



## CITY OF MIAMI GARDENS CITY COUNCIL MEETING AGENDA

**Meeting Date:** July 27, 2011  
1515 NW 167<sup>th</sup> St., Bldg. 5, Suite 200  
Miami Gardens, Florida 33169  
**Next Regular Meeting Date:** September 14, 2011  
**Phone:** (305) 622-8000 **Fax:** (305) 622-8001  
**Website:** www.miamigardens-fl.gov  
**Time:** 7:00 p.m.

Mayor Shirley Gibson  
Vice Mayor Aaron Campbell Jr.  
Councilwoman Lisa C. Davis  
Councilman André Williams  
Councilwoman Felicia Robinson  
Councilman David Williams Jr.  
Councilman Oliver G. Gilbert III  
City Manager Dr. Danny O. Crew  
City Attorney Sonja K. Dickens, Esq.  
City Clerk Ronetta Taylor, MMC

**City of Miami Gardens Ordinance No. 2007-09-115 requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.**

- (A) CALL TO ORDER/ROLL CALL**
- (B) INVOCATION**
- (C) PLEDGE OF ALLEGIANCE**
- (D) APPROVAL OF MINUTES**  
Regular City Council Minutes – July 13, 2011
- (E) ORDER OF BUSINESS** (Items to be pulled from Consent Agenda at this time)
- (F) SPECIAL PRESENTATIONS (5 minutes each)**
  - F-1) City Manager – Employee of the Month/ 5 Year Recognition Pin
  - F-2) Mayor Shirley Gibson – Streetwaves, Maurice “Maui” Goodbeer
- (G) PUBLIC COMMENTS**

**(H) ORDINANCE(S) FOR FIRST READING:**

- H-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES TO REPEAL SECTION 18-161 ENTITLED "HUNTING AND FIREARMS"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY ATTORNEY)**
- H-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER UPON WRITTEN RECOMMENDATION BY THE FINANCE DIRECTOR AND APPROVAL BY THE CITY ATTORNEY TO TAKE ANY ACTIONS NECESSARY TO ENTER INTO AN AGREEMENT WITH THE CITY'S PRINCIPAL DEPOSITORY, FOR THE ISSUANCE OF TAX ANTICIPATION NOTES OR OTHER APPROPRIATE BORROWING INSTRUMENT FOR THE PURPOSE OF ENSURING ADEQUATE CASH FLOW UNTIL SUCH TIME AS SUFFICIENT AD VALOREM TAXES HAVE BEEN REMITTED BY THE TAX COLLECTOR FOR MIAMI-DADE COUNTY TO PAY THE OBLIGATIONS OF THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- H-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING CHAPTER 4, ARTICLE II, SECTION 4-40 OF THE CODE OF ORDINANCE TO CREATE REGULATIONS RELATING TO MULTIPLE TENT SALES; AMENDING CHAPTER 4, ARTICLE II OF THE CODE OF ORDINANCE TO CREATE A NEW SECTION 4-45 RELATING TO REGULATIONS FOR FOOD TRUCKS; RENUMBERING THE EXISTING SECTION 4-45 TO 4-46; AMENDING SECTION CHAPTER 34, ARTICLE VII SECTION 34-288(13) OF THE LAND DEVELOPMENT REGULATIONS RELATING TO BOX LUNCHESES, TRANSIENT CATERING TRUCKS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN OLIVER G. GILBERT III)**

**(I) ORDINANCE(S) FOR SECOND READING/PUBLIC HEARING(S)**

- I-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 18-297 OF THE CITY'S CODE OF ORDINANCES RELATING TO PARKS AND RECREATION DEPARTMENT EMPLOYEES AND VOLUNTEERS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE COUNCILMAN GILBERT)**
  
- I-2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 2-443(a) OF ARTICLE V OF THE CODE OF ORDINANCES, RELATING TO QUALIFYING PERIODS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY CLERK)**
  
- I-3) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE V, SECTION 2-446 OF THE CODE OF ORDINANCES, RELATING TO THE INSTALLATION OF NEWLY ELECTED OFFICIALS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY CLERK)**
  
- I-4) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 2-51(I) OF THE CODE OF ORDINANCES RELATING TO THE PROCESS FOR ESTABLISHING A CONSENT AGENDA; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.(SPONSORED BY COUNCILMAN GILBERT)**

**(J) RESOLUTION(S)/PUBLIC HEARING(S)**

**None**

**(K) CONSENT AGENDA**

- K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE PROPOSED FEE SCHEDULE FOR AFTER SCHOOL PROGRAMS AT DESIGNATED CITY PARKS FOR THE REMAINDER OF THE 2011 FISCAL YEAR; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE USAGE FEES FOR THE BETTY T. FERGUSON RECREATIONAL COMPLEX AS SHOWN ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO DESIGN LAB, INC. FOR THE PURCHASE OF PUBLIC SAFETY UNIFORMS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00) FOR THE INITIAL TERM OF THE AGREEMENT AND ANY RENEWAL PERIODS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- K-4) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO O'BRIEN'S RESPONSE MANAGEMENT, INC. FOR DISASTER DEBRIS MONITORING SERVICES; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**
- K-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN RENEWAL AGREEMENT WITH AVMED HEALTH PLANS FOR MEDICAL INSURANCE IN THE AMOUNT OF FOUR MILLION THREE HUNDRED SIXTY-SEVEN THOUSAND SIX HUNDRED FIFTY-TWO DOLLARS (\$4,367,652.00), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY**

**CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)**

**(L) RESOLUTION(S)**

**L-1) A RESOLUTION OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2011-2012 OF \_\_\_\_\_; SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARINGS TO CONSIDER THE PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. SPONSORED BY THE CITY MANAGER)**

**L-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN FISCAL AGENT AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE MIAMI GARDENS EXCELLENCE IN EDUCATION COMPACT, COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY MAYOR SHIRLEY GIBSON)**

**(M) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK**

- M-1) City Manager's Monthly Report
- M-2) Police Department Monthly Report

**(N) REPORTS OF MAYOR AND COUNCIL MEMBERS**

**(O) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC**

**(P) ADJOURNMENT**

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT./ 2750, NO LATER THAN 48 HOURS PRIOR TO SUCH PROCEEDINGS. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT. 2750. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY'S WEBSITE AT [www.miamigardens-fl.gov](http://www.miamigardens-fl.gov).

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF MIAMI GARDENS WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING 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 TO BE BASED.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
					X		
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X		X			
			<b>Public Hearing:</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
				X			
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
		X					
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i> N/A			
		X	<b>Enhance Organizational</b> <input type="checkbox"/>				
			<b>Bus. &amp; Economic Dev</b> <input type="checkbox"/>				
			<b>Public Safety</b> <input type="checkbox"/>				
			<b>Quality of Education</b> <input type="checkbox"/>				
			<b>Qual. of Life &amp; City Image</b> <input type="checkbox"/>				
			<b>Communcation</b> <input type="checkbox"/>				
<b>Sponsor Name</b>	Sonja K. Dickens, City Attorney		<b>Department:</b>	City Attorney			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES TO REPEAL SECTION 18-161 ENTITLED "HUNTING AND FIREARMS"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

During its 2011 session, the Florida Legislature adopted House Bill 45 to amend Section 790.33, Florida Statutes, which preempts the entire field of firearm and ammunition regulations to the State. This legislation was signed into law by Governor Rick Scott on June 2, 2011. House Bill 45 provides civil penalties up to Five Thousand Dollars (\$5,000.00) for City officials and staff who willfully and knowingly violate the preemption. In addition, a government can be liable for actual damages up to One Hundred Thousand Dollars (\$100,000.00), plus attorney's fees.

**ITEM H-1) ORDINANCE  
FIRST READING  
Repeal Section 18-161 of the Code**

Local government officials who willfully and knowingly violate the statute will be subject to removal from office by the Governor, and employment contracts for employees will be subject to termination. Additionally, public funds may not be used to defend a civil action for violating the Statute. The City currently regulates the use and possession of firearms and ammunition on City parks. In light of the recent amendments to Section 790.33, Florida Statutes, it is necessary to amend the City's code to repeal the provisions that regulate the use and possession of firearms and ammunition.

House Bill does not affect the City's zoning ordinances, however zoning ordinances, which are adopted for the purpose of restricting or prohibiting the sale, purchase or manufacture of firearms and ammunition are prohibited. Miami Gardens' police officers may continue to enforce State laws pertaining to firearms and ammunition. Furthermore, the City may continue to prohibit employees from carrying firearms and ammunition at City facilities. House Bill 45 becomes effective on October 1, 2011.

**Proposed Action:**

It is recommended that City Council approve the attached Ordinance.

**Attachment:**

1-House Bill No. 45

ORDINANCE NO. 2011 \_\_\_\_\_

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2  
3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
4 OF MIAMI GARDENS, FLORIDA, AMENDING THE CITY'S  
5 CODE OF ORDINANCES TO REPEAL SECTION 18-161  
6 ENTITLED "HUNTING AND FIREARMS"; PROVIDING FOR  
7 THE ADOPTION OF REPRESENTATIONS; REPEALING  
8 ALL ORDINANCES IN CONFLICT; PROVIDING A  
9 SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN  
10 CODE; PROVIDING AN EFFECTIVE DATE.

11  
12 WHEREAS, during its 2011 session, the Florida Legislature adopted  
13 House Bill 45 to amend Section 790.33, Florida Statutes, and

14 WHEREAS, Section 790.33, Florida Statutes preempts the entire field of  
15 firearm and ammunition regulations to the State, and

16 WHEREAS, House Bill 45 imposes personal civil liability up to Five  
17 Thousand Dollars (\$5,000.00) against local government officials who violate  
18 State law preemption by regulating firearms and ammunition, and

19 WHEREAS, the Statute further authorizes damages up to One Hundred  
20 Thousand Dollars (\$100,000.00) plus attorney's fees against municipalities that  
21 willfully and knowingly violate the preemption, and

22 WHEREAS, the amended Statute prohibits the use of public funds to  
23 defend civil actions for violating the preemption, and

24 WHEREAS, the City's Code currently regulates the use and possession of  
25 firearms in City parks, and

26 WHEREAS, it is necessary to amend the Code to repeal the provisions  
27 regulating the use of firearms in the City to ensure compliance with State  
28 legislation,

Added language is underlined. Deleted language is stricken through.

29           NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
30 CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

31           Section 1.   ADOPTION OF REPRESENTATIONS:   The foregoing  
32 Whereas paragraphs are hereby ratified and confirmed as being true, and the same  
33 are hereby made a specific part of this Ordinance.

34           Section 2.   AMENDMENT: Section 18-161 of the City of Miami Gardens'  
35 Code of Ordinances entitled "Hunting and Firearms" is hereby repealed in its  
36 entirety, provided however, that such repeal shall not take effect until October 1,  
37 2011.

38           Section 3.   CONFLICT: All ordinances or Code provisions in conflict  
39 herewith are hereby repealed.

40           Section 4.   SEVERABILITY: If any section, subsection, sentence,  
41 clause, phrase or portion of this Ordinance is for any reason held invalid or  
42 unconstitutional by any court of competent jurisdiction, such portion shall be  
43 deemed a separate, distinct and independent provision and such holding shall  
44 not affect the validity of the remaining portions of this Ordinance.

45           Section 5.   INCLUSION IN CODE: It is the intention of the City  
46 Council of the City of Miami Gardens that the provisions of this Ordinance shall  
47 become and be made a part of the Code of Ordinances of the City of Miami  
48 Gardens and that the section of this Ordinance may be renumbered or relettered  
49 and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or

Added language is underlined. Deleted language is stricken through.

50 such other appropriate word or phrase, the use of which shall accomplish the  
51 intentions herein expressed.

52 Section 6. EFFECTIVE DATE: This Ordinance shall become effective  
53 immediately upon its final passage.

54 PASSED ON FIRST READING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_,  
55 2011.

56 PASSED ON SECOND READING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_,  
57 2011.

58  
59 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
60 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_\_ DAY OF  
61 \_\_\_\_\_, 2011.

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63 \_\_\_\_\_  
64 SHIRLEY GIBSON, MAYOR  
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68 **ATTEST:**  
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71 \_\_\_\_\_  
72 RONETTA TAYLOR, MMC, CITY CLERK  
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75 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY  
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78 SPONSORED BY: SONJA K. DICKENS, ESQ., CITY ATTORNEY  
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80 Moved by: \_\_\_\_\_  
81 Second by: \_\_\_\_\_

Added language is underlined. Deleted language is stricken through.

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**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	_____ (Yes)	_____ (No)
Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
Councilman David Williams Jr	_____ (Yes)	_____ (No)
Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
Councilman Andre' Williams	_____ (Yes)	_____ (No)

Added language is underlined. Deleted language is stricken through.

## CHAPTER 2011-109

### Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 45

An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the knowing and willful violation of the Legislature's occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local ordinance or administrative rule or regulation; providing additional intent of the section; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the section; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 790.33, Florida Statutes, is amended to read:

790.33 Field of regulation of firearms and ammunition preempted.—

(1) PREEMPTION.—Except as expressly provided by the State Constitution or general law, the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof, to the exclusion of all existing and future county, city, town, or municipal ordinances or any administrative regulations or rules adopted by local or state government relating thereto. Any such existing ordinances, rules, or regulations are hereby declared null and void. ~~This subsection shall not affect zoning ordinances which encompass firearms businesses along with other businesses. Zoning ordinances which are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited.~~

~~(2) LIMITED EXCEPTION; COUNTY WAITING PERIOD ORDINANCES.—~~

~~(a) Any county may have the option to adopt a waiting-period ordinance requiring a waiting period of up to, but not to exceed, 3 working days between the purchase and delivery of a handgun. For purposes of this subsection, "purchase" means payment of deposit, payment in full, or notification of intent to purchase. Adoption of a waiting-period ordinance, by any county, shall require a majority vote of the county commission on votes on waiting-period ordinances. This exception is limited solely to individual counties and is limited to the provisions and restrictions contained in this subsection.~~

~~(b) Ordinances authorized by this subsection shall apply to all sales of handguns to individuals by a retail establishment except those sales to individuals exempted in this subsection. For purposes of this subsection, "retail establishment" means a gun shop, sporting goods store, pawn shop, hardware store, department store, discount store, bait or tackle shop, or any other store or shop that offers handguns for walk-in retail sale but does not include gun collectors shows or exhibits, or gun shows.~~

~~(c) Ordinances authorized by this subsection shall not require any reporting or notification to any source outside the retail establishment, but records of handgun sales must be available for inspection, during normal business hours, by any law enforcement agency as defined in s. 934.02.~~

~~(d) The following shall be exempt from any waiting period:~~

~~1. Individuals who are licensed to carry concealed firearms under the provisions of s. 790.06 or who are licensed to carry concealed firearms under any other provision of state law and who show a valid license;~~

~~2. Individuals who already lawfully own another firearm and who show a sales receipt for another firearm; who are known to own another firearm through a prior purchase from the retail establishment; or who have another firearm for trade-in;~~

~~3. A law enforcement or correctional officer as defined in s. 943.10;~~

~~4. A law enforcement agency as defined in s. 934.02;~~

~~5. Sales or transactions between dealers or between distributors or between dealers and distributors who have current federal firearms licenses; or~~

~~6. Any individual who has been threatened or whose family has been threatened with death or bodily injury, provided the individual may lawfully possess a firearm and provided such threat has been duly reported to local law enforcement.~~

~~(2)(3) POLICY AND INTENT.—~~

~~(a) It is the intent of this section to provide uniform firearms laws in the state; to declare all ordinances and regulations null and void which have been enacted by any jurisdictions other than state and federal, which~~

regulate firearms, ammunition, or components thereof; to prohibit the enactment of any future ordinances or regulations relating to firearms, ammunition, or components thereof unless specifically authorized by this section or general law; and to require local jurisdictions to enforce state firearms laws.

(b) It is further the intent of this section to deter and prevent the violation of this section and the violation of rights protected under the constitution and laws of this state related to firearms, ammunition, or components thereof, by the abuse of official authority that occurs when enactments are passed in violation of state law or under color of local or state authority.

(3) PROHIBITIONS; PENALTIES.—

(a) Any person, county, agency, municipality, district, or other entity that violates the Legislature's occupation of the whole field of regulation of firearms and ammunition, as declared in subsection (1), by enacting or causing to be enforced any local ordinance or administrative rule or regulation impinging upon such exclusive occupation of the field shall be liable as set forth herein.

(b) If any county, city, town, or other local government violates this section, the court shall declare the improper ordinance, regulation, or rule invalid and issue a permanent injunction against the local government prohibiting it from enforcing such ordinance, regulation, or rule. It is no defense that in enacting the ordinance, regulation, or rule the local government was acting in good faith or upon advice of counsel.

(c) If the court determines that a violation was knowing and willful, the court shall assess a civil fine of up to \$5,000 against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred.

(d) Except as required by applicable law, public funds may not be used to defend or reimburse the unlawful conduct of any person found to have knowingly and willfully violated this section.

(e) A knowing and willful violation of any provision of this section by a person acting in an official capacity for any entity enacting or causing to be enforced a local ordinance or administrative rule or regulation prohibited under paragraph (a) or otherwise under color of law shall be cause for termination of employment or contract or removal from office by the Governor.

(f) A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein,

caused by the violation. A court shall award the prevailing plaintiff in any such suit:

- 1. Reasonable attorney’s fees and costs in accordance with the laws of this state, including a contingency fee multiplier, as authorized by law; and
- 2. The actual damages incurred, but not more than \$100,000.

Interest on the sums awarded pursuant to this subsection shall accrue at the legal rate from the date on which suit was filed.

(4) EXCEPTIONS.—This section does not prohibit:

(a) Zoning ordinances that encompass firearms businesses along with other businesses, except that zoning ordinances that are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited;

(b) A duly organized law enforcement agency from enacting and enforcing regulations pertaining to firearms, ammunition, or firearm accessories issued to or used by peace officers in the course of their official duties;

(c) Except as provided in s. 790.251, any entity subject to the prohibitions of this section from regulating or prohibiting the carrying of firearms and ammunition by an employee of the entity during and in the course of the employee’s official duties;

(d) A court or administrative law judge from hearing and resolving any case or controversy or issuing any opinion or order on a matter within the jurisdiction of that court or judge; or

(e) The Florida Fish and Wildlife Conservation Commission from regulating the use of firearms or ammunition as a method of taking wildlife and regulating the shooting ranges managed by the commission.

~~(5)~~(b) SHORT TITLE.—As created by chapter 87-23, Laws of Florida, this section shall be known and may be cited as the “Joe Carlucci Uniform Firearms Act.”

Section 2. This act shall take effect October 1, 2011.

Approved by the Governor June 2, 2011.

Filed in Office Secretary of State June 2, 2011.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			<i>(Enter X in box)</i>		<b>X</b>		
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	X			<b>X</b>			
			<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					x		
<b>Funding Source:</b>	General Fund		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>				
		X					
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
		x	Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	N/A			
<b>Sponsor Name</b>	Danny O. Crew, City Manager		<b>Department:</b> <b>City Manager</b>	<b>City Manager's Office</b>			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER UPON WRITTEN RECOMMENDATION BY THE FINANCE DIRECTOR AND APPROVAL BY THE CITY ATTORNEY TO TAKE ANY ACTIONS NECESSARY TO ENTER INTO AN AGREEMENT WITH THE CITY'S PRINCIPAL DEPOSITORY, FOR THE ISSUANCE OF TAX ANTICIPATION NOTES OR OTHER APPROPRIATE BORROWING INSTRUMENT FOR THE PURPOSE OF ENSURING ADEQUATE CASH FLOW UNTIL SUCH TIME AS SUFFICIENT AD VALOREM TAXES HAVE BEEN REMITTED BY THE TAX COLLECTOR FOR MIAMI-DADE COUNTY TO PAY THE OBLIGATIONS OF THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

**ITEM H-2) ORDINANCE  
FIRST READING  
Tax Anticipation Notes**

**Staff Summary:**

As in 2010, the City anticipates that as we approach the new fiscal year, we may find ourselves short of actual cash. This is due to three factors: 1) The City does not receive a steady cash flow; instead, it receives the bulk of its cash in December-April when property taxes are due. This often leads to a cash shortage in the months prior to receipt of the taxes. 2) Unlike most cities with utility systems and their large cash reserve, Miami Gardens has only the General Fund reserve to serve as a cash pool. Due to the reduction in the City's reserve, this pool of liquid cash is limited; and 3) The City has a number of federal and County grants outstanding. We are required to expend the cash and then seek reimbursement. This requires sufficient cash to continue to meet current obligations until reimbursement arrives. The combination of these three factors makes it likely that we will need the ability to short-term borrow sufficient cash to carry us through the tax payment season.

