/or to require any additional information deemed relevant to the specific application.
- (6) Disclosure of ownership. Each application shall disclose the identity of the property, all property owners and/or developer(s). If a representative of the owner/developer files the application, the agency relationship shall also be disclosed and clearly stated and satisfactory evidence of such relationship presented. In the case of joint ownership, all owners shall consent to the application. Where the property is under contract for purchase, the owner must consent to the application.

**K. Exemptions**

The following applications for development, redevelopment of building permit shall be exempt from the application of this ordinance;

- (1) Any building or structure for which final site plan approval has been obtained prior to the enactment of this ordinance.
- (2) A project determined by the Planning and Zoning Director to be of a temporary nature such that meeting the intent of the ordinance would not be practical.
- (3) The City Administrative Staff shall retain the authority to exempt any proposed development or redevelopment project for this District that is being proposed for any existing structure or structures from the application of any or all of the provisions of Code Section 150-165. This exemption shall not be applicable to development or redevelopment projects in the District proposed for vacant or "ground up" construction which retains the continuing availability of the City variance process for specific relief from the provisions of this Code section.

#### **L. Fees**

- (1) Each application filed with the City shall be accompanied by the payment of a fee, which shall be determined by City, based on the scope of the project and the expenses to be incurred by the City in processing and reviewing the application for development.
- (2) The applicant shall reimburse the City for the amount of any fees or other costs incurred by the City in reviewing or processing any application.

**Section 3:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 4:** That the codifiers are hereby directed to codify this ordinance in accordance with their discretion and their prior codification of the City of Miami Springs Code of Ordinances.

**Section 5:** That this Ordinance shall take effect in the manner provided by law.



**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida this 27<sup>th</sup> day of August, 2012.

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


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

\_\_\_\_\_  
Zavier M. Garcia  
Mayor

**ATTEST:**

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

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

  
Jan K. Seiden, Esquire  
City Attorney

First reading: 06-25-2012  
Second reading: 08-13-2012 Tabled  
Second reading: 08-27-2012

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







**CITY OF MIAMI SPRINGS**  
Public Works  
345 N Royal Poinciana Blvd  
Miami Springs, FL 33166-5259  
Phone: (305) 805-5170  
Fax: (305) 805-5195

Agenda Item No.

City Council Meeting of:

08-27-2012

**TO:** Honorable Mayor Garcia and Members of the City Council  
**VIA:** Ronald Gorland, City Manager   
**FROM:** Thomas Nash, Public Works Director   
**DATE:** August 20, 2012

**RECOMMENDATION:**

**Recommendation that Council award a bid to Micar Trucking, utilizing Miami-Dade County Bid # 4056-0/16 in the amount of \$16,500, on as needed basis for various types of rock for alley and street repairs, pursuant to Section §31.11 (E)(5) of the City Code.**

**DISCUSSION:** Council approved \$30,000 in October for Allied Trucking, but they dropped out of the bid in January. We spent \$10,107.87 with Allied Trucking. We opened another Purchase order for Micar Trucking for \$9,500.00 but we need more money to carry us till the end of the fiscal year. That is why we are requesting \$7,000.00 additionally.

**COST:** \$ 16,500.00

**FUNDING:** Department/ Description: Roads & Transportation  
Account Number: 135-0902-541-4600

**PROFESSIONAL SERVICES APPROVAL:** 



**CONTRACT AWARD SHEET  
DEPARTMENT OF PROCUREMENT MANAGEMENT**

*Bid No. 4056-0/16  
Award Sheet*

**Team 3 - Industrial Goods DIVISION**

BID NO.: 4056-0/16

PREVIOUS BID NO.: 4056-0/11

TITLE: COARSE AGGREGATES, PRE-QUALIFICATION

CURRENT CONTRACT PERIOD: 03/01/2012 through 02/28/2017

Total # of OTRs: 0

**MODIFICATION HISTORY**

*Bid No. 4056-0/16*

*Award Sheet*

<b><u>DPM Notes</u></b>
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<b><u>APPLICABLE ORDINANCES</u></b>								
<table style="width:100%; border: none;"> <tr> <td style="width:33%;"><u>LIVING WAGE:</u>    <u>No</u></td> <td style="width:33%;"><u>UAP:</u>    <u>Yes</u></td> <td style="width:33%;"><u>IG:</u>    <u>No</u></td> </tr> </table> <p><u>OTHER APPLICABLE ORDINANCES:</u></p>	<u>LIVING WAGE:</u> <u>No</u>	<u>UAP:</u> <u>Yes</u>	<u>IG:</u> <u>No</u>					
<u>LIVING WAGE:</u> <u>No</u>	<u>UAP:</u> <u>Yes</u>	<u>IG:</u> <u>No</u>						
<p><b>CONTRACT AWARD INFORMATION:</b></p> <table style="width:100%; border: none;"> <tr> <td style="width:25%;"><u>No</u> Local Preference</td> <td style="width:25%;"><u>No</u> Micro Enterprise</td> <td style="width:25%;"><u>No</u> Full Federal Funding</td> <td style="width:25%;"><u>No</u> Performance Bond</td> </tr> <tr> <td><u>No</u> Small Business Enterprise (SBE)</td> <td><u>No</u> PTP Funds</td> <td><u>No</u> Partial Federal Funding</td> <td><u>No</u> Insurance</td> </tr> </table> <p>Miscellaneous:</p>	<u>No</u> Local Preference	<u>No</u> Micro Enterprise	<u>No</u> Full Federal Funding	<u>No</u> Performance Bond	<u>No</u> Small Business Enterprise (SBE)	<u>No</u> PTP Funds	<u>No</u> Partial Federal Funding	<u>No</u> Insurance
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<table border="1" style="width:80%; margin: auto;"> <tr> <td style="padding: 5px;">REQUISITION NO.:</td> </tr> </table>	REQUISITION NO.:							
REQUISITION NO.:								

<table style="width:100%; border: none;"> <tr> <td style="width:30%;">PROCUREMENT AGENT:</td> <td style="width:40%;">SUSAN PASCUL</td> <td style="width:30%;"></td> </tr> <tr> <td>PHONE: 305 375-2037</td> <td>FAX: 305 375-4407</td> <td>EMAIL: SPASCUL@MIAMIDADE.GOV</td> </tr> </table>	PROCUREMENT AGENT:	SUSAN PASCUL		PHONE: 305 375-2037	FAX: 305 375-4407	EMAIL: SPASCUL@MIAMIDADE.GOV
PROCUREMENT AGENT:	SUSAN PASCUL					
PHONE: 305 375-2037	FAX: 305 375-4407	EMAIL: SPASCUL@MIAMIDADE.GOV				

VENDOR NAME: PRO GROUNDS PRODUCTS INC  
 DBA:  
 FEIN: 651052965 SUFFIX: 01 33176  
 STREET: 8834 SW 131ST STREET CITY: MIAMI ST: FL ZIP:  
 FOB TERMS: DEST-P DELIVERY:  
 PAYMENT TERMS: NET30 TOLL PHONE: 866-556-6156

**VENDOR INFORMATION:**

	<i>CERTIFIED VENDOR</i>	<i>ASSIGNED MEASURES</i>
Local Vendor:	SBE	Set Aside
	Micro Ent.	Selection Factor
	Other:	Bid Pref.
		Goal
		Vendor Record Verified?

