



**City of Miami Springs, Florida**  
City Council Meeting

Regular Meeting Minutes  
Monday, June 22, 2015 7:00 p.m.

Council Chambers at City Hall  
201 Westward Drive, Miami Springs, Florida

- 1. Call to Order/Roll Call:** The meeting was called to order by the Mayor at 8:05 p.m.

Present were the following:

Mayor Xavier M. Garcia  
Vice Mayor Bob Best  
Councilman Billy Bain  
Councilwoman Roslyn Buckner  
Councilman Jaime A. Petralanda

City Manager Ronald K. Gorland  
Assistant City Manager/Finance Director William Alonso  
City Attorney Jan K. Seiden  
Chief of Police Armando A. Guzman  
Deputy City Clerk Elora R. Sakal

- 2. Invocation:** Councilman Petralanda

**Salute to the Flag:** The audience participated in the Pledge of Allegiance and Salute to the Flag

- 3. Awards & Presentations:**

A) Yard of the Month – July 2015 – 1251 Quail Avenue – Odalys Martin

Ms. Martin was not present to accept the award.

B) Promotion of Sgt. Jimmy E. Deal to the rank of Lieutenant of Police

Chief of Police Armando Guzman presented Sgt. Jimmy Deal with his promotion to the rank of Lieutenant of Police.

Lieutenant Jimmy Deal thanked Chief Guzman, the City Council, and the Administration. He thanked his friends and family.

- 4. Open Forum:**

Elaine Martin of 120 Sunset Way commented that she will be the next event Chair for the Relay for Life of Miami Springs and Virginia Gardens. Being a two time cancer survivor herself, this is a cause that is near and dear to her heart. She thanked Mayor, Council, Administration, the Police Chief and Police Officers, Public Works staff, and the entire

community of Miami Springs and Virginia Gardens for their support at the Relay event a couple of months ago. She also thanked the Curtiss Mansion Inc. for allowing her to hold the luminary ceremony at the Curtiss Mansion. She is committed to keeping the lines of communication open. She is looking for people to join the ranks of their volunteer leadership team. She mentioned a discussion she had with the City Manager in regards to a special fundraiser.

**5. Approval of Council Minutes:**

A) June 8, 2015 – Regular Meeting

**Councilman Bain moved to approve. Councilman Petralanda seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

**6. Reports from Boards & Commissions:** None at this time.

**7. Public Hearings:** None.

**8. Consent Agenda: (Funded and/or Budgeted)**

A) Recommendation by Police Department that Council authorize the issuance of a purchase order to Patterson Pope Space Saver, utilizing Florida State Contract #56121000-15-1, in an amount not to exceed \$13,789.90 for the purchase of a new Evidence Locker System, as funds are available in the FY 14/15 Budget, pursuant to Section 31.11 (E)(5) of the City Code

B) Recommendation by Golf that Council authorize the issuance of a purchase order to Howard's Fertilizer & Chemical, utilizing Town of Davie Bid #B-14-25, on an "as needed basis" in the amount of \$11,000.00, for custom pre-emergent fertilizer blends as funds were approved in the FY 14/15 Budget, pursuant to Section 31.11 (E)(5) of the City Code

C) Recommendation by Golf that Council approve an expenditure to Acushnet, as a sole source provider, on an "as needed basis" in the amount of \$10,000.00, for golf merchandise in our golf shop at the clubhouse as funds were approved in the FY 14/15 Budget, pursuant to Section 31.11 (E)(6)(c) of the City Code

D) Recommendation by Finance that Council approve an expenditure to Woodys West End Tavern in the amount of \$990.00, the lowest of three quotes, for the May 29<sup>th</sup> Police Appreciation Dinner as funds were approved in the FY 14/15 Budget

**Vice Mayor Best moved to approve. Councilwoman Buckner seconded the motion, which carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

**9. Old Business:**

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

There were no appointments at this time.

- B) Appointment of five members to the Ad Hoc Art in Public Places Committee for the Aquatic Facility. All Committee members and meetings shall comply with the Sunshine Law.

Councilman Petralanda appointed Waldo Creador to the Ad Hoc Art in Public Places Committee.

Vice Mayor Best appointed former Board member Kathy Fleischman to the Ad Hoc Art in Public Places Committee.

**10. New Business:**

- A) Approval of proposed letter of intent with Crown Castle for an extension of the existing cell tower lease agreement in Hook Square

**Councilwoman Buckner moved to approve. Councilman Petralanda seconded the motion.**

City Attorney Seiden this extension basically creates an additional 4 option periods so the actual lease as amended will not expire until 2041. In addition, when the newest of the 4 periods begin, the City will be receiving a one-time 10% additional increase in addition to the 4% annual increase that the City always receives. When the lease extension is signed, the City will be receiving an additional \$15,000.

Councilman Petralanda questioned if it would be better to wait on signing the contract to see if the City can receive a better deal and City Attorney Seiden replied that it can be negotiated but that this was a good deal.