Last year Council approved Tax Anticipation Notes; however, we never had to use them as several major grant reimbursements arrived in time to avoid the need for a cash flow supplement; however, it does appear that we will have to use the TAN this year due our decreased reserve balance.

This TAN is repaid automatically when property tax receipts are deposited in our account in December and January. The note self-terminates at the end of January and no permanent debt is created.

The City's Charter requires an ordinance for this financing instrument. Details (interest and terms) of the TAN will be contained in a resolution accompanying the second reading at the first meeting in September.

**Proposed Action:**

It is Recommend that the City Council approve the TAN ordinance on first reading.

**Attachment:**

None

ORDINANCE NO. 2011 \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER UPON WRITTEN RECOMMENDATION BY THE FINANCE DIRECTOR AND APPROVAL BY THE CITY ATTORNEY TO TAKE ANY ACTIONS NECESSARY TO ENTER INTO AN AGREEMENT WITH THE CITY'S PRINCIPAL DEPOSITORY, FOR THE ISSUANCE OF TAX ANTICIPATION NOTES OR OTHER APPROPRIATE BORROWING INSTRUMENT FOR THE PURPOSE OF ENSURING ADEQUATE CASH FLOW UNTIL SUCH TIME AS SUFFICIENT AD VALOREM TAXES HAVE BEEN REMITTED BY THE TAX COLLECTOR FOR MIAMI-DADE COUNTY TO PAY THE OBLIGATIONS OF THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

WHEREAS, by law the City of Miami Gardens, Florida (the "City") is required to adopt a balance budget every year which includes anticipated revenues and expenditures, and

WHEREAS, the largest portion of the anticipated revenue comes from ad valorem taxes which are collected, and

WHEREAS, the ad valorem taxes do not generally become available to the City until December of each year which is more than two (2) months after the start of the fiscal year, and

WHEREAS, in an effort to ensure adequate cash flow until such time as an ad valorem revenue is received, the City Manager is recommending that the City Council give the City Manager the authority to issue Tax Anticipation Notes; WHEREAS, such Tax Anticipation Notes will be purchased by the City's principal depository, and

WHEREAS, in the event sufficient cash flow becomes available and it is not necessary to have Tax Anticipation Notes issued, the City Manager will not take such action.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. AUTHORITY FOR THIS ORDINANCE: This Ordinance is enacted pursuant to the provisions of Article VII of the Florida Constitution, Chapter 166, Florida Statutes, Charter of the City and other applicable provisions of the law.

Section 2. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 3. AUTHORIZATION: Upon written recommendation by the Finance Director and approval by the City Attorney, the City Manager is authorized to take any actions necessary in order to enter into an agreement with the City's principal depository for the issuance of Tax Anticipation Notes, or other appropriate borrowing instruments for the purpose of ensuring an adequate cash flow until such time as sufficient ad valorem taxes have been remitted by the tax collector for Miami-Dade County to pay all the obligations of the City. The issuance of such tax anticipation notes or other borrowing is hereby authorized. This arrangement shall not commence prior to September 14, 2011, and shall continue not later than January 31, 2012. The borrowing shall not exceed Six Million Dollars (\$6,000,000.00) in an aggregate amount and the interest rate thereon shall not exceed four percent (4%). The borrowing shall be secured

by ad valorem taxes assessed upon the tax rolls of, and collected by the Tax Collector of Miami-Dade County, Florida, for the benefit of the City and may be transferred to the City during the current fiscal year ending September 30, 2011, through the next fiscal year commencing October 1, 2011, and ending September 30, 2012. If the provisions of this Section are used, the City Council shall approve the same by subsequent resolution which shall be deemed ministerial in nature.

Section 4. CONFLICT: All ordinances or Code of Ordinances provisions in conflict herewith are hereby repealed.

Section 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the section of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI  
GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
\_\_\_\_\_, 2011.

\_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

ATTEST:

\_\_\_\_\_  
RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

Moved by: \_\_\_\_\_

Second by: \_\_\_\_\_

VOTE: \_\_\_\_\_

Mayor Shirley Gibson	____ (Yes)	____ (No)
Vice Mayor Aaron Campbell, Jr.	____ (Yes)	____ (No)
Councilman David Williams Jr	____ (Yes)	____ (No)
Councilwoman Lisa Davis	____ (Yes)	____ (No)
Councilman Oliver Gilbert, III	____ (Yes)	____ (No)
Councilwoman Felicia Robinson	____ (Yes)	____ (No)
Councilman Andre' Williams	____ (Yes)	____ (No)



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			<i>(Enter X in box)</i>		X		
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X	<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
				X			
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
				X			
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
		X					
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
	X		Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input checked="" type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>				
<b>Sponsor Name</b>	Councilman Oliver Gilbert, III		<b>Department:</b>	Mayor and City Council			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING CHAPTER 4, ARTICLE II, SECTION 4-40 OF THE CODE OF ORDINANCE TO CREATE REGULATIONS RELATING TO *MULTIPLE TENT SALES*; AMENDING CHAPTER 4, ARTICLE II OF THE CODE OF ORDINANCE TO CREATE A NEW SECTION 4-45 RELATING TO *REGULATIONS FOR FOOD TRUCKS*; RENUMBERING THE EXISTING SECTION 4-45 TO 4-46; AMENDING SECTION CHAPTER 34, ARTICLE VII SECTION 34-288(13) OF THE LAND DEVELOPMENT REGULATIONS RELATING TO *BOX LUNCHESES, TRANSIENT CATERING TRUCKS*; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

**ITEM H-3) ORDINANCE  
FIRST READING  
Regulations for Food Trucks**

## Background

The food truck phenomenon has proliferated throughout the county, and expanded its foothold in the South Florida region. As reported in the Wall Street Journal, New York Times, and the Miami Herald, the mobile food vendors have gained popularity and municipalities are attempting to regulate these activities. Food trucks, also known as mobile food facilities or culinary trucks prepare unpackaged food and sell them at retail from pushcarts, trailers, trucks, and carts. It is an inexpensive alternative for consumers to sample gourmet food outside the confinement of sit-down restaurants. Today, cities in Miami-Dade, Broward, and Palm Beach counties are encouraging this type of dining experience by allowing food trucks to congregate in a courtyard, festival, or other special events.

## Current Situation

In an effort to adapt to the growing needs of the marketplace, Councilman Oliver Gilbert is recommending an amendment to Ordinance 2011-10-252, Article II Special Events Regulations, which was adopted by the City Council on April 27, 2011 to regulate food trucks that are migrating to Miami Gardens.

Additionally, the amendment will allow existing businesses that have a business license in the City of Miami Gardens to set up multiple tents for retail sale of merchandise, rather than limiting the owner or operator to one tent structure for each event. The business owner is only allowed one tent per year, and only in specified zoning districts. Below is a brief outline of the proposed amendments:

- Allows mobile food facilities and food truck special events to operate in the City with a special event permit.
- Defines food trucks as mobile food facilities, and requires them to have state licensure and a commissary.
- Requires a special event permit for mobile food facilities to congregate at any location, and limits the number of activities and hours of the event at each location.
- Requires each vehicle to be equipped with hand-washing sinks and refuse receptacles, as well as the availability of a restroom for the employees.
- Establishes a policy to ensure the event site, as well as the adjacent areas, are maintained in a safe and clean manner.
- Prohibits the sale of alcoholic beverages.
- Prohibits ice cream trucks and grocery trucks.

A separate resolution will set the fee schedule for food truck special events and “multi-tent” outdoor sale events.

## **Proposed Action:**

Councilman Oliver Gilbert recommends the adoption of the attached Ordinance amending Article II, Special Events Regulations.

**Attachment:**

None.

ORDINANCE NO. 2011 \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING CHAPTER 4, ARTICLE II, SECTION 4-40 OF THE CODE OF ORDINANCE TO CREATE REGULATIONS RELATING TO *MULTIPLE TENT SALES*; AMENDING CHAPTER 4, ARTICLE II OF THE CODE OF ORDINANCE TO CREATE A NEW SECTION 4-45 RELATING TO *REGULATIONS FOR FOOD TRUCKS*; RENUMBERING THE EXISTING SECTION 4-45 TO 4-46; AMENDING SECTION CHAPTER 34, ARTICLE VII SECTION 34-288(13) OF THE LAND DEVELOPMENT REGULATIONS RELATING TO *BOX LUNCHES, TRANSIENT CATERING TRUCKS*; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the food truck phenomenon has proliferated throughout the county, and expanded its foothold in the South Florida region, and

WHEREAS, as reported in the Wall Street Journal, New York Times, and the Miami Herald, the mobile food vendors have gained popularity and municipalities are attempting to regulate these activities, and

WHEREAS, food trucks, also known as mobile food facilities or culinary trucks, prepare unpackaged food and sell them at retail from pushcarts, trailers, trucks, and carts, and

WHEREAS, In an effort to adapt to the growing needs of the marketplace, Councilman Oliver Gilbert is recommending an amendment to Ordinance 2011-10-252, Article II Special Events Regulations, which was adopted by the City Council on April 27, 2011 to regulate food trucks, and

1           WHEREAS, the amendment will allow existing licensed businesses in the City of  
2 Miami Gardens to set up multiple tents for retail sale of merchandise, rather than limiting  
3 the owner or operator to one tent structure for each event, and

4           NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
5 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

6           Section 1.   ADOPTION OF REPRESENTATIONS: The foregoing Whereas  
7 paragraphs are hereby ratified and confirmed as being true, and the same are hereby  
8 made a specific part of this Ordinance.

9           Section 2.   AMENDMENT:       Chapter 4, Article II, Section 4-40 of the Code of  
10 Ordinance is hereby amended as follows:

11           **Section 4-40.   Special Requirements.**

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(a) *In general.* Businesses located in the Agricultural (AU), Planned Corridor Development (PCD), Neighborhood Commercial (NC) and Industrial (I1 and I2) zoning districts, holding a current business tax receipt and certificate of use, shall be permitted to engage in the retail sale of new merchandise from tents, subject to the following limitations and requirements:

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(1) *Limitations.* The hours of operation of a tent sale for retail merchandise, other than the sale of Christmas trees and fireworks as provided elsewhere, shall not extend beyond three consecutive days, from 9:00 a.m. to 8:00 p.m. daily, for each permit issued. The hours of operation may not be extended for any circumstance or reason. A permit may not be extended to expand the hours of operation. Other than a Christmas tree and a firework sale, no more than two additional tent sales may be conducted at the same location during the calendar year. The same location extends to the boundary lines of the property or shopping center. Tent sales shall be conducted within the boundary lines of the same property or shopping center where the business of the permit holder is located. The permit holder shall not operate more than one tent sale at the same location during the calendar year, and must have current business tax receipts at the location of application. Used, second-hand or discarded merchandise or wholesale merchandise shall not be sold or offered for sale from tents. The tent sale shall be conducted within the required setbacks of the property, although setback and parking requirements may be waived by the planning and zoning

department if the tent sale is conducted within an area reserved for parking. Such waiver shall be based on whether there is sufficient and adequate parking to allow for the tents sale in the parking area.

(2) *Requirements.* Retail sales from tents are allowed only by issuance of a permit by the city. Prior to the issuance of a permit, the applicant must pay the applicable permit fee, provide proof of insurance, written authorization of the property owner if the applicant is not the property owner and a certification by the Miami-Dade County fire marshal that the tent has been inspected and is in compliance with applicable fire safety regulations.

(3) Multiple tents for retail sales. This section does not prevent an applicant from requesting a permit to erect multiple tents for retail sales of merchandise, food, and refreshments on private or public property. However, sales from motor vehicles, carts, and food trucks are prohibited at tent sale events. The applicant shall meet the following requirements:

- a) Detailed layout of the event site including tent placement, number of tents, tent size, restroom facilities, portable fire extinguishers and parking area.
- b) Building permit, including approval from other agencies when necessary, for the installation and placement of temporary structures and accessories (e.g. tents larger than 120 square feet, portable toilets, lighting, etc.).
- c) Vendor information related to each tent.
- d) Payment of permit fee for each tent to be erected on-site.
- e) Additional information and/or documentation as required by the City.

(b) *Display of permit.* Before the offer of sale or sale of any retail merchandise from a tent, the city permit shall be prominently displayed on the premises.

Section 3. AMENDMENT: Chapter 4, Article II of the Code of Ordinance is

hereby amended to create a new section 4-45 as follows:

**Section 4-45. Special requirements for temporary mobile food facilities**

(a) Temporary Mobile food facilities. Such uses are exempt from the provisions of Section 34-288(13) of the code of ordinances regarding box

1 lunches, transient catering trucks, distribution,, but such uses are subject to the  
2 following:

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5 1. For the purpose of this section, the following definitions for terms used  
6 herein shall apply:

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8 a. Commissary is an approved food facility that provides support  
9 services for specific functions of mobile food facilities. The commissary  
10 has space for storage of food vehicles and is equipped to provide for the  
11 daily cleaning, servicing, and has space for food storage and food  
12 preparation. A restaurant or market may also act as a mobile food facility  
13 commissary when approved by the Florida Department of Agriculture and  
14 Consumer Services. It is against the law to store or prepare food and/or  
15 beverages or any food related items at a private home or unapproved  
16 structures.

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18 b. Mobile food dispenser means any person who, by traveling from  
19 place to place upon the public ways, serves prepared and enclosed or  
20 wrapped individual portion food, or coffee, milk, milk products, frozen  
21 desserts, soft drinks, or beverages from a wheeled vehicle.

22  
23 c. Mobile food facilities, commonly known as a food truck or food cart,  
24 is any vehicle used in conjunction with a commissary or other permanent  
25 food facility upon which food is prepared, cooked, sold or distributed at  
26 retail. A mobile food facility does not include a transporter used to  
27 transport packaged food from a facility, or other approved source to the  
28 consumer.

29  
30 d. Mobile support unit is a vehicle, used in conjunction with a  
31 commissary that travels to, and services, mobile food facilities as needed  
32 to replenish supplies, including food and potable water, clean the interior  
33 of the unit, or dispose of liquid or solid wastes.

34  
35 e. Mobile food facilities special event is a special event consisting of  
36 a concentration of three (3) or more mobile food facilities at a specific  
37 location.

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40 2. Mobile food facilities special events shall be permitted subject to the  
41 following:

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43 a. Such uses shall be permitted to operate in the Agriculture (AU),  
44 Neighborhood Commercial (NC), Planned Corridor Development (PCD),  
45 and Planned Development (PD), zoning districts.  
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b. No operator of a mobile food facility shall park or stand such vehicle:

1. On any private property without the express consent of the owner or lessee of such property and unless such written consent is kept in the mobile food facility at all times when the facility is on the property; and
2. On properties of the City of Miami Gardens, or on any public right-of-way without the express written consent of the City of Miami Gardens.

c. Mobile food facility special events are limited to four (4) days per calendar year, at the same location, and each event shall operate no longer than five (5) hours each day.

d. The sale of alcoholic beverages shall be prohibited.

e. The following operational requirements during the operation of a mobile food facility must also be met:

1. No food shall be stored, displayed, or served from any place other than the mobile food facility. The use of tables, benches, and other such devices to display or serve items for use is prohibited;
2. Food condiments shall be protected from contamination. Food condiments provided for customer self-service shall be prepackaged or shall be from approved dispensing devices;
3. Utensils and equipment shall be handled and stored to be protected from contamination. Single-service utensils shall be obtained from sanitary containers or approved sanitary dispensers, stored in a clean, dry place until used, handled in a sanitary manner, and used only once;
4. Only a mobile food facility shall be permitted to dispense unpackaged foods.
5. All mobile food facility vehicles shall be required to provide proof of State licenses, including a valid Mobile Food Establishment permit issued by the Florida Department of Agriculture and Consumer Services (FDACS) and Commissary Letter of Agreement (FDACS form 14223), for

each individual mobile food facility in order to temporarily operate in the City of Miami Gardens

f. Mobile food facility special events site organizers shall be required to complete a special event permit application, and obtain a special event permit from the Department of Building and Code Compliance for each mobile food facility special event site. A separate application is required for each event. The application for a special event permit shall include, but not limited to the following:

1. The maximum number of mobile food facilities, which may be present at the mobile food facility special event. The maximum number shall be indicated on the special event permit.
2. If the mobile food facility special event is operating in a manner not consistent with the representations made in the application package provided to the Department, or if the person in charge of the event fails to comply with the provisions of this section, the Director shall have the authority to revoke the special event permit immediately.

g. Mobile food facilities shall be managed in accordance with the following policies:

1. The quiet, safety, and cleanliness of the mobile food facilities special event site and its adjacent area shall be maintained.
2. Proper and adequate storage and disposal of debris and garbage shall be provided.
3. Noise and odors shall be contained within immediate area of mobile food facility special event site so as not to be a nuisance to neighbors.
4. Notices shall be prominently displayed urging patrons to leave the mobile food facility special event site and neighborhood in a quiet, peaceful, and orderly fashion and to please not litter or block driveways in the neighborhood.
5. Employees of mobile food facilities shall walk a 100-foot radius from the mobile food facility special event site within 30

1 minutes after closing and shall pick up and dispose of any  
2 discarded beverage containers and other trash left by patrons

3  
4 3. Each vehicle shall meet the following facility requirements related to sinks,  
5 refuse receptacles, and restrooms:

6  
7 a. Unless the mobile food facility serves only prepackaged and non-  
8 perishable food, any mobile food facility shall be equipped with a hand-  
9 washing sink, a three compartment ware-washing sink, and an adequate  
10 supply of running hot water.

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12 b. Mobile food facilities shall be equipped with a suitable, tight, non-  
13 absorbent washable receptacle for refuse. The owner or operator of the  
14 mobile food facility shall be responsible for sanitation of the environs of the  
15 place of operation. The refuse receptacle shall be adjacent to, but not an  
16 integral part of, the mobile food facility.

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18 c. Mobile food facility license holders shall, by a written agreement  
19 with other business establishments, arrange for the availability of a  
20 restroom and hand-washing sink that may be used by employees working  
21 in the mobile food facility when the facility is parked in the same place for  
22 more than two hours. The restroom and hand-washing sink must be  
23 within 200 feet of the mobile food facility. The copy of the agreement shall  
24 be kept in the facility at all times and shall be made available for  
25 inspection by the police department, department of building and code  
26 compliance, and any other regulatory agency.

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28 4. Notwithstanding any other provision of this section, the City may from time  
29 to time prohibit the issuance of additional mobile food facility special event  
30 permits in specified areas of the City in the interest of preserving public health  
31 and safety or avoiding traffic congestions.

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33 5. No permit shall be transferable except with the written consent of the City  
34 Manager or his/her designee, such consent and approval shall not be  
35 unreasonably withheld. The application for such transfer shall contain the same  
36 information as requested herein for an initial application for such a permit and  
37 shall be accompanied by the same filing fees as for an initial application. Upon  
38 approval of said transfer, the transferee shall retain the original permit granting  
39 date and all of the transferor's rights under this section.

40  
41 6. If the Director determines that the permittee has exceeded the scope of  
42 the permit, either in terms of duration or area, determines any other violation of  
43 the permit terms or conditions has occurred, the Director shall order the  
44 permittee to correct the violation within a specified time period. If any person has  
45 occupied public right-of-way without a permit, the Director shall immediately  
46 order the violator to vacate an occupied area. The Director may require that any

1 permittee vacate an occupied area if it is deemed to be in the best interest of the  
2 City.

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4 7. Failure to pay any fee assessed under these provisions shall constitute  
5 good cause for immediate revocation of the permit or removal of unpermitted  
6 obstructions.

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10 **Exhibit A - Examples of Acceptable Mobile Food Facilities**

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13 **Unpackaged Trucks/Trailers**



14 **Examples:** catering trucks, taco trailers, lunch trucks, hot trucks, chef  
15 trucks or any fully enclosed vehicle used for food preparation activities. All food preparation, cooking and  
16 storage must occur inside the vehicle or at an approved commissary.

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20 **Allowable Carts**



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22 **Examples:** carts selling churros, pretzels, popcorn, shaved ice, hot dogs and coffee/cappuccino. These  
23 carts can serve unpackaged food with limited food preparation.

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25 -  
26 **Allowable Carts**



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Examples: Carts selling prepackaged ice cream and chips. These types of carts are limited to selling of prepackaged foods only.

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**Exhibit B - Example of Prohibited Vehicles**

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**Prepackaged Trucks**



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Examples: ice cream trucks and grocery trucks

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Section 4:Chapter 4, Article II, Section 4-45 of the Code of Ordinance is hereby

11

renumbered to Section 4-46.