\*\*\*\*\*

**Vendor Contacts:**

Name	Phone1	Phone2	Fax	Email Address
BRUCE BATES	305-235-5101	866-556-6156	305-235-5186	PROGROUNDS@PROGROUNDSPRODU

VENDOR NAME: MICAR TRUCKING INC  
 DBA:  
 FEIN: 651075243 SUFFIX: 01 33175  
 STREET: 13944 SW 25 TERRACE CITY: MIAMI ST: FL ZIP:  
 FOB TERMS: DEST-P DELIVERY:  
 PAYMENT TERMS: NET30 TOLL PHONE: -

**VENDOR INFORMATION:**

	<i>CERTIFIED VENDOR</i>	<i>ASSIGNED MEASURES</i>
Local Vendor:	SBE	Set Aside
	Micro Ent.	Selection Factor
	Other:	Bid Pref.
		Goal
		Vendor Record Verified?

\*\*\*\*\*

**Vendor Contacts:**

Name	Phone1	Phone2	Fax	Email Address
CARLOS P CORZO	305-720-9869	-	866-281-1436	MICARTRUCKING@YAHOO.COM

# CITY OF MIAMI SPRINGS

---



Public Works  
345 N Royal Poinciana Blvd  
Miami Springs, FL 33166-5289  
Phone: (305) 805-5170  
Fax: (305) 805-5176

**TO:** Honorable Mayor Garcia and Members of the City Council

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

**FROM:** Robert Williams, Public Works Director *R. Williams*

**DATE:** September 28, 2011

**SUBJECT:** Recommendation that Council award a bid to Allied Trucking, utilizing Miami Dade County Bid # 4056-0/11 in the amount of \$30,000.00 "on an as needed basis" for various types of rock for alley & street repairs, pursuant to Section § 31.11 (E) (5) of the City Code.

**REASON:** To purchase various types of rock for alley & street repairs by the street dept

**COST:** \$ 30,000.00

**FUNDING:** CITT 135-0902-541-4600

**SPENT:** FY 10/11 - \$43,708.65

**ATTACHMENTS:** Certification of Contract.

Procurement approval *TR*

**CC:** Ronald Gorland, Assistant City Manager  
Magali Valls, City Clerk



**CONTRACT AWARD SHEET  
DEPARTMENT OF PROCUREMENT MANAGEMENT**

*Bid No. 4056-0/11  
Award Sheet*

DIVISION

BID NO.: 4056-0/11

PREVIOUS BID NO.: 4056-2/05-2

TITLE: COARSE AGGREGATES (PREQUALIFICATION)

CURRENT CONTRACT PERIOD: 08/01/2006 through 01/31/2012

Total # of OTRs: 0

**MODIFICATION HISTORY**

*Bid No. 4056-0/11*

*Award Sheet*

**DPM Notes**

**APPLICABLE ORDINANCES**

LIVING WAGE: No

UAP: Yes

IG: No

OTHER APPLICABLE ORDINANCES:

**CONTRACT AWARD INFORMATION:**

No Local Preference

No Micro Enterprise

Full Federal Funding

No Performance Bond

Small Business Enterprise (SBE)

PTP Funds

Partial Federal Funding

No Insurance

Miscellaneous:

REQUISITION NO.:

PROCUREMENT AGENT:  
PHONE: 305 375-1354

Maria Hevia  
FAX: 305 375-4407

EMAIL: MHevia@MIAMIDADE.GOV

DEPARTMENT OF PROCUREMENT MANAGEMENT  
DIVISION

VENDOR NAME: BLACK VELVET TOP SOIL INC  
 DBA:  
 FEIN: 592045052 SUFFIX: 01 33186  
 STREET: 13205 SW 137 AVENUE SUITE 321 CITY: MIAMI ST: FL ZIP:  
 FOB TERMS: DEST-P DELIVERY:  
 PAYMENT TERMS: NET30 TOLL PHONE: 786-236-6094

VENDOR INFORMATION:		CERTIFIED VENDOR	ASSIGNED MEASURES
Local Vendor:	SBE	Set Aside	Bid Pref.
	Micro Ent.	Selection Factor	Goal
	Other:		Vendor Record Verified?

\*\*\*\*\*

Vendor Contacts:

Name	Phone1	Phone2	Fax	Email Address
JOSEPH K SIRGANY	305-971-7073	786-236-6094	305-971-7054	T_BLACKV@BELLSOUTH.NET

VENDOR NAME: ALLIED TRUCKING OF FLORIDA INC  
 DBA:  
 FEIN: 650074502 SUFFIX: 01 33018  
 STREET: 10741 NW 89TH AVE CITY: HIALEAH GARDENS ST: FL ZIP:  
 FOB TERMS: DEST-P DELIVERY:  
 PAYMENT TERMS: NET45 TOLL PHONE: -

VENDOR INFORMATION:		CERTIFIED VENDOR	ASSIGNED MEASURES
Local Vendor:	SBE	Set Aside	Bid Pref.
	Micro Ent.	Selection Factor	Goal
	Other:		Vendor Record Verified?

\*\*\*\*\*

Vendor Contacts:

Name	Phone1	Phone2	Fax	Email Address
RAUL SOTOLONGO	305-885-6464	-	305-885-3131	ED.ALLIEDTK@GMAIL.COM








**CITY OF MIAMI SPRINGS**  
Finance Department  
201 Westward Drive  
Miami Springs, FL 33166-5259  
Phone: (305) 805-5035  
Fax: (305) 805-5018


Agenda Item No.

City Council Meeting of:

08-27-2012 

**TO:** Honorable Mayor Garcia and Members of the City Council

**VIA:** Ronald Gorland, City Manager 

**FROM:** William Alonso, Assistant City Manager/ Finance Director 

**DATE:** August 22, 2012

**RECOMMENDATION:**

Recommendation that Council award City RFP # 08-11/12 to **Florida League of Cities**, the lowest responsible proposer, in the amount of **\$273,315.00**, for **Property, Casualty and Liability Insurance**, pursuant to Section §31.11 (E)(2) of the City Code.