**The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

- B) Approval of the Second Amended and Restated Interlocal Agreement for County Solid Waste Management System between Miami-Dade County and Miami Springs

**Councilman Bain moved to approve. Councilman Petralanda seconded the motion. The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

- C) Recommendation by Recreation that Council approve an expenditure to Superior Park System, Inc. the lowest responsible quote, in an amount not to exceed \$27,332.00, for the repairs and resurface of tennis courts as funds were designated by Council in the designated fund balance for FY 14/15 Budget, pursuant to Section 31.11 (C)(2) of the City Code

Councilwoman Buckner asked when the last time that the courts were resurfaced and Recreation Director Luna replied that it was resurfaced approximately two years ago and

he saw cracking within three months.

Councilwoman Buckner asked if there was an issue with stability of that area and Recreation Director Luna replied that is a question that he cannot answer and would probably have to be answered by an engineer.

Vice Mayor Best said that one day the City will need to start exploring the moving of the tennis courts to another location. It seems appropriate that the tennis courts be with the golf course. He understands that the City is going into the budget and they are not in any position to be discussing a project of this magnitude but it is something that needs to be thought of down the road.

City Manager Gorland explained that this discussion was brought up the last time this item came before Council and he was directed to get an estimate. He met with two different firms at the golf course to discuss the estimate of 5 official size tennis courts, restrooms, a concession stand and screening. The cost was well in excess of between \$500,000 and \$600,000. This estimate was done approximately 6 years ago. He said he could get another estimate if Council would like.

Vice Mayor Bain said that he would like to get a new estimate.

Recreation Director Luna explained that if the courts start to crack little by little it is not in bad situation as far as safety is concerned. It is at the stage where it is beginning to crack and come up which is becoming not only an aesthetic issue but a safety issue.

Councilman Bain asked if the space qualifies for what the programs do and Recreation Director Luna replied affirmatively.

Councilman Bain questioned the thought of raising the courts approximately 6 inches. It may be a less expensive option that the City can afford to do. He would propose to get more information on his suggestion.

Councilwoman Buckner asked if something could be done with the canal next to the courts to help with drainage.

City Manager Gorland stated that all of Miami Springs is 4 feet above sea level. The level of the water is controlled by South Florida Water Management and when they lower and raise the water that is what causes all of the damage underneath the courts.

Mayor Garcia asked that the City consult with the Golf Director and Tennis Director to see what type of an impact it could have on the golf course and what the pros and cons are for moving it to the golf course or keeping it where it is.

Councilman Bain also would like to find out from the Tennis Director if the space he has now is sufficient because if that is the case, there is no need to expand in a new location if it is not needed.

**By consensus, Council would like to wait on resurfacing the tennis courts for one month to get more information and costs for relocating the tennis courts to the golf course and raising the tennis courts in their current location.**

D) Recommendation by Finance that Council authorize the execution of a one year contract beginning July 1, 2015 with Southern Waste Systems (SWS) with an option to renew three additional one year terms for garbage collection and disposal services

citywide utilizing Miami-Dade County contract #6938-2/22

City Attorney Seiden explained that Council can agree to extend this to the beginning of the fiscal year or to go with the County.

**Councilman Bain moved to approve item 10D as specified in the agenda. Vice Mayor Best seconded the motion. The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

E) Recommendation by Elderly Services that Council approve an expenditure in the amount of \$8,400.00, to fund the Tai Chi and Yoga/Fitness workout programs from July 1 thru September 30, 2015 as funds were designated by Council in their fund balance designations for FY2015 was funded with LSP Grant that ended June 30, 2015

**Vice Mayor Best moved to approve. Councilman Petralanda seconded the motion. The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

F) Recommendation by Elderly Services that Council approve an expenditure in the amount of \$3,500.00 to fund Home Delivered Weekend Meals from July 1 thru September 30, 2015, using funds from General fund balance was funded with LSP Grant that ended June 30, 2015

**Councilman Bain moved to approve. Councilman Petralanda seconded the motion. The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

G) Recommendation by Elderly Services that Council authorize a two month extension for the period of August 1 – September 30, 2015 of our current food catering subcontractor (in order to insure the continued provision of Home Delivered and Congregate Meals until a new subcontract can be executed) with Greater Miami Caterers, Inc., using Older Americans Act and Nutrition Services Incentive Program funding, as well as Local Services Program funding if awarded. Total cost for 2 months is \$37,000 and covers the overall meal program

**Councilman Bain moved to approve. Vice Mayor Best seconded the motion. The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

H) Councilwoman Buckner's request for City Reimbursement to her in the amount of \$1,750.00 for the Good Government Initiative Leaders of Excellence Class V, to be paid out of Council's Training and Education account

**Vice Mayor Best moved to approve. Councilman Petralanda seconded the motion.**

Councilman Bain would like for future items such as this to come before Council so that they are aware of what is being spent. He feels that this kind of expenditure should be

brought before Council for review.