12

Section 5. AMENDMENT: Chapter 34, Article VIII, Section 34-288(13) of

13

the Code of Ordinance is hereby amended as follows:

14

**Section 34-288 – Uses permitted with extra requirements**

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18

(13) *Box lunches, transient catering trucks, distribution.* No person shall distribute box lunches until such person has obtained a permit from the administrative official. Such permit shall be subject to the following restrictions:

19

20

21

a. No selling to be conducted on, or from, the public right-of-way and such sales to be made only from private property on which is located the use whose

1 employees desire the service, and then only with the consent of the owner of  
2 such private property. (In the event active construction prevents access to  
3 private property, a temporary stop may be made on right-of-way.)  
4

5 b. The uses to be served to be confined to industrial, commercial  
6 developments, and any development with an active building permit and under  
7 active construction.  
8

9 c. Owners of the box lunch business to be responsible for the action of their  
10 drivers and salesmen, and that such drivers and salesmen to do everything  
11 possible to prevent and eliminate the scattering of food, cups, napkins, etc., at  
12 their stops.  
13

14 ~~d. That such business shall have a properly authorized and licensed place~~  
15 ~~of business.~~  
16

17 ~~e. Vehicles are not permitted to park at any one location more than two~~  
18 ~~hours.~~  
19

20 Nothing contained herein shall prohibit temporary *Mobile food facilities* in  
21 accordance with Chapter 4, Article II, Section 4-45.  
22

23  
24 Section 6. CONFLICT: All ordinances or Code provisions in conflict herewith  
25 are hereby repealed.

26 Section 7. SEVERABILITY: If any section, subsection, sentence, clause,  
27 phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by  
28 any court of competent jurisdiction, such portion shall be deemed a separate, distinct  
29 and independent provision and such holding shall not affect the validity of the remaining  
30 portions of this Ordinance.

31 Section 8. INCLUSION IN CODE: It is the intention of the City Council of  
32 the City of Miami Gardens that the provisions of this Ordinance shall become and be  
33 made a part of the Code of Ordinances of the City of Miami Gardens and that the  
34 section of this Ordinance may be renumbered or relettered and the word "Ordinance"

1 may be changed to "Chapter," "Section," "Article" or such other appropriate word or  
2 phrase, the use of which shall accomplish the intentions herein expressed.

3 Section 9. EFFECTIVE DATE: This Ordinance shall become effective  
4 immediately upon its final passage.

5 PASSED ON FIRST READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

6 PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

7

8 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI

9 GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF

10 \_\_\_\_\_, 2011.

11

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\_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

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**ATTEST:**

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\_\_\_\_\_  
RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: COUNCILMAN OLIVER GILBERT, III

28

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Moved by: \_\_\_\_\_

31

Second by: \_\_\_\_\_

32

33

**VOTE:** \_\_\_\_\_

34

35

Mayor Shirley Gibson \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

36

Vice Mayor Aaron Campbell, Jr. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

- |   |                                |             |            |
|---|--------------------------------|-------------|------------|
| 1 | Councilman David Williams Jr   | _____ (Yes) | _____ (No) |
| 2 | Councilwoman Lisa Davis        | _____ (Yes) | _____ (No) |
| 3 | Councilman Oliver Gilbert, III | _____ (Yes) | _____ (No) |
| 4 | Councilwoman Felicia Robinson  | _____ (Yes) | _____ (No) |
| 5 | Councilman Andre' Williams     | _____ (Yes) | _____ (No) |
| 6 |                                |             |            |
| 7 |                                |             |            |



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			(Enter X in box)		X		
<b>Fiscal Impact:</b>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b>	<b>1st Reading</b>		<b>2nd Reading</b>	
(Enter X in box)		X	(Enter X in box)			X	
			<b>Public Hearing:</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
			(Enter X in box)			X	
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b>	<b>Yes</b>		<b>No</b>	
			(Enter X in box)	X			
<b>Contract/P.O. Required:</b>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>				
(Enter X in box)		X					
<b>Strategic Plan Related</b>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> (list the specific objective/strategy this item will address)			
(Enter X in box)		X	Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	N/A			
<b>Sponsor Name</b>	Councilman Oliver Gilbert, III		<b>Department:</b>	Parks and Recreation			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 18-297 OF THE CITY'S CODE OF ORDINANCES RELATING TO PARKS AND RECREATION DEPARTMENT EMPLOYEES AND VOLUNTEERS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

**Background Information**

The launch of the City of Miami Gardens Youth Sports (CMGYS) program has been an opportunity for the City to be at the forefront of organized sporting activities on city parks. City staff recognizes that unsupervised volunteers and employees having direct contact with children on a daily basis is a delicate situation. At the same time, the City is also sensitive to the enormous value and contribution of the

**ITEM I-1) ORDINANCE  
SECOND READING/PUBLIC HEARING  
Amending Section 18-297 of the Code**

hundreds of volunteers that give of their time and talents to these young people. Many of the volunteers are products of some of the teams they are now seeking to coach.

## **Current Situation**

The Parks and Recreation Department utilizes approximately four hundred (400) volunteers for its various youth sports programs. The City's current Code of Ordinances has a specific ordinance related to the background screening of Parks and Recreation Department employees and volunteers, which was adopted with the intent of creating a local standard for exclusion criteria for Parks employees and volunteers. Per the ordinance, the Department must secure a nationwide criminal background fingerprint check for city employees and volunteers whose primary duties require physical presence on park property owned or operated by the city. Currently, employees and volunteers who have two (2) or more convictions for a violent felony, for conspiracy to commit a violent felony, or involving the trafficking of a controlled substance, are prohibited from working or volunteering with the City's Parks and Recreation Department, regardless of when the crime occurred.

Councilman Gilbert is proposing that the Code be amended to prohibit volunteers and employees from working in the Parks and Recreation Department if they have two (2) or more convictions for a violent felony, for conspiracy to commit a violent felony, or involving the trafficking of a controlled substance **within the past ten years.** He is also recommending that the Code be amended to clarify that the City reserves the right to refuse to allow any volunteer to volunteer at any City park based on good cause.

## **Proposed Action:**

Councilman Oliver Gilbert recommends that the City Council approve the attached ordinance.

## **Attachment:**

Attachment A- Ordinance: Parks and Recreation Employee and Volunteer background screening

ORDINANCE NO. 2011 \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 18-297 OF THE CITY'S CODE OF ORDINANCES RELATING TO PARKS AND RECREATION DEPARTMENT EMPLOYEES AND VOLUNTEERS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Parks and Recreation Department currently utilizes four hundred (400) volunteers for the City of Miami Gardens Youth Sports Program ("CMGYS") program, and

WHEREAS, the City recognizes that unsupervised volunteers having direct contact with children is a delicate situation, and

WHEREAS, the City also recognizes the enormous value and contribution of the hundreds of volunteers who offer their time and talents to the CMGYS program participants, and

WHEREAS, the City currently forbids the participation of volunteers with two (2) or more convictions for a violent felony, or for convictions involving the trafficking of a controlled substance, and

WHEREAS, Councilman Oliver Gilbert recommends amending the City's current Ordinance regulating the background screening of volunteers to allow the participation of such individuals where the criminal convictions exceed ten (10) years,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Added language is underlined. Deleted language is stricken through.

29           Section 1.   ADOPTION OF REPRESENTATIONS:   The foregoing  
30   Whereas paragraphs are hereby ratified and confirmed as being true, and the same  
31   are hereby made a specific part of this Ordinance.

32           Section 2.   AMENDMENT:           Section 18-297 of the City of Miami  
33   Gardens Code of Ordinances shall be amended as follows:

34           **Section 18-297.   Parks and recreation department employees**  
35           **and volunteers.**

- 36
- 37           (a)   The parks and recreation department director shall secure a  
38           nationwide criminal background check of all employees and  
39           volunteers whose primary duties require physical presence  
40           on park property owned or operated by the city. In addition,  
41           the parks and recreation department director shall secure a  
42           nationwide criminal background fingerprint check prior to  
43           employing, or allowing to volunteer, a person whose primary  
44           duties would require physical presence on park property  
45           owned or operated by the city. This nationwide criminal  
46           background fingerprint check shall be conducted through the  
47           state department of law enforcement.
- 48
- 49           (b)   Every three years thereafter, the parks and recreation  
50           department director shall secure nationwide criminal  
51           background checks for existing employees and volunteers  
52           whose primary duties require physical presence on park  
53           property owned or operated by the city. These nationwide  
54           criminal background checks shall be conducted by a  
55           professional background screener and shall include a report  
56           as to whether each employee or volunteer is located on the  
57           National Sex Offender Public Registry, and a comprehensive  
58           report and analysis, obtained from two independent  
59           databases/sources, on the nationwide criminal history of  
60           such employee or volunteer.
- 61
- 62           (c)   Any employee or volunteer of the parks and recreation  
63           department who:
- 64
- 65                   (1)   Has been convicted of a violent felony or conspiracy  
66                   to commit a violent felony within the past five years;  
67

Added language is underlined. Deleted language is stricken through.

- 68 (2) Has been convicted of a felony involving the  
69 trafficking of a controlled substance within the past  
70 five years;
- 71
- 72 (3) Has two or more convictions for a violent felony, for  
73 conspiracy to commit a violent felony, or involving the  
74 trafficking of a controlled substance within the past  
75 ten years. Notwithstanding this provision, the City  
76 reserves the right to refuse to allow anyone to  
77 volunteer at any City Park based on good cause.
- 78
- 79 (4) Is a sexual offender or a sexual predator; or
- 80
- 81 (5) Has failed to provide the parks and recreation  
82 department with proof of United States citizenship or  
83 legal immigration status in the United States; shall be  
84 prohibited from working or volunteering on park  
85 property owned or operated by the city. All employees  
86 and volunteers of the parks and recreation  
87 department shall submit to the parks and recreation  
88 department an affidavit affirming that no work or  
89 volunteer duties will be performed on park property  
90 owned or operated by the city in violation of this  
91 subsection and that any arrest will be reported to  
92 his/her employer within 48 hours of such arrest.
- 93

94 shall be prohibited from working or volunteering on park property  
95 owned or operated by the city. All employees and volunteers of the  
96 parks and recreation department shall submit to the parks and  
97 recreation department an affidavit affirming that no work or volunteer  
98 duties will be performed on park property owned or operated by the  
99 city in violation of this subsection and that any arrest will be reported  
100 to his/her employer within 48 hours of such arrest.

- 101
- 102 (d) The parks and recreation department shall maintain copies  
103 of the results of the criminal background checks required by  
104 this section for a period of three years from the date they  
105 were secured. The parks and recreation department shall  
106 maintain the affidavits required by subsection (c) of this  
107 section and shall maintain copies of the proof of United  
108 States citizenship or legal immigration status until the person  
109 is no longer an employee or volunteer.
- 110

Added language is underlined. Deleted language is stricken through.

111 (e) Every employee and volunteer of the parks and recreation  
112 department shall wear, in a conspicuous and visible manner,  
113 an identification badge that contains his/her photograph and  
114 full name while working or volunteering on park property  
115 owned or operated by the city, except when in costume and  
116 during a performance. The identification badge shall be of a  
117 size, design, and format approved by the parks and  
118 recreation department director.

119  
120 (f) Penalties and enforcement.

121  
122 (1) It shall be unlawful for any volunteer of the parks and  
123 recreation department to volunteer on park property  
124 owned or operated by city in violation of this section.

125  
126 (2) Any volunteer who shall violate a provision of this  
127 section or who shall knowingly or willingly provide  
128 false or erroneous information to the parks and  
129 recreation department, or fail to comply therewith, or  
130 with any of the requirements thereof, shall upon  
131 conviction thereof in the county court, be punished by  
132 a fine not to exceed \$500.00 or by imprisonment in  
133 the county jail for not more than 60 days, or by both  
134 such fine and imprisonment.

135  
136 (3) Any volunteer who violates or fails to comply with this  
137 section may be subject to civil penalties in  
138 accordance with chapter 8, regarding code  
139 enforcement. Each day of violation or noncompliance  
140 shall constitute a separate offense.

141  
142 Section 3. CONFLICT: All ordinances or Code provisions in conflict  
143 herewith are hereby repealed.

144 Section 4. SEVERABILITY: If any section, subsection, sentence,  
145 clause, phrase or portion of this Ordinance is for any reason held invalid or  
146 unconstitutional by any court of competent jurisdiction, such portion shall be  
147 deemed a separate, distinct and independent provision and such holding shall  
148 not affect the validity of the remaining portions of this Ordinance.

Added language is underlined. Deleted language is stricken through.

149 Section 5. INCLUSION IN CODE: It is the intention of the City  
150 Council of the City of Miami Gardens that the provisions of this Ordinance shall  
151 become and be made a part of the Code of Ordinances of the City of Miami  
152 Gardens and that the section of this Ordinance may be renumbered or relettered  
153 and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or  
154 such other appropriate word or phrase, the use of which shall accomplish the  
155 intentions herein expressed.

156 Section 6. EFFECTIVE DATE: This Ordinance shall become effective  
157 immediately upon its final passage.

158 PASSED ON FIRST READING ON THE 13<sup>TH</sup> DAY OF JULY, 2011.

159 PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_,  
160 2011.

161  
162 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
163 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
164 \_\_\_\_\_, 2011.

165  
166 \_\_\_\_\_  
167 SHIRLEY GIBSON, MAYOR  
168

169  
170  
171 **ATTEST:**  
172  
173  
174 \_\_\_\_\_  
175 RONETTA TAYLOR, MMC, CITY CLERK  
176

Added language is underlined. Deleted language is stricken through.

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: COUNCILMAN OLIVER GILBERT, III

Moved by: \_\_\_\_\_

Second by: \_\_\_\_\_

**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	_____ (Yes)	_____ (No)
Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
Councilman David Williams Jr	_____ (Yes)	_____ (No)
Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
Councilman Andre' Williams	_____ (Yes)	_____ (No)

Added language is underlined. Deleted language is stricken through.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
					x		
<b>Fiscal Impact:</b>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		x	<b>Public Hearing:</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
						x	
<b>Funding Source:</b>			<b>Advertising Requirement:</b>	<b>Yes</b>		<b>No</b>	
				x			
<b>Contract/P.O. Required:</b>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>				
	X						
<b>Strategic Plan Related</b>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
			Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>				
<b>Sponsor Name</b>	Ronetta Taylor, MMC City Clerk		<b>Department:</b>	<b>Office of the City Clerk</b>			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 2-443(a) OF ARTICLE V OF THE CODE OF ORDINANCES RELATING TO QUALIFYING PERIODS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

**Staff Summary:**

Background

Article V. Section 5.1(c) of the City of Miami Gardens Charter provides that "A general election shall be held in each even-numbered year, on the day of the state primary election, or if none is held in any such year, on the first Tuesday following the second Monday in September." During the last Legislative Session in Tallahassee, Florida, a new Election Law was adopted. This new election statute was signed into law, effective July 1, 2011. This legislation changed the timeframe for the state's primary election from 10 weeks to 12 weeks prior to the general election, which is held in November.

**ITEM I-2) ORDINANCE  
SECOND READING/PUBLIC HEARING  
Changing the Qualifying Periods**

The City Clerk has been notified by Miami-Dade County Division of Elections that the date for the states' primary election scheduled for August 2012 has been changed from August 28, 2012 to August 14, 2012.

The City's adopted Election Code established a procedure setting forth the dates and times for qualifying of candidates for City of Miami Gardens' General Elections. Section 2-443 (a), Article V, of the City of Miami Gardens Code of Ordinances entitled "Qualifying as candidate for mayor or city council member; fee; oath; single candidate considered elected" provides that candidates for the Office of mayor or city council member shall qualify with the city clerk no earlier than 9:00 a.m. on the first Monday in June and no later than 4:00 p.m., on the second Monday in June every year a municipal general election is held, and in the method provided for in the city Charter and under the rules of elections prescribed in the state statutes. This timeframe allotted the City enough time to qualify candidates and ensured those individuals placement on the Miami-Dade County official ballot for that August primary election (absentee and early voting included). To coordinate its efforts to ensure enough time is allocated for qualifying the City must amend this Code provision.

### Current Situation

The attached ordinance amends Section 2-443(a), Article V. of the Code of Ordinances to provide that candidates for the office of mayor or city council member shall qualify with the city clerk no earlier than 9:00 a.m., on the Third Tuesday in May and no later than 4:00 p.m., on the fourth Tuesday in May every year a municipal election is held, and in the method provided for in the city Charter and under the rules of elections prescribed in the state statutes.

### **Proposed Action:**

It is recommended that the City Council adopt the attached ordinance amending Article V, Section 2-443 (a) of the City of Miami Gardens Code of Ordinances.

### **Attachment:**

None.

ORDINANCE NO. 2011 \_\_\_\_

1  
2  
3 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
4 MIAMI GARDENS, FLORIDA, AMENDING SECTION 2-443(a) OF  
5 ARTICLE V OF THE CODE OF ORDINANCES, RELATING TO  
6 QUALIFYING PERIODS; PROVIDING FOR ADOPTION OF  
7 REPRESENTATIONS; REPEALING ALL ORDINANCES IN  
8 CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING  
9 FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

10  
11 WHEREAS, the City's Charter provides that a general election is to be  
12 held each even numbered year on the date of the State primary election or if  
13 none is held in any such year, on the first Tuesday following the second Monday  
14 in September, and

15 WHEREAS, during the 2011 Florida Legislative Session, a new election  
16 law was adopted, and

17 WHEREAS, the new legislation amended the timeframe for the State's  
18 primary election from ten (10) weeks to twelve (12) weeks prior to the general  
19 election which is held in November, and

20 WHEREAS, the City Clerk has been notified by Miami-Dade County  
21 Division of Elections that the date for the State's primary election currently  
22 scheduled for August 2012, has been changed from August 28, 2012, to August  
23 14, 2012, and

24 WHEREAS, the City's Code set forth dates and times for the qualifying of  
25 candidates for the City of Miami Gardens general election, and

26 WHEREAS, the City Clerk is recommending an amendment to Section 2-  
27 443(a) of the City's Code of Ordinance to comport with the amendments to the

Added language is underlined. Deleted language is stricken through.

28 State election law to ensure that enough time is allocated for qualifying  
29 individuals for City of Miami Gardens elections,

30 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
31 CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

32 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing  
33 Whereas paragraphs are hereby ratified and confirmed as being true, and the same  
34 are hereby made a specific part of this Ordinance.

35 Section 2. AMENDMENT: Section 2-443(a) of the Code of Ordinances  
36 relating to the qualifying periods is hereby amended as follows:

37 **Sec. 2-443. - Qualifying as candidate for mayor or city council**  
38 **member; fee; oath; single candidate considered elected.**

39  
40 (a) Candidates for the office of mayor or city council member  
41 shall qualify with the city clerk no earlier than 9:00 a.m. on the ~~first~~  
42 ~~Monday in June~~ third Tuesday in May and no later than 4:00 p.m.  
43 on the ~~second Monday in~~ fourth Tuesday in May every year a  
44 municipal general election is held, and in the method provided for in  
45 the city Charter and under the rules of elections prescribed in the  
46 state statutes.

47  
48 Section 3. CONFLICT: All ordinances or Code provisions in conflict  
49 herewith are hereby repealed.

50 Section 4. SEVERABILITY: If any section, subsection, sentence,  
51 clause, phrase or portion of this Ordinance is for any reason held invalid or  
52 unconstitutional by any court of competent jurisdiction, such portion shall be  
53 deemed a separate, distinct and independent provision and such holding shall  
54 not affect the validity of the remaining portions of this Ordinance.

Added language is underlined. Deleted language is stricken through.

55 Section 5. INCLUSION IN CODE: It is the intention of the City  
56 Council of the City of Miami Gardens that the provisions of this Ordinance shall  
57 become and be made a part of the Code of Ordinances of the City of Miami  
58 Gardens and that the section of this Ordinance may be renumbered or relettered  
59 and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or  
60 such other appropriate word or phrase, the use of which shall accomplish the  
61 intentions herein expressed.

62 Section 6. EFFECTIVE DATE: This Ordinance shall become effective  
63 immediately upon its final passage.

64 PASSED ON FIRST READING ON THE 13<sup>th</sup> DAY OF JULY, 2011.

65 PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_,  
66 2011.

67

68 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
69 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
70 \_\_\_\_\_, 2011.

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76 **ATTEST:**

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80 \_\_\_\_\_  
81 RONETTA TAYLOR, MMC, CITY CLERK

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\_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

Added language is underlined. Deleted language is stricken through.