**DISCUSSION:**

On July 27<sup>th</sup>, 2012 the City advertised the Request for Proposal # 08-11/12 for Property, Casualty and Liability Insurance Programs- Citywide of which 21 brokers/Agencies were notified of the opportunity to bid. On August 7<sup>th</sup>, a Pre-Bid conference was held and only 2 Insurance companies were in attendance: Brown & Brown and Florida League of Cities, Inc. On August 21<sup>st</sup>, 2012, the City received 2 proposals (Attachments "A") and all were considered responsive.

After careful review, the administration is making a recommendation for Florida League of Cities, Inc. as the lowest responsible proposer.

**COST:** \$ 273,315.00

**FUNDING:** Department/ Description: All Departments/ Liability Insurance  
Account Numbers: XXX-XXXX-XXX-45-30

**PROFESSIONAL SERVICES APPROVAL:** 



Coverage	Brown & Brown	FL. League of Cities
al Property	\$143,065.00	\$156,580.00
Inland Marine	\$8,797.00	Included
Crime	\$703.00	Included
Equipment Breakdown Coverage	N/A	Included
General Liability	\$26,674.00	\$33,181.00
Automobile	\$46,254.00	\$55,035.00
Employment Practices Liability	\$34,853.00	\$27,250.00
Finance Director Bond	\$350.00	Included
Public Officials' Liability	Included in EPL	Included in EPL
Law Enforcement Liability	\$31,349.00	\$44,094.00
Storage Tank Liability	\$1,801.04	\$1,802.00
Accidental Death & Dismemberment	\$1,736.00	\$1,809.00
TOTAL PREMIUM:	\$295,582.04	\$319,751.00
Return of Premium:	\$0.00	-\$46,436.00
<b>GRAND TOTAL PREMIUM:</b>	<b>\$295,582.04</b>	<b>\$273,315.00</b>

**PREMIUM SUMMARY**

Coverage Line	Annual Premium	Attachment A
Real & Personal Property	\$156,580	
Inland Marine	INCLUDED	
Equipment Breakdown Coverage	INCLUDED	
Crime & Bond Coverage	INCLUDED	
General Liability Coverage	\$33,181	
Public Officials E&O / Employment Practices Liability	\$27,250	
Police Professional Liability	\$44,094	
Automobile Coverage	\$55,035	

<b>Total FMIT Premium</b>	<b>\$316,140</b>
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THE FOLLOWING COVERAGE(S) ARE BILLED SEPARATELY ON AN ANNUAL BASIS AND WILL NOT BE INCLUDED IN THE  
 QUARTERLY INSTALLMENT INVOICE FOR THE FMIT:

<u>Accidental Death and Dismemberment:</u>	\$1,809
<u>Storage Tank Liability:</u>	\$1,802
<b>GRAND TOTAL PREMIUM</b>	<b>\$319,751</b>
<b>RETURN OF PREMIUM</b>	<b><u>46,436</u></b>
<b>REDUCED GRAND TOTAL PREMIUM</b>	<b>\$273,315</b>

The FMIT Board of Trustees has approved a \$8,000,000 return of premium for members that had property coverage in the 2010-2011 Fund Year. The directive of the Board was to return property premium on the renewing members for 2012-2013 that participated in the Trust's property program in 2010-2011. A preliminary calculation has been made to establish a minimum amount the member can expect to be used for budget purposes. Based on the property premiums paid in 2010-2011 the City of Miami Springs can expect at least \$46,436 in return premium should they elect to renew coverage for the 2012-2013 policy year.

Note: Coverage summaries provided herein are intended as an outline of coverage only and are necessarily brief. In the event of loss, all terms, conditions, and exclusions of actual Agreement and/or Policies will apply.

**Miami Division**14900 NW 79<sup>th</sup> Court, Suite 200

Miami Lakes, FL 33016-5869

(305) 364-7800

Fax (305) 822-5687

**SUMMARY OF PROPOSED PREMIUMS**

Premiums as Proposed:		Annual Premium
<b>Property</b>	Premium	<b>\$143,065.00</b>
<b>Inland Marine</b>	Premium	<b>\$8,797.00</b>
<b>Crime</b>	Premium	<b>\$703.00</b>
<b>Finance Director Bond</b>	Premium	<b>\$350.00</b>
<b>General Liability</b>	Premium	<b>\$26,674.00</b>
<b>Automobile</b>	Premium	<b>\$46,254.00</b>
<b>Law Enforcement Liability</b>	Premium	<b>\$31,349.00</b>
<b>Employment Practices Liability</b>	Premium	<b>\$34,853.00</b>
<b>Public Officials' Liability</b>	Premium	<b>Included in EPL</b>
<b>Storage Tank Liability</b>	Premium	<b>\$1,801.04</b>
<b>Accidental Death &amp; Dismemberment</b>	Premium	<b>\$1,736.00</b>
<b>TOTAL</b>		<b>\$295,582.04</b>

**Payment Option:**

50% Down, 25% due at 75 days and 25% due at 166 days

- First payment of \$144,418.00 is due 10/01/2012.
- Second payment of \$72,209.00 is due 12/15/2012
- Third payment of \$72,209.00 is due 03/16/2013

**Coverage Recommendations:**

- Increase Forgery and Alteration Crime coverage to \$100,000 for an additional premium of \$73.00
- Increase Employee Dishonesty Crime coverage to \$100,000 for an additional premium of \$73.00
- Add Business Income coverage for an additional premium of \$776.00
- Add Business Extra Expense coverage for an additional premium of \$776.00



# CITY OF MIAMI SPRINGS





Agenda Item No.

City Council Meeting of:

08.27.2012

Recreation/Golf Department  
650 Curtiss Parkway  
Miami Springs, Fl 33166-5259  
Phone: (305) 805-5180  
Fax: (305) 805-5192

**TO:** The Honorable Mayor Garcia and Members of the Council  
**VIA :** Ron Gorland, City Manager   
**FROM:** Mike Aldridge, PGA Golf Professional Class A   
**DATE:** August 22, 2012,

**RECOMMENDATION:**

Recommendation that Council award a bid for contractual labor to **GREENS GRADE SERVICES. INC.**, utilizing City of Coral Gables Bid#IFB 2007-10-22 in an amount not to exceed \$59,189.35 "on an as needed basis" pursuant to Section 31.11 (E) (5) of the City Code.

**DISCUSSION:**

Utilizing labor from contract extended through 2013. Additional funds requested due to increase in added cultural/mechanical activities needed for turf recovery from a heavier winter season.