Mayor Garcia clarified that Councilwoman Buckner has not gone on the trip yet and that is why this item is on the agenda.

Councilman Bain said that he misunderstood because the item says reimbursement. When you are reimbursing someone, it is because the money was already spent. He feels that \$1,750 is a lot of money.

Councilwoman Buckner explained that it is a 6 month training course.

To answer Mayor Garcia's question, Mr. Alonso said that the course covers tuition, all materials, instructors, speakers, meals, lodging for two retreat weekends and transportation on field trips.

Mayor Garcia would like to get a report back on what the process was and what was done from Councilwoman Buckner.

To answer Mayor Garcia's question, Mr. Alonso said that the classes begin at the end of August and go through mid-November.

**The motion carried 4-1 on roll call vote. The vote was as follows: Vice Mayor Best, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes and Councilman Bain voting No.**

I) Authorization for the execution of the settlement agreement between Curtiss Mansion, Inc. and R.J. Heisenbottle Architects, P.A., Douglas Wood Associates, Inc. and Carivon Constrution Company for the repair project at the Curtiss Mansion

The motion for this item was made with item 10J.

J) Authorization for the execution of the multi-party agreement for the design & construction of the repairs to the Curtiss Mansion

City Attorney Seiden explained that as Council may be aware, the Curtiss Mansion has been experiencing warranty issues involving the timbers. Some have been replaced but major repairs need to be done in the same nature. The City has been working with the architect, engineer, contractor and the suppliers to hammer out two agreements; the settlement agreement in which they acknowledge their responsibility towards doing the warranty and maintenance work that are required to be done and the multi-party agreement which delineates how it is going to be done. The work will start on August 17<sup>th</sup> and be concluded before September 21<sup>st</sup>.

**Councilwoman Buckner moved to approve items 10I and 10J. Vice Mayor Best seconded the motion. The motion carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Best, Councilman Bain, Councilwoman Buckner, Councilman Petralanda and Mayor Garcia voting Yes.**

## **11. Reports & Recommendations:**

### **A) City Attorney**

City Attorney Seiden reported that the City received two orders from ATS. In the class action lawsuit involving ATS, the judge in the case dismissed the Florida Department of Revenue out of the case since they really were nothing but a pass through. They were directed to receive the monies that were to go to the State of Florida and then they were directed by the State of Florida where to send the monies. The judge felt that they did not have a big enough impact of the process to be included as a defendant and were dismissed.

City Attorney Seiden previously reported on an issue in the armor of the plaintiffs because 23 of the cities did not have a plaintiff from the locale who would actually be a party plaintiff in the action and that has been corrected. They have gotten 23 out of the 25 and have notified the court today that they have met the burden within the 30 days.

### **B) City Manager**

City Manager Gorland reminded everyone that they are heading into the July "quiet period". There will be no meetings in July except for the Special meeting on July 30<sup>th</sup> at 5:01 p.m. to set the millage cap. The Wall of Fame event will take place on July 3<sup>rd</sup> for Jim Caudle at the Community Center. There will be a classic car show event on the circle on July 3<sup>rd</sup>. He wanted to thank Omar and Patti in advance for their hard work on putting the July 4<sup>th</sup> events together. He wished everyone a Happy 4<sup>th</sup> of July.

### **C) City Council**

Councilman Petralanda thanked everyone who attended the meeting tonight. He also thanked Jo Ellen for giving a tour of the Curtiss Mansion to the Miami-Dade Coalition for Community Education Board members.

Councilwoman Buckner thanked everyone who attended the meeting. She gave a friendly reminder to not spray the Police Officers during the 4<sup>th</sup> of July parade since they have electronic equipment on them.

Councilman Bain reported that his son won a fishing tournament in the Keys this weekend. The boat caught a 42.4 pound dolphin.

Vice Mayor Best wished everyone a safe 4<sup>th</sup> of July.

Mayor Garcia wished everyone a happy 4<sup>th</sup> of July. On Saturday, June 27<sup>th</sup> he will be at Starlight Dance Studio where a fundraiser will be hosted for mission hope. Everyone is invited to come by. It is to help a 7 year old girl reach her goal of getting 100 purple bags filled of personal hygiene items and will be given to the Miami Rescue Mission. He congratulated Lieutenant Jimmy Deal on being promoted.

## **13. Adjourn**

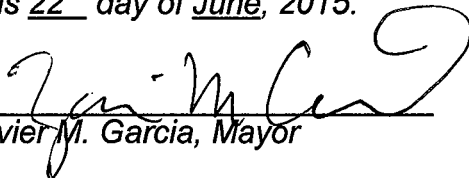
There being no further business to be discussed the meeting was adjourned at 9:43 p.m.

Respectfully submitted:

  
Erika Gonzalez-Santamaria, MMC  
City Clerk



Adopted by the City Council on  
This 22<sup>nd</sup> day of June, 2015.

  
Zavier M. Garcia, Mayor

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