83 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

84

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86 SPONSORED BY: RONETTA TAYLOR, MMC, CITY CLERK

87

88

89 Moved by: \_\_\_\_\_

90 Second by: \_\_\_\_\_

91

92 **VOTE:** \_\_\_\_\_

93

94 Mayor Shirley Gibson \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

95 Vice Mayor Aaron Campbell, Jr. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

96 Councilman David Williams Jr \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

97 Councilwoman Lisa Davis \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

98 Councilman Oliver Gilbert, III \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

99 Councilwoman Felicia Robinson \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

100 Councilman Andre' Williams \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

101

Added language is underlined. Deleted language is stricken through.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
					x		
<b>Fiscal Impact:</b>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		x	<b>Public Hearing:</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
						x	
<b>Funding Source:</b>			<b>Advertising Requirement:</b>	<b>Yes</b>		<b>No</b>	
				x			
<b>Contract/P.O. Required:</b>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>				
	X						
<b>Strategic Plan Related</b>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
			Enhance Organizational <input type="checkbox"/>				
			Bus. & Economic Dev <input type="checkbox"/>				
			Public Safety <input type="checkbox"/>				
			Quality of Education <input type="checkbox"/>				
			Qual. of Life & City Image <input type="checkbox"/>				
			Communication <input type="checkbox"/>				
<b>Sponsor Name</b>	Ronetta Taylor, MMC City Clerk		<b>Department:</b>	<b>Office of the City Clerk</b>			

**Short Title:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE V, SECTION 2-446 OF THE CODE OF ORDINANCES, RELATING TO THE INSTALLATION OF NEWLY ELECTED OFFICIALS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE**

**Staff Summary:**

Background

The City adopted a procedure for installation of new officers. Section 2-446, Article V, of the City of Miami Gardens Code of Ordinances entitled "Installation of new officers" provides that the Council shall **meet** at 12:00 noon on the first Monday after a general election, and in the event of a runoff election is necessary, the city council shall also **meet** at 12:00 noon on the first Monday after said run-off election, for the purpose of receiving the certificate of election results from the City Clerk. Section 2-446 also provides that the Council shall accept the results thereof by resolution and shall declare the new officers to be elected, at which time the city clerk, or any other person authorized by law to take oaths, shall administer the oath and the new officers, shall be installed and shall enter upon the discharge of their duties. This section of the Code is in conflict with the City's Charter.

**ITEM I-3) ORDINANCE  
SECOND READING/PUBLIC HEARING  
Installation of Elected Officials**

A review of Article V. subsection (C) of the City of Miami Gardens' Charter entitled "Election Dates" provides that the Council shall hold **no** meetings between the General Election and the swearing in of those newly elected or re-elected Council members except in the case of an emergency affecting life, health, property or the public peace.

Furthermore, Miami-Dade County Division of Elections now provides the Certified Results of the City of Miami Gardens' elections no earlier than seven days after the General or Run-off Election is held. It should be noted that FS 102.112 provides that the deadline to submit "Official Results" is 5:00 p.m. on the 7<sup>th</sup> day following a primary, which is when the City of Miami Gardens' General Election occurs. FS 102.112 also provides that the deadline to submit "Official Results" for General Election is Noon on the 12<sup>th</sup> day following the election, which is when a run-off Election for the City of Miami Gardens would occur.

### Current Situation

The attached ordinance amends Article V, Section 2-446 of the Code of Ordinances to provide that installation of newly elected officers shall take place upon receipt of Certification of Results from Miami-Dade County Division of Election, for the City of Miami Gardens' General or Run-off Election on a date and time to be determined by the City Clerk. This section is further amended to provide that the Council shall accept the results thereof by resolution and shall declare the new officers to be elected at the next regularly scheduled City Council meeting subsequent to the installation ceremony.

### **Proposed Action:**

It is recommended that the City Council adopt the attached ordinance amending Article V, Section 2-446 of the City of Miami Gardens Code of Ordinances.

### **Attachment:**

None.

ORDINANCE NO. 2011 \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING ARTICLE V, SECTION 2-446 OF THE CODE OF ORDINANCES RELATING TO THE INSTALLATION OF NEWLY ELECTED OFFICIALS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 2-446 of Article V of the City of Miami Gardens Code of Ordinances currently provides that newly elected officials are to be installed at 12:00 noon on the first Monday after a general election, and in the event of a run-off, at 12:00 noon on the first Monday after the date of run-off election, and

WHEREAS, in the last election, the City Council did not receive certified election results from the Miami-Dade County Supervisor of Elections in a time frame that would permit the City to comply with the requirements of the Ordinance, and

WHEREAS, the City Clerk is recommending that the City Council amend Section 2-446, to provide that newly elected officials will be sworn in upon receipt of the certified election results from the Miami Dade County Division of Election at a date and time to be determined by the City Clerk, and

WHEREAS, in addition, the City Clerk is recommending that results of any election be approved by resolution by the City Council at the next regularly scheduled City Council meeting subsequent to the installation ceremony,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Added language is underlined. Deleted language is stricken through.

29           Section 1.   ADOPTION OF REPRESENTATIONS:   The foregoing  
30   Whereas paragraphs are hereby ratified and confirmed as being true, and the same  
31   are hereby made a specific part of this Ordinance.

32           Section 2.   AMENDMENT:   Section 2-446 of the Code of Ordinances  
33   relating to the swearing in of newly elected officials is hereby amended as follows:

34           **Sec. 2-446. - Installation of new officers.**

35           ~~The city council shall meet at 12:00 noon on the first Monday after~~  
36           ~~a general election, and in the event a runoff election is necessary,~~  
37           ~~the city council shall also meet at 12:00 noon on the first Monday~~  
38           ~~after said runoff election, for the purpose of receiving the certificate~~  
39           ~~of election results from the city clerk. In the event Monday falls on a~~  
40           ~~holiday, the results shall be certified on the following Tuesday.~~  
41           Newly elected officers shall be sworn in upon the receipt of certified  
42           election results from the Miami-Dade County Division of Elections,  
43           at a date and time to be determined by the City Clerk. The city  
44           council shall accept the results thereof by resolution and shall  
45           declare the new officers to be elected, at the next regularly  
46           scheduled City Council meeting subsequent to the installation  
47           ceremony, at which time the city clerk, or any other person  
48           authorized by law to take oaths, shall administer the oath and the  
49           new officers shall be installed and shall enter upon the discharge of  
50           their duties. In the event a runoff election is necessary, the new  
51           officers shall be declared elected subsequent to canvass of election  
52           returns on the day after said runoff election, at which time the city  
53           clerk, or any other person authorized by law to take oaths, shall  
54           administer the oath, and the new officers shall be installed and shall  
55           enter upon the discharge of their duties.

56  
57           Section 3.   CONFLICT:   All ordinances or Code provisions in conflict  
58   herewith are hereby repealed.

59           Section 4.   SEVERABILITY:   If any section, subsection, sentence,  
60   clause, phrase or portion of this Ordinance is for any reason held invalid or  
61   unconstitutional by any court of competent jurisdiction, such portion shall be

Added language is underlined. Deleted language is stricken through.

62 deemed a separate, distinct and independent provision and such holding shall  
63 not affect the validity of the remaining portions of this Ordinance.

64 Section 5. INCLUSION IN CODE: It is the intention of the City  
65 Council of the City of Miami Gardens that the provisions of this Ordinance shall  
66 become and be made a part of the Code of Ordinances of the City of Miami  
67 Gardens and that the section of this Ordinance may be renumbered or relettered  
68 and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or  
69 such other appropriate word or phrase, the use of which shall accomplish the  
70 intentions herein expressed.

71 Section 6. EFFECTIVE DATE: This Ordinance shall become effective  
72 immediately upon its final passage.

73 PASSED ON FIRST READING ON THE 13<sup>TH</sup> DAY OF JULY, 2011.

74 PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_,  
75 2011.

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77 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF  
78 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF  
79 \_\_\_\_\_, 2011.

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SHIRLEY GIBSON, MAYOR

**ATTEST:**

Added language is underlined. Deleted language is stricken through.

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RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: RONETTA TAYLOR, MMC, CITY CLERK

Moved by: \_\_\_\_\_

Second by: \_\_\_\_\_

**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	_____ (Yes)	_____ (No)
Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
Councilman David Williams Jr	_____ (Yes)	_____ (No)
Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
Councilman Andre' Williams	_____ (Yes)	_____ (No)

Added language is underlined. Deleted language is stricken through.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			(Enter X in box)		X		
<b>Fiscal Impact:</b>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
(Enter X in box)		X	(Enter X in box)			x	
			<b>Public Hearing:</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
			(Enter X in box)			x	
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b>	<b>Yes</b>		<b>No</b>	
			(Enter X in box)	x			
<b>Contract/P.O. Required:</b>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
(Enter X in box)		X					
<b>Strategic Plan Related</b>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> (list the specific objective/strategy this item will address) N/A			
(Enter X in box)		X	<b>Enhance Organizational</b> <input type="checkbox"/>				
			<b>Bus. &amp; Economic Dev</b> <input type="checkbox"/>				
			<b>Public Safety</b> <input type="checkbox"/>				
			<b>Quality of Education</b> <input type="checkbox"/>				
			<b>Qual. of Life &amp; City Image</b> <input type="checkbox"/>				
			<b>Communcation</b> <input type="checkbox"/>				
<b>Sponsor Name</b>	Councilman Oliver Gilbert		<b>Department:</b>	Mayor and City Council			

**Short Title:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 2-51(I) OF THE CODE OF ORDINANCES RELATING TO THE PROCESS FOR ESTABLISHING A CONSENT AGENDA; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

**Summary:**

The City has established a Consent Agenda for items deemed noncontroversial. Currently, the City's Code of Ordinance requires that if a City Council member wants to pull an item from the Consent Agenda, he or she must obtain the approval of a motion for this purpose. This is required if a Member of the City Council wants to discuss an item or vote no on an item.

**ITEM I-4) ORDINANCE  
SECOND READING/PUBLIC HEARING  
Consent Agenda**

Councilman Oliver Gilbert, III is proposing that the City Council amend Section 2-51(I) of the Code of Ordinances to remove the requirements that City Council Members be required to have a motion approved in order to pull items from the Consent Agenda. Additionally, the Ordinance will give the Mayor approval of staff sponsored items that are to be placed on the Consent Agenda.

**Proposed Action:**

That the City Council adopts the attached Ordinance.

**Attachment:**

ORDINANCE NO. 2011 \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING SECTION 2-51(I) OF THE CODE OF ORDINANCES RELATING TO THE PROCESS FOR ESTABLISHING A CONSENT AGENDA; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 2-51 of the City of Miami Gardens' Code of Ordinances, the City has established a Consent Agenda for the purpose of being able to provide an efficient mechanism for the City Council to vote on non-controversial agenda items, and

WHEREAS, the Code currently provides that the City Clerk is to establish a Consent Agenda, and

WHEREAS, Councilman Oliver Gilbert recommends amending this process so that staff approved items must be approved by the Mayor prior to having them placed on the Consent Agenda, and

WHEREAS, currently, if a City Council member wants to pull an item from the Consent Agenda, the City Council is required to approve a motion to this effect, and

WHEREAS, this is required if a Member of the City Council wants to ask a question about an item on the Consent Agenda or if the Member or the City Council wants to remove an item from the Consent Agenda in order to vote no on the item, and

1 WHEREAS, Councilman Gilbert proposes to remove the requirement of the approval of  
2 a motion for City Council members to be able to pull items from the Consent Agenda, so that  
3 there is no hindrance to Council Members being able to discuss or vote no on items on the  
4 Consent Agenda, and

5 WHEREAS, the proposed Ordinance will eliminate the requirement for the approval of a  
6 motion and will allow items to be pulled by Council Members upon his or her request,

7 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
8 MIAMI GARDENS, FLORIDA, AS FOLLOWS:

9 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs  
10 are hereby ratified and confirmed as being true, and the same are hereby made a specific part of  
11 this Ordinance.

12 Section 2. AMENDMENT: Section 2-51 of the City's Code of Ordinances is hereby  
13 amended as follows:

14 **Sec. 2-51.- Agenda.**

15 \* \* \* \* \*

16 (i) *Consent agenda.* The city clerk shall establish a consent agenda for the  
17 adoption of resolutions and other items upon the advice and recommendation of  
18 the city manager, and approval of the Mayor. ~~However, each member of the City~~  
19 ~~Council shall have the authority to place self-sponsored items on the consent~~  
20 agenda without prior approval. All items appearing on such consent agenda may  
21 be adopted on a roll call vote by the affirmative vote of a ~~quorum~~ majority of the city  
22 council members present, unless an item is first pulled from the agenda as  
23 provided in this subsection. In the event such consent agenda does not receive the  
24 necessary affirmative votes, the city council may delete items from such consent  
25 agenda, or it may proceed to consider such items individually. Each city council  
26 member and the mayor may ~~request that an item be pulled~~ remove an item from

Added language is underlined. Deleted language is stricken through.

1 the consent agenda before the vote on the consent agenda. ~~However, all items~~  
2 ~~pulled from the consent agenda will require the approval of a motion of the~~  
3 ~~governing body prior to any item being pulled.~~ All items not approved on the  
4 applicable consent agenda shall be referred to and considered following the  
5 approval of items on the consent agenda. Items that are removed from the consent  
6 agenda shall be considered immediately following the consent agenda. The  
7 consent agenda may be adopted by the affirmative roll call vote of all city council  
8 members present.  
9

10 Section 3. CONFLICT: All ordinances or Code provisions in conflict herewith are  
11 hereby repealed.

12 Section 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or  
13 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of  
14 competent jurisdiction, such portion shall be deemed a separate, distinct and independent  
15 provision and such holding shall not affect the validity of the remaining portions of this  
16 Ordinance.

17 Section 5. INCLUSION IN CODE: It is the intention of the City Council of the City  
18 of Miami Gardens that the provisions of this Ordinance shall become and be made a part of  
19 the Code of Ordinances of the City of Miami Gardens and that the section of this Ordinance  
20 may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter,"  
21 "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish  
22 the intentions herein expressed.

23 Section 6. EFFECTIVE DATE: This Ordinance shall become effective immediately  
24 upon its final passage.

25 PASSED ON FIRST READING ON THE 13<sup>th</sup> DAY OF JULY, 2011.

Added language is underlined. Deleted language is stricken through.

1 PASSED ON SECOND READING ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

2 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI

3 GARDENS AT ITS REGULAR MEETING HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_,

4 2011.

5

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7 \_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

8

9 **ATTEST:**

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11 \_\_\_\_\_

12 RONETTA TAYLOR, MMC, CITY CLERK

13

14 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

15 SPONSORED BY: COUNCILMAN OLIVER GILBERT, III

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18 Moved by: \_\_\_\_\_

19 Second by: \_\_\_\_\_

20

21 **VOTE:** \_\_\_\_\_

22

23 Mayor Shirley Gibson	_____ (Yes)	_____ (No)
24 Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
25 Councilman David Williams, Jr	_____ (Yes)	_____ (No)
26 Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
27 Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
28 Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
29 Councilman Andre' Williams	_____ (Yes)	_____ (No)

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Added language is underlined. Deleted language is stricken through.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			(Enter X in box)	X			
<b>Fiscal Impact:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> (Enter X in box)	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X	<b>Public Hearing:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					X		
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> (Enter X in box)	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>				
		X					
<b>Strategic Plan Related</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> (list the specific objective/strategy this item will address)			
		X	Enhance Organizational <input type="checkbox"/>	N/A			
			Bus. & Economic Dev <input type="checkbox"/>				
			Public Safety <input type="checkbox"/>				
			Quality of Education <input type="checkbox"/>				
			Qual. of Life & City Image <input type="checkbox"/>				
			Communcation <input type="checkbox"/>				
<b>Sponsor Name</b>	Dr. Danny Crew, City Manager		<b>Department:</b>	<b>Parks and Recreation</b>			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE PROPOSED FEE SCHEDULE FOR AFTER SCHOOL PROGRAMS AT DESIGNATED CITY PARKS FOR THE REMAINDER OF THE 2011 FISCAL YEAR; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDNG FOR AN EFFECTIVE DATE.

**Staff Summary:**

**Background**

The City’s Parks and Recreation Department provides a series of recreational programming for youth ages 5-11 as part of the services offered to City residents. One particular program is the After-School program. The Parks’ After-School programming runs concurrent with the public school year. The City has operated After-School programming for the past 5 years and currently serves an average of 275 youth for four hours daily. The City’s After-School programming includes activities such as nutrition, special

**ITEM K-1) CONSENT AGENDA  
RESOLUTION  
Fee Schedule for After School Programs**

guests, - tutoring, chess & tennis instruction, and a daily snack. This program was once offered at eleven (11) park sites, but was consolidated to eight (8) sites for the 2010-2011 school year. These sites were A. J. King, Betty T. Ferguson, Buccaneer, Bunche, Miami Carol City, Norwood, Rolling Oaks, & Scott Parks.

The per child fee to participate in the After-School Program for the 2010-2011 school year was \$25 per week, \$5 per week transportation fee, if applicable, plus a \$10 registration fee. Additionally, the Parks Department accepts funding from Child Development Services (CDS) to subsidize program costs for families that qualify through CDS. However as with other programs, this one runs at a deficit. Last school year's program costs are approximately \$707,970.00, and the corresponding revenue was \$247,710.00. Thus, the direct net expense to the City for last fiscal year was approximately \$460,260.

As there are 8 full-time employees to supervise this program, this figure is derived by including only the 4 hours of direct supervision by staff daily, not the overall positions retained to operate the program. During non-program times, these full-time staff members supervise other operations of the park.

## Current Situation

Staff has discussed with Council the significant budget shortfall which the City is currently facing. This condition has caused an intensive analysis of current services offered and identification of alternative methods to either generate increased revenue or reduce expenses. As indicated above, the After-School program runs a deficit of approximately \$460,000 annually. If no changes are made, the anticipated net expense to the City for the remainder of F.Y. 2010-11 is \$70,809.

To address this deficit condition (both current and future), City Staff has utilized a two-pronged approach:

<b>Approach</b>	<b>Cost to City</b>	<b>Parks used</b>	<b>Other impacts</b>	<b># of participants</b>
1. RFP for program administration services	None; City would receive % of revenues	9 sites	Potential layoffs of some recreation employees	Subject to agency discretion
2. City run program with fee and other adjustments	\$33,530**	5 sites	No layoffs, but reduction in hours for P.T. employees	220

\*\* Cost is only for F.Y. 10-11

The proposed fees under the City-run program are as follows:

- Registration fee- \$20 (increase of \$10)
- Weekly Program Fee- \$30 (increase of \$5)
- Weekly Transportation fee- \$10 (increase of \$5)
- Elimination of City Employees discount (currently receive 50% off)

It should be noted that the Early Learning Coalition which provides funding to CDS has mandated that any provider that is contracted to receive funding must be licensed by the Department of Children and Family Services. The Parks and Recreation Department has begun the steps to license each park facility, however full licensure is not anticipated to occur until well into the school year. Due to this limitation, children enrolled in the CDS program (approximately 30 last school year) will need to either pay the full rate, or be reassigned to a non-City facility that accepts CDS funding.

The restructured City-run After-School program will begin August 22<sup>nd</sup>, with registration occurring August 1<sup>st</sup> at the Parks and Recreation Department Administrative Office.

In the short term, the restructure to the program will save the City dollars while maintaining the program's administration. However, staff will review proposals from outside organizations and weigh alternative measures for the After-school program including outsourcing and/or additional fee adjustments. Recommendations for either scenario will be forthcoming for Council approval.

Staff believes that this two-pronged approach will ensure that the City continues to offer this program in a more fiscally responsible manner, while considering the best approach for delivering this service in the long-term.

**Proposed Action:**

That the City Council approve the proposed fee changes for the After-School Program at designated City Parks for the remainder of the 2011 Fiscal Year.