<b>COST:</b>	Previously approved by Council 10/12/2011	\$338,952.82
	Current approval request	\$ 59,189.35

<b>Total Approval Amount</b>	<b>\$398,142.17</b>
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**FUNDING:** Budgeted under Recreation Department/Golf Course Maintenance 001-5708-572-34-00 of which \$78,775.18 is still available.

**PROFESSIONAL SERVICES APPROVAL:** \_\_\_\_\_





# CITY OF MIAMI SPRINGS

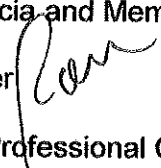



Agenda Item No.

City Council Meeting of:

08-27-2012

Recreation/Golf Department  
650 Curtiss Parkway  
Miami Springs, FL 33166-5259  
Phone: (305) 805-5180  
Fax: (305) 805-5192

**TO:** The Honorable Mayor Garcia and Members of the Council  
**VIA :** Ron Gorland, City Manager   
**FROM:** Mike Aldridge, PGA Golf Professional Class A   
**DATE:** August 22, 2012,

**RECOMMENDATION:**

Recommendation that Council waive the competitive bid process and approve an expenditure in an amount not to exceed \$6,500.00 "on an as needed basis" to **LAND & SEA** for fuel and oil, pursuant to Section 31.11 (E) (6) (g) of the City Code.

**DISCUSSION:**

Additional funds requested due to increase in fuel cost and consumption increase due to added cultural/mechanical activities needed for turf recovery from a heavier winter season.

<b>COST:</b>	Previously approved by Council 10/12/2011	\$34,200.00
	Current approval request	\$ 6,500.00

<b>Total Approval Amount</b>	<b>\$40,700.00</b>
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**FUNDING:** Funds available under Recreation Department/Golf Course Maintenance

**PROFESSIONAL SERVICES APPROVAL:**  \_\_\_\_\_



**MEMORANDUM**

Agenda Item No.

**TO: MAYOR AND COUNCIL**

City Council Meeting of:

**FROM: CITY ATTORNEY**

08-27-2012

**DATE: AUGUST 23, 2012**

**RE: SETTLEMENT AGREEMENT AND RELEASE WITH ATKINS NORTH AMERICA, INC. ON BASIN # 35 PROJECT**

**Attorneys at Law**

Robert D. Orshan  
Robert P. Lithman  
Jan K. Seiden  
Jorge H. Ramos  
David L. Hatton  
Nicole J. Huesmann  
Ariana Fajardo  
Jamie Segal Davis

---

I am pleased to provide you with a copy of the proposed Settlement Agreement and Release between the City and Atkins North America, Inc., in regard to the prior Basin # 35 Project.

In sum, the Agreement provides, to wit:

- City will receive \$27,000 as reimbursement /settlement for its claims against Atkins for additional project costs/damages.
- City will only be responsible to pay for one-half (1/2) of the fees presently remaining due to Atkins (\$8,995.50) for the "pond retention project".
- Atkins will continue to represent the City in addressing Board Order # 97-63 (DERM violation) and only anticipates a small amount of additional fees in excess of the original purchase order to be incurred.
- Atkins will remove/repair all prior piping and catch basins placed within the Golf Course property at their own cost and expense. In addition, any damage will be repaired, berms will be created around the removal areas, and the area of the low-lying retention pond will be extended.
- The parties initially agree to cooperate in the performance of the aforesaid removal/repairs with as little disruption of the Golf Course as possible.
- The parties will release each other upon the completion of all responsibilities set forth in the Settlement Agreement.
- The parties agree not to make disparaging remarks about each other.

MEMORANDUM/Page Two  
August 23, 2012

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It is the recommendation of the City administration and the City Attorney that the City Council approve the proposed Settlement Agreement and authorize the City Manager to execute the Agreement on behalf of the City.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jan K. Seiden".

JAN K. SEIDEN

JKS:mv

## SETTLEMENT AGREEMENT AND RELEASE

Atkins North America, Inc. ("Atkins") and the City of Miami Springs, Florida ("City") and together with Atkins, the "Parties" or each individually, a "Party") hereby enter this Settlement Agreement and Release (this "Agreement"). This Agreement shall be deemed effective as of the date of signature of the last Party to sign this Agreement (the "Effective Date").

**WHEREAS**, the City has provided notice to Atkins of the existence of several claims related to the Miami Springs Basin #35 (the "Dispute"); and

**WHEREAS**, by letter dated May 7, 2012, the City (through its attorney) outlined the terms and conditions required by it to resolve said Dispute; and

**WHEREAS**, Atkins has agreed to accept the City's terms and conditions in order to resolve this Dispute in an amicable manner that is satisfactory to both Parties,

**NOW, THEREFORE**, in consideration of the mutual covenants, promises, representations, and warranties contained herein, the Parties, intending to be legally bound, do hereby agree as follows:

1. As of the Effective Date, Atkins shall issue a check to City in the amount of 27,000.00 towards the settlement of the Dispute.
2. In addition, Atkins will complete and deliver to City an approved "Best Practices Manual" for the Miami Springs Golf Course as specified in the prior Project Settlement Agreement between the Parties at no additional cost to the City.
3. Atkins hereby agrees to waive \$8,995.50 (representing half) of the remaining payments due from City for work performed on the "Retention Pond Project" alternative by Atkins. The City hereby acknowledges that Atkins will send City a final invoice for \$8,995.50 for the above and City agrees to pay said invoice within a reasonable time, upon completion of construction as identified in paragraph 5.
4. Atkins will continue assisting the City in addressing Board Order No. 97-63 as identified in Atkins original proposal to the City as per the existing Purchase Order #111171. City acknowledges that Atkins submitted a response package to DERM on May 29, 2012 for their review (Process No. M2012007502). Future coordination with DERM will continue to be invoiced on a time and materials basis as structured in the existing Purchase Order. City acknowledges that the \$3000.00 allocated for permit support is reaching capacity and will likely require an increase due to anticipated coordination upon receipt of DERM's response to the submittal.
5. As per the original Project Settlement Agreement, Atkins will remove all north/south and east/west pipes and catch basins from the Miami Springs Golf Course property, repair any damage caused by the removal process, create berms to lessen the impact of the repair work where necessary and appropriate, extend the east/west boundaries of the previously proposed low-lying retention area, and act as the project manager until all of the aforesaid work has been completed and approved by the City and Miami Dade County Department of Regulatory and Economic Resources, which recently merged the Department of Permitting, Environment, and Regulatory Affairs (PERA), previously recognized as the Department of Environmental Resource Management (DERM).

6. In the performance of the foregoing, Atkins agrees to create as little disruption as possible to the operation of the Miami Springs Golf Course and City agrees to provide days available to perform construction activity and notify Atkins if activity is not permitted on the course 72-hours prior to planned activity.

7. City agrees to cooperate and assist Atkins in the performance of the aforesaid required services to be performed by Atkins.

8. Upon satisfactory completion of the obligations previously set forth herein, City hereby releases and forever discharges Atkins and its owners, members, employees, representatives, officers, agents, attorneys, successors and assigns, from any and all claims, debts, liabilities, demands, obligations, costs, expenses, attorneys' fees, causes of action, defenses and offsets of every nature, character and description which City has held, now holds, or may hold in the future, which arise out of or relate to the Dispute.

9. Upon satisfactory completion of the obligations previously set forth herein, Atkins hereby releases and forever discharges City, from any and all claims, liens, debts, liabilities, demands, obligations, costs, expenses, attorneys' fees, causes of action, defenses and offsets of every nature, character and description which Atkins has held, now holds, or may hold in the future, which arise out of or relate to the Dispute.

10. The Parties expressly understand, agree and acknowledge that each of the other Parties expressly deny that each is liable to the other on any basis, and that this Agreement does not constitute either an admission of liability by any of the parties with respect to any claims raised, or that could have been raised with regard to this Dispute.

11. The Parties agree that they will not engage in any conduct or make any statements critical of the other regarding the Dispute or this settlement.

12. Time is of the essence for this Agreement.

13. All individuals who execute this Agreement on behalf of any of the Parties represent and warrant that they have full and unconditional authority to act for and to bind that particular party.

14. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Florida applicable to contracts executed and delivered in, and to be performed entirely within, the State of Florida.

15. The Parties warrant, represent, and agree that they have completely read this Agreement and have had the opportunity to review its terms with counsel of their choosing. The Parties agree that the Parties fully understand and voluntarily accept the terms of this Agreement.

16. The provisions of this Agreement are severable, and, if a court having proper jurisdiction declares any provision invalid, the invalidity of any provision hereof shall not invalidate any other provision.

17. This Agreement contains all of the agreements of the Parties to it with respect to the matters contained herein and no prior to or contemporaneous agreement or understanding, oral or written, pertaining to any such matters shall be effective for any purpose. The terms of this

Agreement are contractual and not a mere recital. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original; however, in pleading and proving this Agreement only one such counterpart need be produced.

18. Each Party shall pay his or its own legal fees incurred in the negotiation, drafting, or execution of this Agreement.

**IN WITNESS WHEREOF**, the Parties hereto have duly authorized and executed this Agreement as of the date first above written.

**Atkins North America, Inc.**

**City of Miami Springs, Florida**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_



( )



**OFFICE OF THE CITY CLERK  
MEMORANDUM**

**TO:** Honorable Mayor Garcia and Members of the City Council

**FROM:** Magali Valls, City Clerk

*M. Valls*

**DATE:** August 16, 2012

**SUBJECT: APPOINTMENT TO THE ARCHITECTURAL REVIEW BOARD**

\*\*\*\*\*

Councilman Lob (Group III) has notified me that at the Regular Meeting of Monday, August 27, 2012, he will be officially appointing Freddy Albiza to the Architectural Review Board for an unexpired term ending on October 31, 2012.

cc: City Manager Ronald K. Gorland  
Assistant City Manager/Finance Director William Alonso  
City Attorney Jan K. Seiden  
Architectural Review Board Members and Secretary



OFFICE OF THE CITY CLERK  
MEMORANDUM

TO: Honorable Mayor Garcia and Members of the City Council  
FROM: Magali Valls, City Clerk  
DATE: August 20, 2012  
SUBJECT: PENDING BOARD APPOINTMENTS

\*\*\*\*\*

The following appointments are pending:

<u>APPOINTMENT COUNCILMEMBER</u>	<u>CURRENT MEMBER</u>	<u>TERM EXPIRES</u>	<u>ORIGINAL APPOINTMENT DATE</u>	<u>LAST APPOINTMENT DATE</u>
<b><u>Board of Adjustment</u></b>				
Mayor Xavier M. Garcia Councilwoman Ator – Group IV	Francisco Fernández Vacant – Alternate	04-30-2015 10-31-2012	10-14-1991 VACANT	11-28-2011 VACANT
<b><u>Architectural Review Board</u></b>				
Mayor Xavier M. Garcia Councilman Best – Group I	Kathy Fleischman* Bob Calvert*	10-31-2012 10-31-2012	VACANT VACANT	VACANT VACANT
<b><u>Civil Service Board</u></b>				
Councilwoman Bain - Group II Councilman Best – Group I	Carrie Figueredo Rob Youngs	06-30-2012 06-30-2012	08-24-2009 01-11-2010	08-24-2009 01-11-2010
<b><u>Code Enforcement Board</u></b>				
Mayor Xavier M. Garcia Councilwoman Bain - Group II Councilwoman Bain - Group II	Raúl Sáenz* John Bankston Rhonda Calvert	11-30-2014 09-30-2014 09-30-2014	VACANT 09-23-2002 09-25-2006	VACANT 10-28-2008 10-13-2008
<b><u>Code Review Board</u></b>				
Mayor Xavier M. Garcia	Connie Kostyra*	04-30-2015	VACANT	VACANT
<b><u>Disability Advisory Board</u></b>				
Mayor Xavier M. Garcia Councilwoman Bain - Group II	Charlene Anderson* Peter Newman*	12-31-2013 12-31-2013	VACANT VACANT	VACANT VACANT

<b>APPOINTMENT COUNCILMEMBER</b>	<b>CURRENT MEMBER</b>	<b>TERM EXPIRES</b>	<b>ORIGINAL APPOINTMENT DATE</b>	<b>LAST APPOINTMENT DATE</b>
<b><u>Ecology Board</u></b>				
Vice Mayor Lob-- Group III	Dr. Mara Zapata*	04-30-2013	VACANT	VACANT
<b><u>Education Advisory Board</u></b>				
Councilwoman Ator – Group IV	Robert J. Gordon*	05-31-2013	11-23-2009	05-09-2011
<b><u>Golf and Country Club</u></b>				
Councilwoman Ator – Group IV	Mark Trowbridge*	07-31-2013	10-10-2011	10-10-2011
<b><u>Historic Preservation Board</u></b>				
Councilwoman Bain - Group II	Yvonne Shonberger	02-28-2014	06-13-2005	02-11-2008
Vice Mayor Lob-- Group III	Michael Windrem***	02-28-2015	06-13-2005	03-26-2012
Councilwoman Ator – Group IV	M.A. Goodlett-Taylor**	01-31-2013	01-24-1983	01-22-2007
<b><u>Recreation Commission</u></b>				
Councilwoman Bain - Group II	Dr. Stephanie Kondy	04-30-2014	06-13-2005	04-14-2008

\* Kathy Fleischman resigned on April 19, 2011.  
 Bob Calvert resigned on January 31, 2012.  
 Connie Kostyra resigned on April 28, 2011.  
 Charlene Anderson resigned on June 6, 2011.  
 Peter Newman resigned on August 1, 2009.  
 Dr. Mara Zapata resigned from the Ecology Board to become a member of the Education Advisory Board.  
 Raúl Sáenz resigned don July 10, 2012.  
 Robert J. Gordon resigned on July 20, 2012.  
 Mark Trowbridge resigned on August 20, 2012.