**Attachment:**

RESOLUTION NO. 2011\_\_\_\_\_

1  
2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI  
4 GARDENS, FLORIDA, APPROVING THE PROPOSED FEE SCHEDULE  
5 FOR AFTER SCHOOL PROGRAMS AT DESIGNATED CITY PARKS  
6 FOR THE REMAINDER OF THE 2011 FISCAL YEAR; PROVIDING FOR  
7 THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN  
8 EFFECTIVE DATE.  
9

10 WHEREAS, for the past five (5) years the City has offered After-School  
11 Programs at various City parks, and

12 WHEREAS, the After-School Programs serve approximately 275 children and  
13 runs concurrent with the public school year, and

14 WHEREAS, the City's After-School Programs are currently operating at a Four  
15 Hundred, Sixty Thousand Dollars (\$460,000.00) deficit, and

16 WHEREAS, the anticipated net expense to the City for the remainder of fiscal  
17 year 2011 is expected to be Seventy Thousand, Eight Hundred Nine Dollars and Forty-  
18 Five Cents (\$70,809.45), and

19 WHEREAS, in light of the significant budget short fall the City is experiencing,  
20 City staff prepared a solicitation to outsource the After-School Program during fiscal  
21 year 2012, which is currently under a cone of silence, and

22 WHEREAS, the successful bidder will be responsible for administering the entire  
23 After-School Programs and will utilize the City's Park facilities to operate under and  
24 service the participants, and

25 WHEREAS, the City will receive a monthly rental fee and/or a percentage of the  
26 program fees received by the provider, and

27 WHEREAS, in consideration of employee implications of outsourcing, and given  
28 the shortness of time, Staff has developed a more cost effective structure of offering the

29 After-School Programs using existing City employees for the remainder of fiscal year  
30 2011, and

31 WHEREAS, City staff recommends that the City increase the fees associated  
32 with the After-School Programs for the remainder of FY 2011, and

33 WHEREAS, this restructure will reduce the net expense to the City to Thirty-  
34 Three Thousand Five Hundred Thirty Dollars (\$33,530.00), and

35 WHEREAS, restructuring the program will save the City money while maintaining  
36 the Programs,

37 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
38 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

39 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas  
40 paragraphs are hereby ratified and confirmed as being true, and the same are hereby  
41 made a specific part of this Resolution.

42 Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens  
43 hereby approves the proposed fee schedule for After-School Programs at designated  
44 City Parks for the remainder of the 2011 fiscal year as follows:

Registration Fee	\$20.00
Weekly Program Fee	\$30.00
Transportation Fee	\$10.00

45  
46 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately  
47 upon its final passage.

48 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI  
49 GARDENS AT ITS REGULAR MEETING HELD ON \_\_\_\_\_, 2011.

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SHIRLEY GIBSON, MAYOR

**ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

Moved by: \_\_\_\_\_

**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	_____ (Yes)	_____ (No)
Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
Councilman David Williams Jr.	_____ (Yes)	_____ (No)
Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
Councilman Andre' Williams	_____ (Yes)	_____ (No)



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			(Enter X in box)	X			
<b>Fiscal Impact:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> (Enter X in box)	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X	<b>Public Hearing:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					X		
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> (Enter X in box)	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>				
<b>Strategic Plan Related</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> (list the specific objective/strategy this item will address)			
		X	Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communcation <input type="checkbox"/>	N/A			
<b>Sponsor Name</b>	Dr. Danny Crew, City Manager		<b>Department:</b>	<b>Parks and Recreation</b>			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING USAGE FEES FOR THE BETTY T. FERGUSON RECREATIONAL COMPLEX AS SHOWN ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

**Background**

The City opened the Betty T. Ferguson Recreational Complex on September 25, 2010. The center provides recreational opportunities to the public with the following amenities: indoor pool, gymnasium, fitness center, dance/aerobic rooms, auditorium, computer lab, multipurpose rooms, track and multipurpose field.

**ITEM K-2) CONSENT AGENDA  
RESOLUTION  
Usage Fees for BTF Complex**

The center offers membership packages for any and all amenities, as well as rental fees for the exclusive use of various rooms/spaces, both interior and exterior. The original fee structure for the center was intended to be a lower cost option as compared to similar exercise facilities in neighboring cities. Moreover, there was uncertainty as to the utilization level that the complex experience.

## **Current Situation**

The Betty T. Ferguson Recreational Complex has been commonly viewed as superior to comparable exercise facilities, given the variety of amenities offered and flexibility of spaces. The center is on track to have 65,000 visitors by the end of fiscal year 2010-11. This extremely high utilization requires commensurate staffing costs, as well as yielding significant wear and tear on the facility and its components. Consequently, appropriate usage fees must be established to ensure long-term sustainability of the center in a condition expected by the City and its residents.

Also as part of the long-term site development for the Center is a 300-seat outdoor Amphitheater. Construction is nearly completed and a grand opening is expected in September of this year. Rental fees for the Amphitheater had not been established at the time overall Center fees were adopted by Council.

City Staff is recommending a restructure in fees for memberships and rentals to: 1) include the Amphitheater rental; and 2) bring the Center's fees in line with comparable venues, while still giving residents a viable recreational opportunity.

The proposed fee restructure also seeks to encourage patrons to purchase membership packages in order to reduce the amount of daily cash transactions, which in turn require increased staffing demands. The proposed fee increase will take effect Monday, August 8<sup>th</sup>, 2011 and is anticipated to generate approximately \$3,100 in additional revenue for the remainder of F.Y. 2011. It should be noted that City Staff will continue to monitor the operational costs of the Center as a result of these changes and will recommend further modifications for optimal facility efficiency.

### **Proposed Action:**

That the City Council approve the proposed fee changes for the Betty T. Ferguson Recreational Complex.

### **Attachment:**

Attachment A: Recommended Fees- Betty T. Ferguson Recreational Complex

RESOLUTION NO. 2011\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE USAGE FEES FOR THE BETTY T. FERGUSON RECREATIONAL COMPLEX AS SHOWN ON EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Betty T. Ferguson Recreational Complex ("BTFRC") opened on September 26, 2010, and

WHEREAS, the BTFRC provides recreational opportunities to the public, and includes amenities such as an indoor pool, gymnasium, fitness center, dance/aerobic rooms, auditorium, computer lab, multipurpose rooms, track and multipurpose field, and

WHEREAS, the BTFRC offers various membership packages and rental fees for the exclusive use of multi-purpose rooms and spaces, and

WHEREAS, the BTFRC is on track to receive 65,000 visitors by the end of fiscal year 2010-2011, and

WHEREAS, the extremely high utilization requires commensurate staffing, and increased costs due to wear and tear on the facility and its components, and

WHEREAS, the construction of a 300 seat outdoor Amphitheater is near completion, with an anticipated grand opening in September 2011, and

WHEREAS, rental fees for the Amphitheater were not previously included in the usage fees adopted by the City Council, and

WHEREAS, consequently, appropriate usage fees must be established to ensure long-term sustainability of the BTFRC and to include a rental fee for the Amphitheater,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

28 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas  
29 paragraphs are hereby ratified and confirmed as being true, and the same are hereby  
30 made a specific part of this Resolution.

31 Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens  
32 hereby amends the usage fees for the Betty T. Ferguson Recreational Complex as  
33 shown on Exhibit "A" attached hereto.

34 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately  
35 upon its final passage.

36 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI  
37 GARDENS AT ITS REGULAR MEETING HELD ON \_\_\_\_\_, 2011.

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**ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

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Moved by: \_\_\_\_\_

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**VOTE:** \_\_\_\_\_

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Mayor Shirley Gibson \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

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Vice Mayor Aaron Campbell, Jr. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

63

Councilman David Williams Jr. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

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Councilwoman Lisa Davis \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

# Page 73 of 189

65	Councilman Oliver Gilbert, III	<input type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
66	Councilwoman Felicia Robinson	<input type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)
67	Councilman Andre' Williams	<input type="checkbox"/>	(Yes)	<input type="checkbox"/>	(No)

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## Current 2011 Fees

Room	County Resident (per hour)	Non-Profit (per hour)	Non-County Resident (per hour)	Deposit
Hibiscus Room	\$45	\$30	\$65	\$150
Gardenia Room	\$35	\$20	\$50	\$150
Orchid Room	\$45	\$30	\$65	\$150
Palm Room	\$45	\$30	\$65	\$150
Bird of Paradise Room A	\$55	\$35	\$80	\$150
Bird of Paradise Room B	\$30	\$25	\$45	\$150
Bird of Paradise Room C	\$30	\$25	\$45	\$150
Bird of Paradise Room (Full)	\$105	\$85	\$155	\$150
Resource Center	\$45	\$35	\$65	\$150
Kitchen	\$20	\$20	\$30	\$50
Gymnasium	\$65	\$50	\$95	\$150
Exercise Studio A	\$45	\$30	\$65	\$150
Exercise Studio B	\$30	\$25	\$45	\$150
Auditorium (4hr. Minimum)- M-F 8am-6pm	\$95	\$75	\$140	\$300
Auditorium (4hr. Minimum)- Evenings& Sat & Sun	\$155	\$125	\$205	\$300
Track- with lights (2 hr. Minimum)	\$60	\$45	\$85	\$150
Track- without lights (2 hr. Minimum)	\$45	\$30	\$65	\$150
Multipurpose Field- with lights (2 hr. Minimum)	\$60	\$45	\$85	\$150
Multipurpose Field- without lights (2 hr. Minimum)	\$45	\$30	\$65	\$150

Entry Fee/Membership	County				Non-County			
	Daily	1 Month	6 Month	Annual	Daily	1 Month	6 Month	Annual
Aquatics- Adult	\$2.00	\$17.00	\$75.00	\$120.00	\$4.00	\$23.00	\$112.50	\$180.00
Aquatics- Child	\$1.00	\$10.00	\$40.00	\$60.00	\$2.00	\$13.00	\$60.00	\$90.00
Aquatics- Senior	\$1.00	\$10.00	\$40.00	\$60.00	\$2.00	\$13.00	\$60.00	\$90.00
Aquatics- Family (4 people)		\$27.00	\$125.00	\$200.00		\$35.00	\$187.50	\$300.00
Aquatics- Additional Family Child		\$7.00	\$25.00	\$45.00		\$10.00	\$37.50	\$67.50
Gymnasium- Adult	\$2.00	\$7.00	\$25.00	\$40.00	\$4.00	\$10.00	\$37.50	\$60.00
Gymnasium- Child	\$1.00	\$6.00	\$15.00	\$25.00	\$2.00	\$8.00	\$22.50	\$37.50
Gymnasium- Senior	\$1.00	\$6.00	\$15.00	\$25.00	\$2.00	\$8.00	\$22.50	\$37.50
Gymnasium- Family (4 people)		\$15.00	\$40.00	\$75.00		\$20.00	\$60.00	\$112.50
Gymnasium- Additional Family Child		\$15.00	\$10.00	\$15.00		\$7.00	\$15.00	\$22.50
Resource Center- Adult	\$5.00	\$16.00	\$70.00	\$125.00	\$5.00	\$21.00	\$105.00	\$187.50
Resource Center- Child	\$0.00	\$10.00	\$0.00	\$0.00	\$1.00	\$13.00	\$30.00	\$50.00
Resource Center- Senior	\$2.00	\$10.00	\$40.00	\$60.00	\$4.00	\$13.00	\$60.00	\$90.00
Fitness- Adult	\$5.00	\$30.00	\$150.00	\$250.00	\$10.00	\$39.00	\$225.00	\$375.00
Fitness- Child (15-17)	\$3.00	\$16.00	\$75.00	\$125.00	\$6.00	\$21.00	\$112.50	\$187.50
Fitness- Senior	\$3.00	\$16.00	\$75.00	\$125.00	\$6.00	\$21.00	\$112.50	\$187.50
Fitness-Family (4 people)		\$57.00	\$300.00	\$450.00		\$75.00	\$450.00	\$675.00
Fitness- Additional Family Child		\$12.00	\$50.00	\$90.00		\$16.00	\$75.00	\$135.00
Aquatics/Gymnasium- Adult			\$85.00	\$140.00			\$127.50	\$210.00
Aquatics/Gymnasium- Child			\$45.00	\$70.00			\$67.50	\$105.00
Aquatics/Gymnasium- Senior			\$45.00	\$70.00			\$67.50	\$105.00
Aquatics/Gymnasium- Family			\$150.00	\$250.00			\$225.00	\$375.00
Aquatics/Gymnasium- Additional Family Child			\$30.00	\$50.00			\$30.00	\$50.00
Aquatics/Fitness- Adult			\$200.00	\$325.00			\$300.00	\$487.50
Aquatics/Fitness- Child			\$100.00	\$170.00			\$150.00	\$255.00
Aquatics/Fitness- Senior			\$100.00	\$170.00			\$150.00	\$255.00
Aquatics/Fitness- Family			\$375.00	\$600.00			\$562.50	\$900.00
Aquatics/Fitness- Additional Family Child			\$60.00	\$110.00			\$90.00	\$165.00
Aquatics/Resource- Adult			\$130.00	\$230.00			\$195.00	\$345.00
Aquatics/Resource- Child or Senior			\$65.00	\$100.00			\$97.50	\$150.00
Aquatics/Gymnasium/Fitness- Adult			\$220.00	\$390.00			\$330.00	\$585.00
Aquatics/Gymnasium/Fitness- Child			\$110.00	\$195.00			\$165.00	\$292.50
Aquatics/Gymnasium/Fitness- Senior			\$95.00	\$175.00			\$142.50	\$262.50
Aquatics/Gymnasium/Fitness- Family			\$440.00	\$750.00			\$660.00	\$1,125.00
Aquatics/Gymnasium/Fitness- Additional Family Child			\$100.00	\$185.00			\$150.00	\$277.50
Gymnasium/Fitness- Adult			\$160.00	\$275.00			\$240.00	\$412.50
Gymnasium/Fitness- Child			\$85.00	\$135.00			\$127.50	\$202.50
Gymnasium/Fitness- Senior			\$85.00	\$135.00			\$127.50	\$202.50
Gymnasium/Fitness- Family			\$325.00	\$500.00			\$487.50	\$750.00
Gymnasium/Fitness- Additional Family Child			\$55.00	\$100.00			\$82.50	\$150.00
Gymnasium/Resource- Adult			\$85.00	\$150.00			\$127.50	\$225.00
Gymnasium/Resource- Senior/Child			\$50.00	\$75.00			\$75.00	\$112.50
Resource/Fitness- Adult			\$200.00	\$360.00			\$300.00	\$540.00
Resource/Fitness- Senior			\$100.00	\$170.00			\$150.00	\$255.00
Aquatics/Gymnasium/Resource- Adult			\$150.00	\$260.00			\$225.00	\$390.00
Aquatics/Gymnasium/Resource- Senior			\$75.00	\$130.00			\$112.50	\$195.00
Aquatics/Fitness/Resource- Adult			\$275.00	\$460.00			\$412.50	\$690.00
Aquatics/Fitness/Resource- Senior			\$140.00	\$225.00			\$210.00	\$337.50
All Access- Adult			\$290.00	\$490.00			\$435.00	\$735.00
All Access- Child			\$110.00	\$190.00			\$165.00	\$285.00
All Access- Senior			\$150.00	\$240.00			\$225.00	\$360.00
All Access- Family			\$700.00	\$1,200.00			\$1,050.00	\$1,700.00
All Access- Additional Family Child			\$90.00	\$165.00			\$135.00	\$247.50

## Proposed 2012 Fees

Room	County Resident (per hour)	Non-Profit (per hour)	Non-County Resident (per hour)	Deposit
Hibiscus Room	\$45	\$30	\$65	\$150
Gardenia Room	\$35	\$20	\$50	\$150
Orchid Room	\$45	\$30	\$65	\$150
Palm Room	\$45	\$30	\$65	\$150
Bird of Paradise Room A	\$55	\$35	\$80	\$150
Bird of Paradise Room B	\$30	\$25	\$45	\$150
Bird of Paradise Room C	\$30	\$25	\$45	\$150
Bird of Paradise Room (Full)	\$105	\$85	\$155	\$150
Resource Center	\$45	\$35	\$65	\$150
Kitchen	\$25	\$20	\$40	\$50
Gymnasium	\$75	\$65	\$105	\$200
Exercise Studio A	\$45	\$30	\$65	\$150
Exercise Studio B	\$30	\$25	\$45	\$150
Auditorium (4hr. Minimum)- M-F 8am-6pm	\$95	\$75	\$140	\$300
Auditorium (4hr. Minimum)- Evenings& Sat & Sun	\$155	\$125	\$205	\$300
Track- with lights (2 hr. Minimum)	\$65	\$45	\$85	\$200
Track- without lights (2 hr. Minimum)	\$55	\$35	\$75	\$200
Multipurpose Field- with lights (2 hr. Minimum)	\$65	\$45	\$85	\$200
Multipurpose Field- without lights (2 hr. Minimum)	\$55	\$35	\$75	\$200
Amphitheater- (2 hr. Minimum) M-F 8am-6pm	\$75	\$55	\$120	\$200
Amphitheater- (2 hr. Minimum) Evenings & Sat & Sun	\$125	\$100	\$165	\$200
Additional staff person for event	\$18	\$18	\$18	n/a

Entry Fee/Membership	County				Non-County			
	Daily	1 Month	6 Month	Annual	Daily	1 Month	6 Month	Annual
Aquatics- Adult	\$5.00	\$20.00	\$80.00	\$140.00	\$10.00	\$45.00	\$135.00	\$220.00
Aquatics- Child	\$3.00	\$15.00	\$50.00	\$80.00	\$6.00	\$25.00	\$85.00	\$110.00
Aquatics- Senior	\$3.00	\$15.00	\$50.00	\$80.00	\$6.00	\$25.00	\$85.00	\$110.00
Aquatics- Family (4 people)		\$45.00	\$140.00	\$240.00		\$70.00	\$212.00	\$320.00
Aquatics- Additional Family Child		\$10.00	\$30.00	\$50.00		\$20.00	\$62.00	\$87.50
Gymnasium- Adult	\$10.00	\$35.00	\$50.00	\$75.00	\$15.00	\$45.00	\$75.00	\$100.00
Gymnasium- Child	\$5.00	\$20.00	\$35.00	\$65.00	\$10.00	\$30.00	\$50.00	\$75.00
Gymnasium- Senior	\$5.00	\$20.00	\$35.00	\$65.00	\$10.00	\$30.00	\$50.00	\$75.00
Gymnasium- Family (4 people)		\$45.00	\$80.00	\$140.00		\$75.00	\$100.00	\$160.00
Gymnasium- Additional Family Child		\$15.00	\$20.00	\$35.00		\$25.00	\$40.00	\$70.00
Resource Center- Adult	\$5.00	\$16.00	\$70.00	\$125.00	\$10.00	\$40.00	\$145.00	\$220.00
Resource Center- Child	\$0.00	\$0.00	\$0.00	\$0.00	\$5.00	\$25.00	\$60.00	\$80.00
Resource Center- Senior	\$2.00	\$10.00	\$40.00	\$60.00	\$5.00	\$30.00	\$85.00	\$110.00
Fitness- Adult	\$10.00	\$30.00	\$160.00	\$270.00	\$20.00	\$60.00	\$250.00	\$410.00
Fitness- Child (15-17)	\$5.00	\$15.00	\$75.00	\$125.00	\$10.00	\$35.00	\$135.00	\$215.00
Fitness- Senior	\$5.00	\$15.00	\$75.00	\$125.00	\$10.00	\$35.00	\$135.00	\$215.00
Fitness-Family (4 people)		\$57.00	\$300.00	\$450.00		\$150.00	\$475.00	\$695.00
Fitness- Additional Family Child		\$12.00	\$50.00	\$90.00		\$30.00	\$100.00	\$155.00
Aquatics/Gymnasium- Adult			\$115.00	\$200.00			\$152.00	\$230.00
Aquatics/Gymnasium- Child			\$55.00	\$80.00			\$95.00	\$135.00
Aquatics/Gymnasium- Senior			\$55.00	\$80.00			\$95.00	\$135.00
Aquatics/Gymnasium- Family			\$175.00	\$260.00			\$250.00	\$400.00
Aquatics/Gymnasium- Additional Family Child			\$45.00	\$60.00			\$65.00	\$70.00
Aquatics/Fitness- Adult			\$210.00	\$335.00			\$325.00	\$515.00
Aquatics/Fitness- Child			\$110.00	\$190.00			\$175.00	\$275.00
Aquatics/Fitness- Senior			\$110.00	\$190.00			\$175.00	\$275.00
Aquatics/Fitness- Family			\$385.00	\$610.00			\$590.00	\$920.00
Aquatics/Fitness- Additional Family Child			\$65.00	\$110.00			\$115.00	\$185.00
Aquatics/Resource- Adult			\$130.00	\$230.00			\$220.00	\$365.00
Aquatics/Resource- Child or Senior			\$65.00	\$110.00			\$122.00	\$170.00
Aquatics/Gymnasium/Fitness- Adult			\$235.00	\$405.00			\$355.00	\$605.00
Aquatics/Gymnasium/Fitness- Child			\$110.00	\$190.00			\$190.00	\$320.00
Aquatics/Gymnasium/Fitness- Senior			\$110.00	\$190.00			\$167.00	\$282.00
Aquatics/Gymnasium/Fitness- Family			\$455.00	\$765.00			\$685.00	\$1,145.00
Aquatics/Gymnasium/Fitness- Additional Family Child			\$105.00	\$185.00			\$175.00	\$300.00
Gymnasium/Fitness- Adult			\$165.00	\$280.00			\$265.00	\$440.00
Gymnasium/Fitness- Child			\$90.00	\$140.00			\$150.00	\$225.00
Gymnasium/Fitness- Senior			\$90.00	\$140.00			\$150.00	\$225.00
Gymnasium/Fitness- Family			\$330.00	\$505.00			\$515.00	\$770.00
Gymnasium/Fitness- Additional Family Child			\$55.00	\$100.00			\$107.00	\$170.00
Gymnasium/Resource- Adult			\$85.00	\$140.00			\$152.50	\$245.00
Gymnasium/Resource- Senior			\$50.00	\$75.00			\$100.00	\$132.00
Resource/Fitness- Adult			\$200.00	\$360.00			\$325.00	\$560.00
Resource/Fitness- Senior			\$100.00	\$170.00			\$175.00	\$275.00
Aquatics/Gymnasium/Resource- Adult			\$160.00	\$270.00			\$250.00	\$410.00
Aquatics/Gymnasium/Resource- Senior			\$85.00	\$140.00			\$140.00	\$215.00
Aquatics/Fitness/Resource- Adult			\$280.00	\$465.00			\$435.00	\$710.00
Aquatics/Fitness/Resource- Senior			\$145.00	\$235.00			\$235.00	\$357.00
All Access- Adult			\$300.00	\$500.00			\$460.00	\$755.00
All Access- Child			\$120.00	\$200.00			\$190.00	\$305.00
All Access- Senior			\$160.00	\$250.00			\$250.00	\$380.00
All Access- Family			\$710.00	\$1,210.00			\$1,075.00	\$1,720.00
All Access- Additional Family Child			\$100.00	\$175.00			\$160.00	\$275.00



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b> <i>(Enter X in box)</i>	July 27, 2011		<b>Item Type:</b> <i>(Enter X in box)</i>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
				X			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	X			<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>
					X		
<b>Funding Source:</b>	General Fund- Police Department		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
					X		
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	<i>ITB#: 10-11-046 Police Department Uniforms</i>			
	X						
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
		X					
<b>Sponsor Name</b>	Dr. Danny O. Crew, City Manager		<b>Department:</b>	<i>Police Department</i>			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDING A BID TO DESIGN LAB, INC. FOR THE PURCHASE OF PUBLIC SAFETY UNIFORMS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00) FOR THE INITIAL TERM OF THE AGREEMENT AND ANY RENEWAL PERIODS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

The Police Department sworn officers and community service aids (CSA) are required to wear uniforms. The City supplies uniforms for patrol officers and CSAs each year. The current contract expired in April 2011. In an effort to continue to provide uniforms for the City of Miami Gardens Police Department (MGPD) on an as needed basis, the City solicited bids to obtain the uniforms from a responsible vendor.