\*\* Historic Preservation 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.....”

\*\*\* Completed 3 absences as of June 21, 2012.

cc: City Manager  
 Assistant City Manager/Finance Director  
 City Attorney  
 Affected Board Members





Agenda Item No.

City Council Meeting of:

08-27-2012

UM

Human Resources Department  
201 Westward Drive  
Miami Springs FL 33166  
305-805-5009

TO: The Honorable Mayor Garcia and Members of the City Council  
THRU: Ronald K. Gorland, City Manager *RK*  
FROM: Loretta M. Boucher, Human Resources Director/Risk Manager *LMB*  
DATE: August 21, 2012  
SUBJECT: City Manager Performance Evaluation

As requested, the Human Resources Department recently conducted an informal survey amongst Miami-Dade County municipalities inquiring about formal performance measures used to evaluate their city managers. While most respondents use the process our city currently utilizes, two municipalities provided the performance evaluation forms that they use. Both are attached for Council's consideration in the event that Council decides to change the current City Manager evaluation process.

RKG/LMB/nds

## City Manager Performance Evaluation

City of \_\_\_\_\_

Evaluation period: \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Governing Body Member's Name

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to \_\_\_\_\_. The deadline for submitting this performance evaluation is \_\_\_\_\_. Evaluations will be summarized and included on the agenda for discussion at the work session on \_\_\_\_\_.

\_\_\_\_\_  
Mayor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governing Body Member's Signature

\_\_\_\_\_  
Date Submitted

## INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the city manager's performance.

- 5 = Excellent** (almost always exceeds the performance standard)
- 4 = Above average** (generally exceeds the performance standard)
- 3 = Average** (generally meets the performance standard)
- 2 = Below average** (usually does not meet the performance standard)
- 1 = Poor** (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the governing body to the city manager as part of the agenda for the meeting indicated on the cover page.

## PERFORMANCE CATEGORY SCORING

### 1. INDIVIDUAL CHARACTERISTICS

- \_\_\_\_\_ Diligent and thorough in the discharge of duties, "self-starter"
- \_\_\_\_\_ Exercises good judgment
- \_\_\_\_\_ Displays enthusiasm, cooperation, and will to adapt
- \_\_\_\_\_ Mental and physical stamina appropriate for the position
- \_\_\_\_\_ Exhibits composure, appearance and attitude appropriate for executive position

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category



**2. PROFESSIONAL SKILLS AND STATUS**

- \_\_\_\_\_ Maintains knowledge of current developments affecting the practice of local government management
- \_\_\_\_\_ Demonstrates a capacity for innovation and creativity
- \_\_\_\_\_ Anticipates and analyzes problems to develop effective approaches for solving them
- \_\_\_\_\_ Willing to try new ideas proposed by governing body members and/or staff
- \_\_\_\_\_ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY**

- \_\_\_\_\_ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- \_\_\_\_\_ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- \_\_\_\_\_ Disseminates complete and accurate information equally to all members in a timely manner
- \_\_\_\_\_ Assists by facilitating decision making without usurping authority
- \_\_\_\_\_ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**4. POLICY EXECUTION**

- \_\_\_\_\_ Implements governing body actions in accordance with the intent of council
- \_\_\_\_\_ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- \_\_\_\_\_ Understands, supports, and enforces local government's laws, policies, and ordinances
- \_\_\_\_\_ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- \_\_\_\_\_ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**5. REPORTING**

- \_\_\_\_\_ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide
- \_\_\_\_\_ Responds in a timely manner to requests from the governing body for special reports
- \_\_\_\_\_ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- \_\_\_\_\_ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- \_\_\_\_\_ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**6. CITIZEN RELATIONS**

- \_\_\_\_\_ Responsive to requests from citizens
- \_\_\_\_\_ Demonstrates a dedication to service to the community and its citizens
- \_\_\_\_\_ Maintains a nonpartisan approach in dealing with the news media
- \_\_\_\_\_ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- \_\_\_\_\_ Gives an appropriate effort to maintain citizen satisfaction with city services

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**7. STAFFING**

- \_\_\_\_\_ Recruits and retains competent personnel for staff positions
- \_\_\_\_\_ Applies an appropriate level of supervision to improve any areas of substandard performance
- \_\_\_\_\_ Stays accurately informed and appropriately concerned about employee relations
- \_\_\_\_\_ Professionally manages the compensation and benefits plan
- \_\_\_\_\_ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**8. SUPERVISION**

- \_\_\_\_\_ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
- \_\_\_\_\_ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- \_\_\_\_\_ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the city manager's office
- \_\_\_\_\_ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- \_\_\_\_\_ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

**9. FISCAL MANAGEMENT**

- \_\_\_\_\_ Prepares a balanced budget to provide services at a level directed by council
- \_\_\_\_\_ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- \_\_\_\_\_ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- \_\_\_\_\_ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- \_\_\_\_\_ Appropriately monitors and manages fiscal activities of the organization

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

**10. COMMUNITY**

- \_\_\_\_\_ Shares responsibility for addressing the difficult issues facing the city
- \_\_\_\_\_ Avoids unnecessary controversy
- \_\_\_\_\_ Cooperates with neighboring communities and the county
- \_\_\_\_\_ Helps the council address future needs and develop adequate plans to address long term trends
- \_\_\_\_\_ Cooperates with other regional, state and federal government agencies

Add the values from above and enter the subtotal \_\_\_\_\_ + 5 = \_\_\_\_\_ score for this category

**NARRATIVE EVALUATION**

What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period? \_\_\_\_\_

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What performance area(s) would you identify as most critical for improvement? \_\_\_\_\_

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# EMPLOYEE PERFORMANCE PLAN

EMPLOYEE'S NAME (Last, First, MI)	APPRAISAL PERIOD From: _____ To: _____
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DEPARTMENT	POSITION TITLE
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## PERFORMANCE PLAN DEVELOPMENT, MONITORING AND APPRAISAL

### A. Performance Plan Development - Establishes Annual Performance Expectations

[NOTE: The employee's signature does not necessarily mean agreement; only that the plan has been communicated.]