The solicitation also included tactical and alternative uniforms. City Staff prepared specifications and advertised Bid ITB#: 10-11-046 on May 13, 2011. A broadcast notice was sent to 133 vendors. Twenty (20) vendors requested bid packages. The bids were opened on June 2, 2011. Three (3) bids were

**ITEM K-3) CONSENT AGENDA  
RESOLUTION  
Purchase of Public Safety Uniforms**

received and publicly read. A copy of the solicitation document and proposals submitted are available at the Assistant to the Mayor and Council's office for review.

The uniform samples were evaluated for compliance with the specifications and the companies' ability to provide the uniforms as required. The apparent low bidder, Design Lab, Inc. of Greenville, South Carolina, local office located in Miami has adequate staff and inventory to provide the needed uniforms.

The initial term of the contract is for a two year period, with an option to renew for two (2) additional years. Design Lab, Inc. anticipates hiring two (2) City residents to perform customer service and seamstress functions for the duration of the contract.

**Proposed Action:**

That the City Council authorize the City Manager to issue a Purchase Orders to Design Lab, Inc. of Greenville, South Carolina, in the amount of \$30,000 annually for the purchase of the police department uniforms for the initial term and any renewal periods.

**Attachment:**

The bid tabulation document is attached as Exhibit A.

RESOLUTION No. 2011-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO DESIGN LAB, INC. FOR THE PURCHASE OF PUBLIC SAFETY UNIFORMS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00) FOR THE INITIAL TERM OF THE AGREEMENT AND ANY RENEWAL PERIODS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

1           WHEREAS, it is necessary, for the City to order uniforms for both sworn Police  
2 Officers and Community Service Aids, and

3           WHEREAS, Invitation to Bid #10-11-046 was advertised on May 13, 2011, and

4           WHEREAS, three bids were received and publicly read, and

5           WHEREAS, the bids that were received were evaluated for compliance with the  
6 specifications and the company's ability to provide the uniforms as required, and

7           WHEREAS, the apparent low bidder is Design Lab, Inc., located in Greenville,  
8 South Carolina, and

9           WHEREAS, City staff is recommending, that the City Council award a bid to  
10 Design Lab, Inc. for the purchase of the uniforms as outlined on Exhibit "A" attached  
11 hereto, and

12           WHEREAS, funding for this expenditure is available in the Police Department  
13 budget,

14           NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
15 OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

16 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas  
17 paragraphs are hereby ratified and confirmed as being true, and the same are hereby  
18 made a specific part of this Resolution.

19 Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens,  
20 Florida, hereby awards a bid to Design Lab, Inc. for public safety uniforms, in the  
21 amount of \$30,000.00 for the initial term of the Agreement and any renewal periods.

22 Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately  
23 upon its final passage.

24 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI  
25 GARDENS AT ITS REGULAR MEETING HELD ON JULY 27, 2011.

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\_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

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ATTEST:

\_\_\_\_\_  
RONETTA TAYLOR, CMC, CITY CLERK

39 Prepared by SONJA KNIGHTON DICKENS, ESQ.  
40 City Attorney

42 SPONSORED BY: DANNY CREW, CITY MANAGER

44 MOVED BY: \_\_\_\_\_

46 **VOTE:** \_\_\_\_\_

48 Mayor Shirley Gibson	_____ (Yes)	_____ (No)
49 Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
50 Councilman David Williams Jr.	_____ (Yes)	_____ (No)
51 Councilwoman Lisa Davis	_____ (Yes)	_____ (No)

52	Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
53	Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
54	Councilman Andre' Williams	_____ (Yes)	_____ (No)
55			

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**City of Miami Gardens**  
**ITB # 10-11-046 Police Department Uniforms**  
**June 2, 2011**

This is only a tabulation of prices submitted and is not an indication of award or responsiveness.

Item #	DESCRIPTION	Est. Qty.	Argo Uniforms Hallandale, FL		Design Lab Greenville, SC Store in Miami, FL		Harrison Uniforms Miami, FL	
			Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
	<b>UNIFORMS</b>							
1	Men's Trousers, Black Style: 3910 Flying Cross or Elbeco #E320 or "approved equal"	700	\$25.01	\$17,507.00	\$18.94	\$13,258.00	\$30.75	\$21,525.00
	Brand/Style Offered:		Elbeco E320		Tact Squad 7002BE		Flying Cross 3910	
2	Women's Trousers, Black Style: 3960 Flying Cross or Elbeco #E9320 or "approved equal"	300	\$25.01	\$7,503.00	\$28.89	\$8,667.00	\$30.75	\$9,225.00
	Brand/Style Offered:		Elbeco E9320		Southeastern L9009		Flying Cross 3960	
3	Men's S/S Shirts, Black Zipper Front Style: 87R7810Z SS Flying Cross or Elbeco #Z3320 or "approved equal"	700	\$29.43	\$20,601.00	\$27.44	\$19,208.00	\$33.75	\$23,625.00
	Brand/Style Offered:		Elbeco Z3320		Tact Squad 8012BK		Flying Cross 87R7810Z	
4	Men's S/S Shirts, Grey Zipper Front Style: 85R7881Z SS Flying Cross or Elbeco #Z3311 or "approved equal"	300	\$36.54	\$10,962.00	\$32.44	\$9,732.00	\$32.00	\$9,600.00
	Brand/Style Offered:		Elbeco Z3311		Tact Squad 8012GY		Flying Cross 85R7881Z	
5	Men's L/S Shirts, Black Zipper Front Style: 34W7801Z Flying Cross or Elbeco Z320 or "approved equal"	200	\$30.16	\$6,032.00	\$23.94	\$4,788.00	\$38.50	\$7,700.00
	Brand/Style Offered:		Elbeco Z320		Tact Squad 8002BK		Flying Cross 34W7801Z	
6	Men's L/S Shirts, White Zipper Front Style: UD12021 Flying Cross or Elbeco #Z310 or "approved equal"	350	\$30.16	\$10,556.00	\$23.94	\$8,379.00	\$27.50	\$9,625.00
	Brand/Style Offered:		Elbeco Z310		Tact Squad 8002W		Flying Cross UD12021	

7	Women's S/S Shirts, Black Zipper Front Style: 177R7810Z Flying Cross or Elbeco #Z9820 or "approved equal"	300	\$29.43	\$8,829.00	\$32.24	\$9,672.00	\$33.75	\$10,125.00
	Brand/Style Offered:		Elbeco Z9820		Southeastern L9209Z		Flying Cross 177R7810Z	
8	Women's Shirts, Grey Zipper Front Style: 126R7881 Flying Cross or Elbeco Z9811 or "approved equal"	300	\$36.54	\$10,962.00	\$42.24	\$12,672.00	\$32.00	\$9,600.00
	Brand/Style Offered:		Elbeco Z9811		Southeastern L92062		Flying Cross 126R7881	
9	Women's L/S Shirt, Black Zipper Front Style: 127R7810 Flying Cross or Elbeco #Z9320 or "approved equal"	200	\$30.16	\$6,032.00	\$37.94	\$7,588.00	\$38.50	\$7,700.00
	Brand/Style Offered:		Elbeco Z9320		Southeastern 9692		Flying Cross 127R7810	
10	Women's L/S Shirt, White Zipper Front Style: UD12031 Flying Cross or Elbeco #Z9810 or "approved equal"	100	\$30.16	\$3,016.00	\$37.94	\$3,794.00	\$27.50	\$2,750.00
	Brand/Style Offered:		Elbeco 9310		Southeastern L91032		Flying Cross UD12031	
	<b>SPORTS WEAR</b>		<b>Argo Uniforms</b>		<b>Design Lab</b>		<b>Harrison Uniforms</b>	
11	Men's T-Shirt S/S, Black 5.11 or "approved equal"	30	\$14.41	\$432.30	\$9.59	\$287.70	\$19.04	\$571.20
	Brand/Style Offered:		Hanes 5170		Gildan G8000		5.11 #40007-019	
12	Uniform Cap, Baseball-Black Style: C833 Port Authority or "approved equal"	300			\$9.79	\$2,937.00	\$8.50	\$2,550.00
	Brand/Style Offered:		No bid		Port Authority C833		Port Authority C833	
	<b>SUPPLEMENTAL UNIFORMS</b>		<b>Argo</b>		<b>Design Lab</b>		<b>Harrison Uniforms</b>	
13	Tactical Trousers, BDU Black Men/Women Style: UD4000BK Flying Cross or Elbeco #E7600 or "approved equal"	250	\$31.90	\$7,975.00	\$18.84	\$4,710.00	\$27.25	\$6,812.50
	Brand/Style Offered:		Elbeco E7600		Tact Squad T7110BK		Flying Cross UD4000BK	
14	Tactical Shirt L/S BDU, Black Men/Women Style: UD4200BK Flying Cross or Elbeco #9200 or "approved equal"	250	\$31.90	\$7,975.00	\$20.84	\$5,210.00	\$27.25	\$6,812.50
	Brand/Style Offered:		Elbeco 9200		Tact Squad T8110BK		Flying Cross UD4200BK	

15	Men Cargo Pants, Black & Navy Blue Style: LP700 Dickies or "approved equal"	100	\$24.00	\$2,400.00	\$20.94	\$2,094.00	\$21.00	\$2,100.00
	Brand/Style Offered:		Edwards 2575-10	LP700		LP 700		
16	Women Cargo Pants, Black & Navy Blue Style: FP223 Dickies or "approved equal"	100	\$24.00	\$2,400.00	\$20.24	\$2,024.00	\$21.00	\$2,100.00
	Brand/Style Offered:		Edwards 8575-10	FP223		FP223		
17	Ultra Duty Jacket, Black Men/Women Style: 59131WP Flying Cross or Elbeco #3920 or "approved equal"	250	\$152.16	\$38,040.00	\$101.24	\$25,310.00	\$107.00	\$26,750.00
	Brand/Style Offered:		Elbeco 3920	Tact Squad F1013BK		Flying Cross 59131WP		
	<b>Grand Total</b>			<b>\$161,222.30</b>		<b>\$140,330.70</b>		<b>\$159,171.20</b>

\* ServiceWear Apparel no bid submitted.



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27,2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			(Enter X in box)	X			
<b>Fiscal Impact:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> (Enter X in box)	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	X		<b>Public Hearing:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					X		X
<b>Funding Source:</b>	Various Funds		<b>Advertising Requirement:</b> (Enter X in box)	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	<b>RFP#10-11-051 Disaster Debris Monitoring Services</b>			
	X						
<b>Strategic Plan Related</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> (list the specific objective/strategy this item will address)			
		X	Enhance Organizational <input type="checkbox"/>	N/A			
			Bus. & Economic Dev <input type="checkbox"/>				
			Public Safety <input type="checkbox"/>				
			Quality of Education <input type="checkbox"/>				
			Qual. of Life & City Image <input type="checkbox"/>				
			Communication <input type="checkbox"/>				
<b>Sponsor Name</b>	Danny O. Crew, City Manager		<b>Department:</b>	Public Works Department			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDING A BID TO O'BRIEN'S RESPONSE MANAGEMENT, INC. FOR DISASTER DEBRIS MONITORING SERVICES; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST, RESPECTIVELY THAT CERTAIN AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

Background

In order for the City to comply with FEMA guidelines and policies of disaster debris removal and disposal after an emergency the City issued a Request for Proposal to hire a company on an as needed basis to perform debris monitoring services, associated management and accounting services, and processing the debris removal contractors' invoices following an event. Depending on the extent of damage and the County's ability to respond in a timely manner, the City may opt to extend the monitoring services beyond one week.

**ITEM K-4) CONSENT AGENDA  
RESOLUTION  
Awarding a bid to  
O'Brien's Response Management, Inc**

The City awarded the first Debris Monitoring Services contract to Beck Disaster Recovery, Inc. in 2006 for a three-year contract with options to renew for two additional years. This current contract has expired.

### Current Situation

Specifications were prepared by City staff for disaster debris monitoring services and posted as RFP #10-11-051 on May 13, 2011. A broadcast notice was sent to 402 vendors. Twelve proposal packages were requested. The proposals were opened on May 26, 2011. Four proposals were received: O'Brien's Response Management Inc., Ft. Lauderdale, FL; True North Emergency Management, Ft. Worth, TX; BDR Division of SAIC, Maitland, FL; and Consul-Tech Enterprise, Miami, FL.

Proposals were evaluated for compliance with the specifications and their ability to perform the work. Staff checked references for past performances, finances, and insurances. All of the references were very favorable; the finances and insurance are sufficient.

The evaluation committee evaluated the proposals in accordance with the criteria, met and directed the Procurement Manager to obtain clarifications and answer concerns regarding the proposal submitted by True North Emergency Management LLC and O'Brien's Response Management Inc. Telephone conferences were scheduled with the two top proposers on June 16, 2011. Upon conclusion of the phone conferences the committee ranked the firms as follows:

Company	Score
True North Emergency Management LLC	298
O'Brien's Response Management Inc.	304

A copy of the proposal document and submittals are available at the Assistant to the Mayor and Council's office for review.

### Analysis

The committee is recommending award of the City's disaster debris monitoring services to O'Brien's Response Management, Inc. The company certifies they will in good faith attempt to hire a total of 10-30 unemployed residents of City of Miami Gardens, if their services are ever required.

**Proposed Action:**

That the City Council approve the attached resolution authorizing the City Manager to execute the contract with O'Brien's Response Management Inc., located in Ft. Lauderdale, FL for the term contract of three years with the option to renew for an additional two years for Disaster Debris Monitoring Services.

**Attachment:**

Attachment A – Price Proposal  
Attachment B – Evaluation Sheet

RESOLUTION NO. 2011\_\_\_\_\_

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AWARDED A BID TO O'BRIEN'S RESPONSE MANAGEMENT, INC. FOR DISASTER DEBRIS MONITORING SERVICES; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN AGREEMENT ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, to ensure compliance with the Federal Emergency Management Agency ("FEMA") guidelines and polices, the City issued a Request for Proposal to hire a vendor on an as needed basis to perform debris monitoring services following natural disasters, and

WHEREAS, on May 13, 2011, City staff prepared specifications for RFP #10-11-051 for disaster debris monitoring services, and

WHEREAS, four (4) proposals were received and publicly read, and

WHEREAS, the proposals were evaluated for compliance with the specifications and their ability to perform the work, and

WHEREAS, City staff recommends awarding the bid for disaster debris monitoring services to O'Brien's Response Management, Inc. located in Ft. Lauderdale, Florida,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby awards a bid to O'Brien's Response Management, Inc. for Disaster Debris

32 Monitoring Services. The City Council further authorizes the City Manager and City  
33 Clerk to execute and attest respectively, that certain Agreement attached hereto as  
34 Exhibit "A".

35 Section 4: INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby  
36 authorized to obtain two (2) fully executed copies of the subject Agreement with one (1)  
37 to be maintained by the City, and one (1) to be delivered to O'Brien's Response  
38 Management, Inc.

39 Section 5: EFFECTIVE DATE: This Resolution shall take effect immediately  
40 upon its final passage.

41 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI  
42 GARDENS AT ITS REGULAR MEETING HELD ON \_\_\_\_\_, 2011.

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**ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

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Moved by: \_\_\_\_\_

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**VOTE:** \_\_\_\_\_

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68	Mayor Shirley Gibson	_____ (Yes)	_____ (No)
69	Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
70	Councilman David Williams Jr.	_____ (Yes)	_____ (No)
71	Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
72	Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
73	Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
74	Councilman Andre' Williams	_____ (Yes)	_____ (No)

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**CITY OF MIAMI GARDENS  
CONTRACT FOR DISASTER DEBRIS MONITORING SERVICES**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Miami Gardens, a Florida municipal corporation (hereinafter referred to as "City"), and O'Brien's Response Management, Inc., authorized to do business in the State of Florida, (hereinafter referred to as "Company") and jointly referred to as the Parties.

WITNESSETH:

WHEREAS, the City posted a Request for Proposals ("RFP") on May 13, 2011, and

WHEREAS, Company submitted a Proposal dated May 26, 2011, in response to the City's request; and

WHEREAS, at a meeting held on July 27, 2011, the City Council selected the Company and agreed to a non-exclusive contract with Company to perform the services described in the RFP and Company's Proposal submitted in response to the RFP ("Services").

NOW THEREFORE, in consideration of the premises and the mutual covenants herein named, the parties hereto agree as follows:

Article 1      Incorporation by Reference.

The following documents are hereby incorporated by reference and made part of this Agreement.

- (i)      Specifications and Proposal Documents prepared by the City for Disaster Debris Monitoring Services RFP#10-11-051 (Exhibit 1).
- (ii)     Proposal for the City of Miami Gardens prepared by Company dated May 26, 2011, (Exhibit 2).

All exhibits may also be collectively referred to as the "Documents". In the event of any conflict between the Documents or any ambiguity or missing specifications or instruction, the following priority is established:

- A.      This Agreement
- B.      Exhibit 1
- C.      Exhibit 2

Article 2      Scope of Services

The scope of services shall consist of performing debris monitoring services, associated management and accounting services and processing the debris removal contractors' invoices upon request following an event as defined by the RFP (hereinafter "Services"). This non-exclusive Agreement is made solely for the Services to be performed by the Company as described in the Documents. Company shall perform the services under the general direction of the City and shall furnish all labor, materials, supplies, equipment, supervision and services necessary for and incident to the performance of the services, except as otherwise noted in specifications. By signing the Agreement, Company represents that it thoroughly reviewed the Documents incorporated into this Agreement by reference and that it accepts the services and the conditions under which the services is to be performed.

Article 3      Qualifications

Company and the individual executing this Agreement on behalf of the Company warrant to the City that the Company is a Florida corporation duly constituted and authorized to do business in the State of Florida, is in good standing and that Company possesses all of the required licenses and certificates of competency required by the State of Florida and the County of Miami-Dade to perform the work herein described.