<input checked="" type="checkbox"/> RATING SUPERVISOR'S SIGNATURE	DATE
<input checked="" type="checkbox"/> DEPARTMENT HEAD'S SIGNATURE	DATE
<input checked="" type="checkbox"/> EMPLOYEE'S SIGNATURE	DATE

### B. Progress Review - Written narrative required if performance on any element is less than Fully Successful.

<input checked="" type="checkbox"/> RATING SUPERVISOR'S SIGNATURE	DATE
<input checked="" type="checkbox"/> EMPLOYEE'S SIGNATURE	DATE

**Progress Review Rating** - Written narrative required if performance on any element is less than Fully Successful.

Exceptional     Fully Successful     Minimally Successful     Unacceptable

### C. Annual Summary Rating - Section II, Critical Elements, must be completed in order to generate this Annual Summary Rating.

[NOTE: The employee's signature does not necessarily mean agreement; only that the rating has been communicated.]

Exceptional     Fully Successful     Minimally Successful     Unacceptable

<input checked="" type="checkbox"/> RATING SUPERVISOR'S SIGNATURE	DATE
<input checked="" type="checkbox"/> REVIEWING DEPARTMENT HEAD'S SIGNATURE	DATE
<input checked="" type="checkbox"/> EMPLOYEE'S SIGNATURE	DATE
<input checked="" type="checkbox"/> CITY MANAGER'S SIGNATURE	DATE

**EMPLOYEE PERFORMANCE PLAN (continued)**

EMPLOYEE'S NAME (Last, First, MI)

APPRAISAL PERIOD

**II. CRITICAL ELEMENTS**

The following guidance will be followed in determining an overall annual summary rating:

A rating will be assigned to each critical element (Administrative Requirements (Part A of this Section) and the individual critical elements under the Individual Performance Outcomes (Part B of this Section)). This rating will be based upon the extent to which the employee's performance met one of the "Performance Standards" defined in Section V. (Exceptional, Fully Successful, Minimally Successful, and Unacceptable).

The rating level definitions will be assigned a numerical score as follows:

Exceptional (E): 5 points, Fully Successful (FS): 3 points, Minimally Successful (MS): 2 points, Unacceptable (U): 1 point

**NOTE:** Performance plans must include one or more outcomes that include or relate to the City's Strategic Plan. This cascading approach should ensure that performance plans for all employees support the strategic goals and objectives of the City. The performance outcome should specifically cite the goal and/or objective it supports.

**A. ADMINISTRATIVE REQUIREMENTS - CRITICAL ELEMENTS**

**NOTE:** The supervisor should determine, by marking the appropriate box(es), which aspects of this critical element apply to the employee's job duties and responsibilities.

**For Managers/Supervisors & Leaders**

- Leads in a proactive, customer-responsive manner consistent with Doral City Council's vision and values: ascertains customer needs/requirements; solicits feedback; and makes appropriate adjustments.
- Communicates performance and management goals to staff; identifies targeted results/outcomes, and timeframes. Allocates and adjusts resources in response to workload and priority changes.
- Plans, organizes, and assigns unit work.
- Establishes employee performance plans, and completes required reviews and final ratings.
- Appropriately recognizes and rewards employee performance and effectively addresses performance deficiencies.
- Assesses employees' individual developmental needs, and provides developmental opportunities to staff.
- Continuously strives to find more efficient and effective ways of providing the highest level of service to residents and business owners of Doral.
- Identifies and communicates individual developmental needs consistent with the Mayor and Council's strategic goals and initiatives
- Establishes effective measures to evaluate employee and department's performance.
- Seeks resolution of workplace conflicts at earliest stage.
- Conducts program assessments and evaluations to ensure objectives were met.
- Ensures employee awareness, and compliance and discipline relative to ethics, financial disclosure, conflicts of interest, standards of ethical conduct, political activity, and procurement integrity requirements. Reviews and makes determinations timely and accurately as to financial disclosure reports, employee requests for approval of outside activities, and other ethics clearance matters. (MANDATORY FOR ALL MANAGER / SUPERVISORS / COORDINATORS / LEADERS)
- Other aspects (describe):

**EMPLOYEE PERFORMANCE PLAN (continued)**

EMPLOYEE'S NAME (Last, First, MI)	APPRAISAL PERIOD
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**(CONTINUED ADMINISTRATIVE REQUIREMENTS - CRITICAL ELEMENTS)**

**NOTE:** The supervisor should determine, by marking the appropriate box(es), which aspects of this critical element apply to the employee's job duties and responsibilities.

**For All Other Staff**

<input type="checkbox"/> Provides the highest level of customer service. <input type="checkbox"/> Actively participates in meeting individual and departmental performance goals. <input type="checkbox"/> Demonstrates integrity and adheres to City-wide standards of Ethical Conduct, including but not limited to, avoiding conflicts of interest, political activity, financial disclosure, and use of government resources and equipment. <input type="checkbox"/> Treats others with respect; fosters a cooperative environment where differences and similarities in opinions are encouraged and communicated. <input type="checkbox"/> Identifies and communicates individual developmental needs consistent with the Mayor and Council's strategic goals and initiatives; assists coworkers by mentoring, advising, or guiding them in understanding work assignments as appropriate. <input type="checkbox"/> Actively participates in identifying, communicating, and implementing quality improvements that ensure attainment of workforce goals. <input type="checkbox"/> Identifies and addresses strengths and weaknesses in the provision of the efficient and effective delivery of services to residents/businesses. <input type="checkbox"/> Other aspects ( <i>describe</i> ):
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**Administrative Requirements Rating**

Progress Review Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)
Annual Summary Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)

**B. INDIVIDUAL PERFORMANCE OUTCOMES - CRITICAL ELEMENTS**

*(It is expected that there will be between 3 to 6 outcomes listed which must tie into the City's Strategic Plan goals and objectives)*

	ELEMENT	RATING				
1.		Progress Review Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)
		Annual Summary Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)

	ELEMENT	RATING				
2.		Progress Review Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)
		Annual Summary Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)



ELEMENT		RATING			
3.	Progress Review Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)
	Annual Summary Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)

ELEMENT		RATING			
4.	Progress Review Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)
	Annual Summary Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)

ELEMENT		RATING			
5.	Progress Review Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)
	Annual Summary Rating	<input type="checkbox"/> E(5)	<input type="checkbox"/> FS(3)	<input type="checkbox"/> MS(2)	<input type="checkbox"/> U(1)

### CONVERSION OF ELEMENTS TO SUMMARY RATING

After rating and assigning a score to each critical element, the rating supervisor will total the points and divide by the number of critical elements, to arrive at an average score (up to one decimal place). This score will be converted to a annual summary rating based on the following point values:

Total Point Value: \_\_\_\_\_ Divided by Number of Critical Elements: \_\_\_\_\_ = Average Score: \_\_\_\_\_

Average Score will be calculated up to 1 decimal place. This numerical score will then be converted to an Annual Summary Rating, as follows:

<b>Exceptional:</b>	4.4 to 5 points
<b>Fully Successful:</b>	3 to 4.3 points
<b>Minimally Successful:</b>	2 to 2.9 points
<b>Unacceptable:</b>	1 to 1.9 points

This Annual Summary Rating will be recorded on Page 1 of this form.