Article 4      Compensation

The Company acknowledges that this is a contingent services contract and that no payments will be made or due from the City unless Company is specifically engaged by the City for a specific emergency. All payments to be made hereunder shall be paid in accordance with the Rate Schedule contained in Company's Response to RFP#10-11-051. All invoices and payment for services shall be for work completed pursuant to this Agreement after submission of invoices(s) to the City. All invoices shall be submitted in accordance with the RFP#10-11-051.

The City's performance and obligation to pay under this Agreement is contingent upon an annual appropriation for its purpose by the City Council. Company shall make no charges to the City for supplies, labor, taxes, licenses, permits, overhead or any other expenses or costs unless any such expense or cost is incurred by Company with prior written approval of the City. If the City disputes any charges on the invoices, it may make payment of the contested amounts and withhold payment on the contested amounts until they are resolved by agreement with Company. There are no reimbursable expenses associated with this Agreement.

Article 5      Indemnification

Company further agrees to indemnify and hold harmless the City, its elected and appointed officers, agents, servants, and employees, from and against any and all claims, demands, or causes of action sustained by any third party, arising out of, by reason of, resulting from, or in conjunction with Company's performance under this Agreement. This indemnification includes, but is not limited to, the performance of this Agreement by Company, or any act or omission of Company, its subcontractors, agents, servants, contractors, patrons, guests or invitees and includes any cost, attorneys' fees, expenses, through appeal, and liabilities incurred in the defense of any such claims or the investigation thereof. Nothing contained herein shall be deemed a waiver of sovereign immunity by the City.

The parties agree that 1% of the total compensation paid to Company for performance of this Agreement shall represent the specific consideration for Company indemnification of the City.

## Article 6      Insurance

Company shall carry public liability insurance in the amount of \$1,000,000.00.; Bodily Injury, and Property Damage insurance in the amount of \$1,000,000.00, in order to protect the City from any claims resulting from accidents arising from the activity provided for in this Agreement. In addition, Company shall carry a minimum of \$500,000.00 in comprehensive automobile liability insurance coverage for bodily injury and property damage. The Company shall maintain, during the life of this Agreement, adequate Workers' Compensation insurance and Employer's Liability Insurance in at least such amounts as are required by law for all of its employees per Florida Statutes.

All policies of insurance shall designate the City as an additional insured and Company shall deliver a fully effective certificate to that effect, evidencing no less than thirty (30) day cancellation power.

Company shall also provide City with proof that Company has workers' compensation insurance in an amount, which satisfies the requirements of Florida Law, for any employee of the Company.

Company shall furnish Certificates of Insurance to the City's representative upon execution of this Agreement. The Certificates shall clearly indicate that Company has obtained insurance of the type, amount, and classification as required for strict compliance with this paragraph and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the City's representative. Compliance with the foregoing requirements shall not relieve Company of its liability and obligations under this Agreement. The standard insurance certificate language that states "**Endeavor To**" must be eliminated.

## Article 7      Term

This Agreement shall become effective upon execution by both parties and shall continue in force for three years with the option to renew for two additional years.

**Article 8      Termination**

The City may, for its convenience and without cause, terminate this Agreement by giving Company written notice at least thirty (30) days prior to the effective date of the termination. Upon written notice of the termination, Company shall provide only those services and incur only those expenses specifically approved or directed in writing by the City Manager.

The City may, terminate this Agreement for cause immediately, and shall provide notice as soon as possible to Company.

Company may terminate this Agreement by giving the City at least thirty (30) days prior to the effective date of termination.

In the event of termination or expiration of this Agreement, Company and City shall cooperate in good faith in order to effectuate a smooth and harmonious transition from Company to the City or to any other person or entity the City may designate, and to maintain during such period of transition that same services provide to the City pursuant to the terms of this Agreement.

Company will take all reasonable and necessary actions to transfer all records, etc. and data of the City in its possession in an orderly fashion to either the City or its designee in a hard copy and computer format.

If either party terminates this Agreement, the City shall only pay Company for the services provided through the date of termination.

**Article 9      Ownership**

All inventions, discoveries, deliverables, intellectual property, technical communications and records originated or prepared by Company pursuant to this Agreement including papers, charts, computer programs, and other documentation or improvements thereto shall be owned by the City.

**Article 10      Modification/Amendment**

This writing and exhibits contains the entire Agreement of the parties. No representations were made or relied upon by either party, other than those that are expressly set forth herein.

No agent, employee, or other representative of either party is empowered to modify and amend the terms of this Agreement, unless executed in writing with the same formality as this Document. No waiver of any provision of this Agreement shall be valid or enforceable unless such waiver is in writing and signed by the party granting such waiver.

Article 11    Severability

If any term or provision of this Agreement shall to any extent be held invalid, or illegal by a court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term and provision of this agreement shall be valid and be enforced to the fullest extent permitted by law.

Article 12    Governing Law

This Agreement shall be construed in accordance with and governing by the laws of the State of Florida. Exclusive venue for any litigation shall be in Miami-Dade County, Florida.

Article 13    Waiver

The failure of either party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach, or of any future violation, breach or wrongful conduct.

No waiver by the City of any provision of this Agreement shall be deemed to be a waiver of any other provisions hereof or of any subsequent breach by Company of the same, or any other provision or the enforcement thereof. The City's consent to or approval of any act by Company requiring the City's consent or approval shall not be deemed to render unnecessary the obtaining of the City's consent to or approval of any subsequent consent or approval of Company, whether or not similar to the act so consented to or approved.

Article 14    Notices/Authorized Representatives

Any notices required or permitted by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered mail with postage prepaid return receipt delivery, by registered or certified mail with postage prepaid return receipt requested, or by Federal Express addressed to the parties at the following address:

City:

Company:

Danny Crew, City Manager  
City of Miami Gardens  
1515 NW 167<sup>th</sup> Street #200  
Miami Gardens, FL 33169

Steve Branham, Executive V. President  
O'Brien's Response Management, Inc.  
2200 Eller Drive  
Ft. Lauderdale, FL 33316

Either party shall have the right to change its address for notice purposes by sending written notice of such change of address to the other party in accordance with the provisions herein.

## Article 15    Independent Contractor

Company is and shall remain an independent contractor and is not an employee or agent of the City. Services provided by Company shall be by employees of Company and nothing in this Agreement shall in any way be interpreted or construed to deem said employees to be agents, employees, or representatives of the City.

Company shall be responsible for all compensation, tax responsibilities, insurance benefits, other employee benefits, and any other status or rights of its employees during the course of their employment with Company. The rights granted to Company hereunder are nonexclusive, and the City reserves the right to enter into agreements with other persons or firms to perform services including those hereunder.

## Article 16    Assignment

This Agreement shall not be assignable by either party without the prior written consent of the other party.

## Article 17    Prohibition Against Contingent Fees

Company warrants that it has no employees or retained any company or person, other than a bona fide employee working solely for Company, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for Company, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

## Article 18    Attorneys Fees

Should any dispute arise hereunder, the City shall be entitled to recover against the Company all costs, expenses and attorney's fees incurred by the City in such dispute, whether or not suit be brought, and such right shall include all of such costs, expenses and attorney's fees through all appeals or other actions.

## Article 19    Non-Discrimination

Company agrees to comply with all local and state civil rights ordinances and with Title VI of the Civil Rights Act of 1964 as amended, the Americans with the Disabilities Act of 1990, the Age Discrimination Act of 1975. Company will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/family status or status with regard to public assistance. Company will take affirmative action to insure that all employment practices are free from such discrimination.

## Article 20    Conflict of Interest

Company agrees to adhere to and be governed by the Miami-Dade County Conflict of Interest Ordinance Section 2-11.11, as amended, which is incorporated by reference herein as if fully set forth herein, in connection with the Agreement conditions hereunder.

## Article 21    Binding Effect

All of the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective assigns, successors, legal representatives, heirs and beneficiaries, as applicable.

## Article 22    Construction

This Agreement and the terms hereof shall be construed in accordance with the laws of the State of Florida and venue for all actions in a court of competent jurisdiction shall lie in Miami-Dade County, Florida.

## Article 23    Entire Agreement

No statements, representations, warranties, either written or oral, from whatever source arising, except as expressly stated in this Agreement, shall have any legal validity between the parties or be binding upon any of them. The parties acknowledge that this Agreement contains the entire understanding and agreement of the parties. No modifications hereof shall be effective unless made in writing and executed by the parties hereto with the same formalities as this Agreement is executed.

## Article 24    Captions and Paragraph Headings

Captions and paragraph headings contained in this Agreement are for convenience and reference only and in no way define, describe, extend or limit the scope and intent of this Agreement, nor the intent of any provisions hereof.

## Article 25    Joint Preparation

The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other. It is the parties' further intention that this Agreement be construed liberally to achieve its intent.

## Article 26    Counterparts

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same agreement.

## Article 27    Exhibits are Inclusionary

All exhibits attached hereto or mentioned herein which contain additional terms shall be deemed incorporated herein by reference. Typewritten or handwritten provisions inserted in this form or attached hereto shall control all printed provisions in conflict therewith.

IN WITNESS WHEREOF the undersigned parties have executed this Agreement on the date indicated above.

WITNESSES:

\_\_\_\_\_  
Print Name:

By: \_\_\_\_\_  
Print Name

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

CITY OF MIAMI GARDENS

\_\_\_\_\_  
Ronetta Taylor, CMC  
City Clerk

By: \_\_\_\_\_  
Danny Crew  
City Manager

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Sonja Dickens, City Attorney

## CITY OF MIAMI GARDENS PROCUREMENT DEPARTMENT

### EVALUATION RANKING SHEET RFP# 10-11-051 DISASTER DEBRIS MONITORING SERVICES June 16, 2011 – Presentations/ Phone Conferences

**By signing this form as an Evaluator, I certify that I have no conflict of interest**

**Signed** \_\_\_\_\_

**Dated:** \_\_\_\_\_

Company	Skill & Experience w/similar contracts (max 60 pts)	Methodology/Technical Project Approach (max 60 pts)	Qualifications/Experience of staff assigned to City (max 60 pts)	References (max 60 pts)	Cost of Services (max 100 pts)	Firm(s) located in CMG (max.40 pts.)	Firm donate local schools (max. 20 pts)	Total (max. 400 pts.)
True North Emergency Management, Ft. Worth, TX	45	37	48	60	100	8	0	298
O'Brien's Response Management Inc., Ft. Lauderdale, FL	56	51	57	60	80	0	0	304

Comments:

RFP#10-11-051 Disaster Debris Monitoring Services

May 26, 2011 @ 2:00 p.m.

Tabulation Sheet

Positions	Est.Hou	True North Emer. Mgnt Ft. Worth, TX		O'Brien's Response Ft. Lauderdale,FL		BDR Div of SAIC Maitland, FL		Consul-Tech Ent. Miami, FL	
		Hrly Rate	Total	Hrly Rate	Total	Hrly Rate	Total	Hrly Rate	Total
<b>Project Manager</b>	112	\$56.00	\$6,272.00	\$79.00	\$8,848.00	\$80.00	\$8,960.00	\$150.00	\$16,800.00
<b>Office Supervisor</b>	84	\$26.00	\$2,184.00	\$37.00	\$3,108.00	\$35.00	\$2,940.00	\$75.00	\$6,300.00
<b>Operations Manager</b>	112	\$46.00	\$5,152.00	\$69.00	\$7,728.00	\$70.00	\$7,840.00	\$120.00	\$13,440.00
<b>FEMA Coordinator</b>	150	\$56.00	\$8,400.00	\$89.00	\$13,350.00	\$95.00	\$14,250.00	\$100.00	\$15,000.00
<b>Expeditors</b>	84	\$46.00	\$3,864.00	\$39.00	\$3,276.00	\$40.00	\$3,360.00	\$100.00	\$8,400.00
<b>Truck Certifer</b>	40	\$46.00	\$1,840.00	\$36.00	\$1,440.00	\$40.00	\$1,600.00	\$90.00	\$3,600.00
<b>Field Supervisors</b>	336	\$46.00	\$15,456.00	\$47.00	\$15,792.00	\$54.00	\$18,144.00	\$100.00	\$33,600.00
<b>Tower Monitor</b>	840	\$36.00	\$30,240.00	\$36.00	\$30,240.00	\$35.00	\$29,400.00	\$75.00	\$63,000.00
<b>Environmental Specialists</b>	40	\$46.00	\$1,840.00	\$79.00	\$3,160.00	\$78.00	\$3,120.00	\$100.00	\$4,000.00
<b>Project Inspectors</b>	112	\$36.00	\$4,032.00	\$36.00	\$4,032.00	\$35.00	\$3,920.00	\$75.00	\$8,400.00
<b>GIS Specialist</b>	40	\$46.00	\$1,840.00	\$59.00	\$2,360.00	\$72.50	\$2,900.00	\$100.00	\$4,000.00
<b>Drop-Off Site Monitors</b>	168	\$36.00	\$6,048.00	\$36.00	\$6,048.00	\$35.00	\$5,880.00	\$75.00	\$12,600.00
<b>Invoice Analyst</b>	40	\$36.00	\$1,440.00	\$25.00	\$1,000.00	\$27.50	\$1,100.00	\$75.00	\$3,000.00
<b>Administrative Asst.</b>	40	\$26.00	\$1,040.00	\$23.00	\$920.00	\$22.00	\$880.00	\$55.00	\$2,200.00
<b>Field Monitor</b>	1000	\$36.00	\$36,000.00	\$36.00	\$36,000.00	\$35.00	\$35,000.00	\$75.00	\$75,000.00
<b>TOTAL</b>			\$125,648.00		\$137,302.00		\$139,294.00		\$269,340.00

This is only a tabulation of prices submitted and is not an indication of award or responsiveness



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			(Enter X in box)	X			
<b>Fiscal Impact:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> (Enter X in box)	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
	X		<b>Public Hearing:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					X		
<b>Funding Source:</b>	Various Funds		<b>Advertising Requirement:</b> (Enter X in box)	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	RFP #05-06-015 Renewal Medical Insurance-AvMed Health Plans			
	X						
<b>Strategic Plan Related</b> (Enter X in box)	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> (list the specific objective/strategy this item will address)			
		X	Enhance Organizational <input type="checkbox"/>	N/A			
			Bus. & Economic Dev <input type="checkbox"/>				
			Public Safety <input type="checkbox"/>				
			Quality of Education <input type="checkbox"/>				
			Qual. of Life & City Image <input type="checkbox"/>				
			Communcation <input type="checkbox"/>				
<b>Sponsor Name</b>	Dr. Danny O. Crew, City Manager		<b>Department:</b>	Human Resources Department			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN RENEWAL AGREEMENT WITH AVMED HEALTH PLANS FOR MEDICAL INSURANCE IN THE AMOUNT OF FOUR MILLION THREE HUNDRED SIXTY-SEVEN THOUSAND SIX HUNDRED FIFTY-TWO DOLLARS (\$4,367,652.00), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

Background

On October 11, 2006, the City Council authorized the City Manager to negotiate and execute agreements with annual renewal options for medical, dental, vision, flexible spending, and life coverage for employees and council members. At that time, medical insurance was awarded to AvMed Health Plans. Currently, AvMed contracts with the City for medical insurance in the amount of \$3,978,518.

**ITEM K-5) CONSENT AGENDA  
RESOLUTION  
Renewal Agreement w/ AVMED**

In preparation for next year's benefits selection, the City's agent of record, McKinley Financial Services, Inc. and staff reviewed a proposed 11.8% renewal rate increase initially offered by AvMed. Through several discussions, the Human Resources Department was able to negotiate a reduced rate increase of 9.8% for the HMO plan and 9.9% for the POS plan, making the total cost of health insurance \$4,367,652 in FY 12. This represents an increase of \$389,134 in the upcoming fiscal year. The nation's health care cost is projected to increase by 11%. The Renewal notice attached as Exhibit A.

**Proposed Action:**

That the City Council approve the attached resolution authorizing the City Manager and the City Attorney to negotiate and execute a contract renewal with AvMed Health Plans in the amount of \$4,367,652.

**Attachment:**

Exhibit A: AvMed Medical Financial Analysis

RESOLUTION NO. 2011\_\_\_\_\_

1  
2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI  
4 GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY  
5 CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN  
6 RENEWAL AGREEMENT WITH AVMED HEALTH PLANS FOR  
7 MEDICAL INSURANCE IN THE AMOUNT OF FOUR MILLION THREE  
8 HUNDRED SIXTY-SEVEN THOUSAND SIX HUNDRED FIFTY-TWO  
9 DOLLARS (\$4,367,652.00), A COPY OF WHICH IS ATTACHED  
10 HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE  
11 CITY CLERK; PROVIDING FOR THE ADOPTION OF  
12 REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.  
13

14 WHEREAS, on October 11, 2006, the City Council authorized the City Manager  
15 to negotiate and execute Agreements with annual renewal options for medical, dental,  
16 vision, flexible spending and life coverage for employees and Council members, and

17 WHEREAS, at that time, the medical insurance was awarded to AvMed Health  
18 Plans, and

19 WHEREAS, in preparation for next year's benefits selection, the City's agent of  
20 record, McKinley Financial Services, Inc. and staff reviewed a proposed 11.8% renewal  
21 rate initially offered by AvMed, and

22 WHEREAS, after discussions, staff was able to negotiate a reduced rate  
23 increase of 9.8% for the Health Management Option ("HMO"), and 9.9% for Point of  
24 Service ("POS") benefits, making the total cost of health insurance Four Million Three  
25 Hundred Sixty-Seven Thousand Six Hundred Fifty-Two (\$4,367,652.00) for fiscal year  
26 2011-2012, and

27 WHEREAS, this represents an increase of Three Hundred Eighty Nine Thousand  
28 One Hundred Thirty Four Dollars (\$389,134.00) for the upcoming year,

29 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
30 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

31 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas  
32 paragraphs are hereby ratified and confirmed as being true, and the same are hereby  
33 made a specific part of this Resolution.

34 Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens  
35 hereby authorizes the City Manager and City Clerk to execute and attest respectively,  
36 that certain renewal Agreement with AvMed Health Plans for medical insurance in the  
37 amount of Four Million Three Hundred Sixty-Seven Thousand Six Hundred Fifty-Two  
38 Dollars (\$4,367,652.00), a copy of which is attached hereto as Exhibit "A".

39 Section 4: INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby  
40 authorized to obtain two (2) fully executed copies of the subject Agreement with one (1)  
41 to be maintained by the City, and one (1) to be delivered to AvMed Health Plans.

42 Section 5: EFFECTIVE DATE: This Resolution shall take effect immediately  
43 upon its final passage.

44 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI  
45 GARDENS AT ITS REGULAR MEETING HELD ON \_\_\_\_\_, 2011.

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\_\_\_\_\_  
SHIRLEY GIBSON, MAYOR

52 **ATTEST:**

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\_\_\_\_\_  
RONETTA TAYLOR, MMC, CITY CLERK

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59 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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62 SPONSORED BY: DR. DANNY O. CREW, CITY MANAGER

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Moved by: \_\_\_\_\_

**VOTE:** \_\_\_\_\_

Mayor Shirley Gibson	_____ (Yes)	_____ (No)
Vice Mayor Aaron Campbell, Jr.	_____ (Yes)	_____ (No)
Councilman David Williams Jr.	_____ (Yes)	_____ (No)
Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
Councilman Oliver Gilbert, III	_____ (Yes)	_____ (No)
Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
Councilman Andre' Williams	_____ (Yes)	_____ (No)



City of Miami Gardens  
Medical Financial Analysis

2011 2012 CURRENT		3440 POS	
5522 HMO			
0	\$500/\$1,500	Out-of Network	\$500/\$1,500
100%	100%		30%
\$1,500/\$3,000	\$1,500/\$3,000	\$3,000/\$6,000	
\$15	\$15	30% aft Ded	
\$0	\$0	30% aft Ded	
\$0	\$0	30% aft Ded	
\$25	\$25	30% aft Ded	
\$150 / \$40	\$150 / \$40	\$150 / \$40	
\$10/\$20/\$30	\$10/\$20/\$30	Not Covered	

2012 2013 RENEWAL		3440 POS	
5522 HMO			
0	\$500/\$1,500	In-Network	Out-of Network
100%	100%		30%
\$1,500/\$3,000	\$1,500/\$3,000	\$3,000/\$6,000	
\$15	\$15	30% aft Ded	
\$0	\$0	30% aft Ded	
\$0	\$0	30% aft Ded	
\$25	\$25	30% aft Ded	
\$150 / \$40	\$150 / \$40	\$150 / \$40	
\$10/\$20/\$30	\$10/\$20/\$30	Not Covered	

**\*Current Enrollment**

Employee Only  
Employee & Spouse  
Employee & Family

Total Enrollment  
**Enrollment based on AvMed data 7/8/11**  
**Fully Insured Rates**

217	5
88	6
103	6
408	17
\$474.45	\$531.23
\$901.45	\$1,009.33
\$1,280.99	\$1,434.30

217	5
88	6
103	6
408	17
\$520.80	\$584.31
\$989.53	\$1,110.20
\$1,406.12	\$1,577.61

Total Monthly Premium  
Total Annual Premium  
\*Total Combined Annual Premium

\$314,225	\$17,318
\$3,770,703	\$207,815
\$3,978,518	

\$344,923	\$19,048
\$4,139,071	\$228,581
\$4,367,652	

% Change from Current  
\$ Change from Current

9.80%	9.90%
\$389,134	

AVMED, INC. d/b/a AVMED Health Plans  
Group Medical and Hospital Service Contract  
Group Master Application



Contract Number(s): 106421  
Subscribing Group Name: City of Miami Gardens  
Effective Date: 01/01/12

**Group Contract**

This Group Contract provides the benefits listed below.