#### Exceptions to the mathematical formula:

If an employee receives Minimally Successful on one or more critical elements, he/she cannot receive an annual summary rating of higher than Fully Successful, regardless of the average point score.

An annual summary rating of Unacceptable must be assigned to any employee who is rated Unacceptable on any critical element.

**EMPLOYEE PERFORMANCE PLAN (continued)**

EMPLOYEE'S NAME (Last, First, MI)	APPRAISAL PERIOD	
	From:	To:

**IV. WRITTEN NARRATIVE**

**EMPLOYEE COMMENTS**

**EMPLOYEE PERFORMANCE PLAN (continued)**  
**PERFORMANCE STANDARDS**

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V.

**Exceptional (E):**

The employee performed as a model of excellence by surpassing expectations. Indicators of performance at this level include outcomes that exceed Fully Successful level standards, for critical elements described in the annual performance plan, and as measured by appropriate assessment tools. Examples include:

- Innovations, improvements, and contributions to management, administrative, technical, or other functional areas that impact outside the work unit and facilitate organizational recognition;
- Increases in office and/or individual productivity;
- Improved customer, stakeholder, and/or employee satisfaction, resulting in positive evaluations, accolades, and recognition.
- Flexibility and adaptability in responding to changing priorities, unanticipated resource shortages, or other obstacles;
- Initiation of significant collaborations, alliances, and coalitions;
- Leadership on workgroups or teams, such as those that design or influence improvements in program policies, processes, or other key activities;
- Anticipates the need for, and identifies, professional developmental activities that prepare staff and/or oneself to meet future workforce challenges; and/or
- Consistently demonstrates the highest level of ethics, integrity and accountability in achieving specific program goals; makes recommendations that foster clarification and/or influence improvements in ethics activities.

**Fully Successful (FS):**

The employee met all critical elements, as described in the annual performance plan, and as measured by appropriate assessment tools. Examples include:

- Planned, well-organized, and complete work assignments that reflect requirements;
- Decisions and actions that demonstrate organizational awareness including knowledge of mission, function, policies, technological systems, and culture;
- Independently follows-up on actions and improvements that impact the immediate work unit; establishes and maintains strong relationships with employees and/or customers; understands their priorities; balances their interests with organizational demands and requirements; effectively communicates necessary actions to them and employee/customer satisfaction is conveyed;
- When serving on teams and workgroups, contributions are substantive and completed according to standards;
- Resolution of operational challenges and problems without assistance from higher-level staff;
- Acquires new skills and knowledge through traditional and other means to meet assignment requirements; and/or
- Demonstration of ethics, integrity and accountability that achieve the City's and the department goals.

**Minimally Successful (MS):**

The employee had difficulties in meeting expectations. This is the minimum level of acceptable performance for retention on the job. Improvement is necessary. Examples include:

- Occasionally fails to meet assigned deadlines;
- Work assignments occasionally require major revisions or often require minor revisions;
- Application of technical knowledge to completion of work assignments is not reliable;
- Occasionally fails to adhere to required procedures, instructions, and/or formats in completing work assignments;
- Occasionally fails to adapt to changes in priorities, procedures or program direction; and/or
- The employee's impact on program performance, productivity, morale, organizational effectiveness and/or customer satisfaction need improvement.

**Unacceptable (U):**

The employee failed to meet expectations. Immediate improvement is essential for job retention. Examples include:

- Consistently fails to meet assigned deadlines;
- Work assignments often require major revisions;
- Fails to apply adequate technical knowledge to completion of work assignments;
- Frequently fails to adhere to required procedures, instructions and/or formats in completing work assignments; and/or
- Frequently fails to adapt to changes in priorities, procedures or program direction.

**EMPLOYEE PERFORMANCE PLAN (continued)**  
**PERFORMANCE PLAN INSTRUCTIONS**

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VI.

**Performance Plan**

All elements of the performance plan are critical. Established requirements must support City goals and objectives. All employees will be rated on the Administrative Requirements critical element (Part II.A. of the plan). In addition, the supervisor, with input from the employee, will develop and establish specific outcomes in support of City's strategic initiatives to be included as critical elements in the Individual Performance Outcomes section (Part II.B. of the plan).

Each objective must include at least one accompanying metric that is quantifiable and results-based. Each metric should contain a specific target result to be achieved. The performance plan should be signed and dated by the supervisor and the employee in Part I.A. prior to implementation.

**Progress Review**

Supervisors will conduct at least one progress review, at approximately the midpoint in the appraisal cycle. The supervisor must provide written documentation if performance on any element is less than Fully Successful. The supervisor and the employee should sign and date Part I.B. after a progress review is conducted.

**Performance Appraisal**

The supervisor will assign a rating to each critical element (Administrative Requirements and the individual critical elements under the Individual Performance Outcomes). The rating level definitions will be assigned a numerical score as follows:

<b>Exceptional:</b>	5 points
<b>Fully Successful:</b>	3 points
<b>Minimally Successful:</b>	2 points
<b>Unacceptable:</b>	1 point

After rating and assigning a score to each critical element, the supervisor will total the points and divide by the number of critical elements, to arrive at an average score (up to one decimal place). This score will be converted to an annual summary rating based on the following point values:

<b>Exceptional:</b>	4.4 to 5 points
<b>Fully Successful:</b>	3 to 4.3 points
<b>Minimally Successful:</b>	2 to 2.9 points
<b>Unacceptable:</b>	1 to 1.9 points

Exceptions to the mathematical formula:

- If an employee receives Minimally Successful on one or more critical elements, he/she cannot receive an annual summary rating of higher than Fully Successful, regardless of the average point score.
- An annual summary rating of Unacceptable will be assigned to any employee who is rated Unacceptable on any critical element.

The rating supervisor will submit the rating to the reviewing Department Head for concurrence. The rating supervisor will conduct a performance discussion with the employee. The supervisor and employee should sign and date Part I.C. The employee will be provided with a copy of the complete final rating of record.

A copy will be provided to the employee and the original forwarded to the Human Resources Department to be placed in the employee's personnel file.