<u>Identifier</u>	<u>Description</u>
AV-LG-RX-2x-10/20/30/75/50%-B-10	Prescription Drug
AV-G100-MHPH-10	IP Mental Health
AV-G100-SAPH-10	Substance Abuse
AV-G100-DME-2000-R-06	Durable Med. Equip.
AV-G100-ETP-R-97	ETOP

**Eligibility**

Active Employees (Class 1) are required to work 40 hours per week to become eligible for coverage under this Contract. Employees will become eligible for coverage on the first of the month following 30 days of employment.

Active Employees (Class 2) are required to work 40 hours per week to become eligible for coverage under this Contract. Employees will become eligible for coverage on the first day of employment.

**Termination**

For Active Employees (Class 1), termination of coverage under this Contract shall become effective End of Month.

For Active Employees (Class 2), termination of coverage under this Contract shall become effective End of Month.

**Monthly Membership Charges**

Subscriber Only .....	\$520.80
Subscriber plus Spouse .....	\$989.53
Subscriber plus One Dependent (No Spouse) .....	\$989.53
Subscriber plus Two or More Dependents .....	\$1,406.12
Subscriber plus Spouse and One or More Dependents .....	\$1,406.12

**NOTE:**

- Pending City of Miami Gardens' approval.
- Benefit plan will be administered in accordance with the requirements of Health Care Reform.

AVMED, INC. d/b/a AVMED Health Plans  
Group Medical and Hospital Service Contract  
Group Master Application, continued

Agreement

This Contract is issued in consideration of the Master Application of the Subscribing Group for group medical and hospital services and the monthly prepayment subscription charges and the mutual promises and benefits between AVMED, Inc. d/b/a AVMED Health Plans and the Subscribing Group. This Contract shall remain in effect for a period of twelve (12) months from the effective date of **January 1, 2012** and may be renewed annually, not later than the anniversary date, upon mutual agreement of the parties. This Contract period begins at 12:01 a.m. Eastern Standard Time on the effective date or on the anniversary date, if a renewal. The Contract shall be governed by Chapter 641, Florida Statutes, and other applicable State and Federal laws.

The first monthly payment is due on **January 1, 2012**. Subsequent payments are due on the 1st day of each month thereafter.

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER FILES A STATEMENT OF CLAIM OR AN APPLICATION CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY OF THE THIRD DEGREE.

The provisions contained in the Schedule of Benefits applicable to this Contract and all Exhibits and Amendments executed by the parties and attached hereto are, by reference, made a part of this Contract.

AGREED TO AND ACCEPTED BY the parties the day and year hereinafter written.

The Effective Date of this Contract is January 1, 2012.

Subscribing Group:

City of Miami Gardens

AVMED, Inc. d/b/a AVMED Health Plans

By: \_\_\_\_\_  
Signature

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Patricia Nelson  
\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

Director of Client Services  
\_\_\_\_\_  
Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTE:**

- Pending City of Miami Gardens' approval.
- Benefit plan will be administered in accordance with the requirements of Health Care Reform.

Benefit Summary



CITY OF MIAMI GARDENS	SCHEDULE OF BENEFITS	COST TO MEMBER
<b>OUT-OF-POCKET MAXIMUM</b> Per CALENDAR YEAR		\$1,500 INDIVIDUAL \$3,000 FAMILY
<b>PREVENTIVE CARE</b>	Preventive care services include, but are not limited to: <ul style="list-style-type: none"> <li>▪ Well-woman examinations, including Pap smears</li> <li>▪ Annual physical examinations</li> <li>▪ Immunizations</li> <li>▪ Well-child care and immunizations, including routine vision and hearing screenings by a pediatrician for children under 18</li> <li>▪ Screening mammograms</li> <li>▪ Colorectal cancer screening, including colonoscopies</li> <li>▪ HIV screening</li> </ul>	No Charge
<b>AVMED PRIMARY CARE PHYSICIAN</b>	Services at Participating Primary Care Physicians' offices include, but are not limited to: <ul style="list-style-type: none"> <li>▪ Office visits</li> <li>▪ Minor surgical procedures</li> </ul> Additional charges will apply if complex outpatient diagnostic tests are performed in the Primary Care Physician's office	\$15 per visit
<b>MATERNITY CARE</b>	<ul style="list-style-type: none"> <li>▪ Initial visit</li> <li>▪ Subsequent visits</li> <li>▪ Office visits</li> </ul>	\$15 Co-payment <b>NO CHARGE</b>
<b>AVMED SPECIALTY HEALTH CARE PHYSICIAN SERVICES</b>	Additional charges will apply if complex outpatient diagnostic tests are performed in the Specialist's office.	\$15 per visit
<b>HOSPITAL</b>	Inpatient care at Participating Hospitals includes: <ul style="list-style-type: none"> <li>▪ Room and board - unlimited days (semi-private)</li> <li>▪ Physicians', specialists' and surgeons' services</li> <li>▪ Anesthesia, use of operating and recovery rooms, oxygen, drugs and medication</li> <li>▪ Intensive care unit and other special units, general and special duty nursing</li> <li>▪ Laboratory and diagnostic imaging</li> <li>▪ Required special diets</li> <li>▪ Radiation and inhalation therapies</li> </ul>	<b>NO CHARGE</b>
<b>OUTPATIENT SERVICES</b>	<ul style="list-style-type: none"> <li>▪ Outpatient surgeries, including cardiac catheterizations and angioplasty</li> <li>▪ Outpatient therapeutic services, including:                             <ul style="list-style-type: none"> <li>▪ Drug infusion therapy</li> <li>▪ Injectable Drugs (Co-payment for Injectable Drug waived if incidental to same-day drug infusion therapy)</li> </ul> </li> </ul>	<b>NO CHARGE</b>  \$100 Co-payment \$75 Co-payment
<b>OUTPATIENT DIAGNOSTIC TESTS</b>	<ul style="list-style-type: none"> <li>▪ Complex diagnostic imaging, including but not limited to CAT Scan, PET Scan, MRI</li> <li>▪ Other non-preventive diagnostic imaging tests</li> </ul> Charges for office visits will also apply if services are performed in a Specialist's office.	\$25 per test \$10 per test
<b>EMERGENCY SERVICES</b>	An emergency is the sudden and unexpected onset of a condition requiring immediate medical or surgical care. <ul style="list-style-type: none"> <li>▪ Emergency services at participating or non-participating Hospitals, facilities and/or physicians</li> </ul> AvMed must be notified within 24 hours of inpatient admission following emergency services or as soon as reasonably possible	\$150 Co-payment

Benefit Summary, continued

<b>URGENT/IMMEDIATE CARE</b>	<ul style="list-style-type: none"> <li>▪ Medical Services at a participating Urgent/Immediate Care facility or services rendered after hours in your Primary Care Physician's office</li> <li>▪ Medical Services at a participating retail clinic</li> <li>▪ Medical Services at a non-participating Urgent/Immediate Care facility or non-participating retail clinic</li> </ul>	<p>\$40 Co-payment</p> <p>\$15 per visit</p> <p>\$60 Co-payment</p>
<b>FAMILY PLANNING</b>	<ul style="list-style-type: none"> <li>▪ Voluntary family planning services</li> <li>▪ Sterilization (In addition to any Outpatient Facility charge)</li> </ul>	<p>\$15 per visit</p> <p>\$250 Co-payment</p>
<b>ALLERGY TREATMENTS</b>	<ul style="list-style-type: none"> <li>▪ Injections</li> <li>▪ Skin testing</li> </ul>	<p>\$10 per visit</p> <p>\$50 per course of testing</p>
<b>AMBULANCE</b>	<ul style="list-style-type: none"> <li>▪ Ambulance transport for emergency services</li> <li>▪ Non-emergent ambulance services are covered when the skill of medically trained personnel is required and the Member cannot be safely transported by other means</li> </ul>	<p>\$100 Co-payment</p>
<b>PHYSICAL, SPEECH AND OCCUPATIONAL THERAPIES</b>	<ul style="list-style-type: none"> <li>▪ Short-term physical, speech or occupational therapy for acute conditions</li> </ul> <p>Coverage is limited to 30 visits per Calendar Year for all services combined</p>	<p>\$15 per visit</p>
<b>DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDER</b>	<ul style="list-style-type: none"> <li>▪ Applied Behavior Analysis services</li> <li>▪ Physical, speech or occupational therapy for the treatment of Autism Spectrum Disorder</li> </ul> <p>Coverage for all services related to Autism Spectrum Disorder is limited to \$36,000 annually and may not exceed \$200,000 in total benefits.</p>	<p>\$15 per visit</p> <p>\$15 per visit</p>
<b>SKILLED NURSING FACILITIES AND REHABILITATION CENTERS</b>	<ul style="list-style-type: none"> <li>▪ Up to 20 days post-hospitalization care per Calendar Year when prescribed by physician and authorized by AvMed</li> </ul>	<p>\$50 per day</p>
<b>CARDIAC REHABILITATION</b>	<p>Cardiac rehabilitation is covered for the following conditions:</p> <ul style="list-style-type: none"> <li>▪ Acute myocardial infarction</li> <li>▪ Percutaneous transluminal coronary angioplasty (PTCA)</li> <li>▪ Repair or replacement of heart valves</li> <li>▪ Coronary artery bypass graft (CABG), or</li> <li>▪ Heart transplant</li> </ul> <p>Coverage is limited to 18 visits per Calendar Year</p>	<p>\$20 per visit</p>
<b>HOME HEALTH CARE</b>	<ul style="list-style-type: none"> <li>▪ Limited to 60 skilled visits per Calendar Year</li> </ul>	<p>NO CHARGE</p>
<b>DURABLE MEDICAL EQUIPMENT AND ORTHOTIC APPLIANCES</b>	<p>Equipment includes:</p> <ul style="list-style-type: none"> <li>▪ Hospital beds, Walkers, Crutches and Wheelchairs</li> </ul> <p>Orthotic appliances are limited to:</p> <ul style="list-style-type: none"> <li>▪ Leg, arm, back and neck custom-made braces</li> </ul>	<p>\$50 per episode of illness</p> <p>Benefits limited to \$500 per Calendar Year</p>
<b>PROSTHETIC DEVICES</b>	<p>Prosthetic devices are limited to:</p> <ul style="list-style-type: none"> <li>▪ Artificial limbs, Artificial joints and Ocular prostheses</li> </ul>	<p>NO CHARGE</p>

**FOR ADDITIONAL INFORMATION, PLEASE CALL: 1-800-88-AVMED (1-800-882-8633)**

This Schedule of Benefits is not a contract. For specific information on Benefits, Exclusions and Limitations, please consult your AvMed Group Medical and Hospital Service Contract.

PLEASE NOTE: This benefit plan will be administered in accordance with the requirements of Health Care Reform.

# Prescription Medication Benefits



**\$10/20/30/75/50% CO-PAYMENT with Contraceptives**

**DEFINITIONS**

**Brand medication** means a Prescription Medication that is usually manufactured and sold under a name or trademark by a pharmaceutical manufacturer or a medication that is identified as a Brand medication by AvMed. AvMed delegates determination of Generic/Brand status to our Pharmacy Benefits Manager.

**Brand Additional Charge** means the additional charge that must be paid if you choose a Brand medication when a Generic equivalent is available. The charge is the difference between the cost of the Brand medication and the Generic medication. This charge must be paid in addition to the Non-Preferred Brand Co-payment. However, if the prescribing physician or other Participating Provider authorized to prescribe medications within the scope of his or her license indicates on the prescription "Brand medically necessary" or "dispense as written" for a medication for which there is a generic equivalent, the Brand medication shall be dispensed for the applicable Non-Preferred Brand Co-payment only.

**Cost-sharing Medications** are those medications, as designated by AvMed, which were designed to improve the quality of life by treating relatively minor non-life threatening conditions or which have multiple generic or non-prescription therapeutic alternatives. Such medications are subject to Co-insurance and coverage is limited as outlined below.

**Dental-specific Medication** is medication used for dental-specific purposes, including but not limited to fluoride medications and medications packaged and labeled for dental-specific purposes.

**Formulary List** means the listing of preferred and non-preferred medications as determined by AvMed's Pharmacy and Therapeutics Committee based on clinical efficacy, relative safety and cost in comparison to similar medications within a therapeutic class. This multi-tiered list establishes different levels of Co-payment for medications within therapeutic classes. As new medications become available, they may be considered excluded until they have been reviewed by AvMed's Pharmacy and Therapeutics Committee.

**Generic medication** means a medication that has the same active ingredient as a Brand medication or is identified as a Generic medication by AvMed's Pharmacy Benefits Manager.

**Maintenance Medication** is a medication that has been approved by the FDA, for which the duration of therapy can reasonably be expected to exceed one year.

**Participating Pharmacy** means a pharmacy (retail, mail order or specialty pharmacy) that has entered into an agreement with AvMed to provide Prescription Medications to AvMed Members and has been designated by AvMed as a Participating Pharmacy.

**Prescription Medication** means a medication that has been approved by the FDA and that can only be dispensed pursuant to a prescription according to state and federal law.

**Prior Authorization** means the process of obtaining approval for certain Prescription Medications (prior to dispensing) according to AvMed's guidelines. The prescribing physician must obtain approval from AvMed. The list of Prescription Medications requiring Prior Authorization is subject to periodic review and modification by AvMed. A copy of the list of medications requiring Prior Authorization and the applicable criteria are available from Member Services or from the AvMed website.

**Specialty Medications** are high cost medications that are self-administered by members. These medications may be limited in distribution to participating specialty pharmacies and Prior Authorization is often required.

**HOW DOES YOUR RETAIL PRESCRIPTION COVERAGE WORK?**

To obtain your Prescription Medication, take your prescription to, or have your physician call, an AvMed Participating Pharmacy. Your physician should submit prescriptions for Specialty Medications to AvMed's specialty pharmacy. Present your prescription along with your AvMed identification card. Pay the following Co-payment (as well as the Brand Additional Charge if you choose a Brand product when a Generic equivalent is available).

Tier 1	Preferred Generic Medications:	\$ 10.00	Co-payment
Tier 2	Preferred Brand Medications:	\$ 20.00	Co-payment
Tier 3	Non-Preferred Brand or Generic Medications:	\$ 30.00	Co-payment
Tier 4	Specialty Medications:	\$ 75.00	Co-payment
Tier 5	Cost-sharing Medications:	50%	Co-Insurance

**ORDERING YOUR PRESCRIPTIONS THROUGH THE MAIL**

Mail service is a benefit option for maintenance medications needed for chronic or long-term health conditions. It is best to get an initial prescription filled at your retail pharmacy. Ask your physician for an additional prescription for up to a 90-day supply of your medication to be ordered through mail service. Up to 3 refills are allowed per prescription. Pay the following Co-payment (as well as the Brand Additional Charge if you choose a Brand product when a Generic equivalent is available).

Tier 1	Preferred Generic Medications:	\$ 20.00	Co-payment
Tier 2	Preferred Brand Medications:	\$ 40.00	Co-payment
Tier 3	Non-Preferred Brand or Generic Medications:	\$ 60.00	Co-payment
Tier 4	Specialty Medications are not available through mail service		
Tier 5	Cost-sharing Medications are not available through mail service		

## Prescription Medication Benefits, continued

### WHAT IS COVERED?

- Your Prescription Medication coverage includes outpatient medications (including contraceptives) that require a prescription and are prescribed by your AvMed physician in accordance with AvMed's coverage criteria. AvMed reserves the right to make changes in coverage criteria for covered products and services. Coverage criteria are medical and pharmaceutical protocols used to determine payment of products and services and are based on independent clinical practice guidelines and standards of care established by government agencies and medical/pharmaceutical societies.
- Your Prescription Medication coverage may require Prior Authorization, including the Progressive Medication Program, for certain covered medications. The Progressive Medication Program encourages the use of therapeutically-equivalent lower-cost medications by requiring certain medications to be utilized to treat a medical condition prior to approving another medication for that condition. This includes the first-line use of preferred medications that are proven to be safe and effective for a given condition and can provide the same health benefit as more expensive non-preferred medications at a lower cost.
- Your retail Prescription Medication coverage includes up to a 30-day supply of a medication for the listed Co-payment. Your prescription may be refilled via retail or mail order after 75% of your previous fill has been used and subject to a maximum of 13 refills per year. You also have the opportunity to obtain a 90-day supply of medications used for chronic conditions including, but not limited to asthma, cardiovascular disease and diabetes from the retail pharmacy for the applicable Co-payment per 30-day supply. However, Prior Authorization may be required for covered medications.
- Your mail-order Prescription Medication coverage includes up to a 90-day supply of a routine maintenance medication for the listed Co-payment. If the amount of medication is less than a 90-day supply, you will still be charged the listed mail order Co-payment.
- Your Specialty Medication coverage extends to many injectable and high cost oral medications approved by the FDA. These medications must be prescribed by a physician and dispensed by a participating specialty pharmacy. The Co-payment levels for Specialty Medications apply regardless of provider. This means that you may be responsible for the appropriate Co-payment whether you receive your Specialty Medication from the pharmacy, at the physician's office or during home health visits. Specialty Medications are limited to a 30-day supply.
- Your Prescription Medication coverage includes coverage for injectable contraceptives. There is a Co-payment of \$30 for each injection. If there is an office visit associated with the injection, there will be an additional Co-payment required for the office visit.
- Quantity limits are set in accordance with FDA approved prescribing limitations, general practice guidelines supported by medical specialty organizations, and/or evidence-based, statistically valid clinical studies without published conflicting data. This means that a medication-specific quantity limit may apply for medications that have an increased potential for over-utilization or an increased potential for a Member to experience an adverse effect at higher doses.

**QUESTIONS?** Call your AvMed Member Services Department at: 1-800-88-AvMed (1-800-882-8633)

### EXCLUSIONS AND LIMITATIONS

- Medications which do not require a prescription (i.e. over-the-counter medications) or when a non-prescription alternative is available, unless otherwise indicated on AvMed's Formulary List.
- Medications not included on AvMed's Formulary List.
- Medical supplies, including therapeutic devices, dressings, appliances and support garments
- Replacement Prescription Medication products resulting from a lost, stolen, expired, broken or destroyed prescription order or refill
- Diaphragms and other contraceptive devices
- Fertility Medications
- Medications or devices for the diagnosis or treatment of sexual dysfunction
- Dental-specific Medications for dental purposes, including fluoride medications
- Prescription and non-prescription vitamins and minerals except prenatal vitamins
- Nutritional supplements
- Immunizations
- Allergy serums, medications administered by the Attending Physician to treat the acute phase of an illness and chemotherapy for cancer patients are covered in accordance with the Group Medical and Hospital Service Contract and may be subject to Co-payments or Co-insurance as outlined on the Schedule of Benefits
- Investigational and experimental Medications (except as required by Florida statute)
- Cosmetic products, including, but not limited to, hair growth, skin bleaching, sun damage and anti-wrinkle medications
- Nicotine suppressants and smoking cessation products and services
- Prescription and non-prescription appetite suppressants and products for the purpose of weight loss
- Compounded prescriptions, except pediatric preparations
- Medications and immunizations for non-business related travel, including Transdermal Scopolamine

*Filling a prescription at a pharmacy is not a claim for benefits and is not subject to the Claims and Appeals procedures under ERISA. However, any medicines that require Prior authorization will be treated as a claim for benefits subject to the Claims and Appeals Procedures, as outlined in the Group Medical and Hospital Service Contract.*

*Amendment*



**Prescription Medication Benefits**

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As of the effective date, the Prescription Medication Benefit Amendment is modified by the addition of the following:

AvMed covers the following Generic preventive medications at no cost, with a written prescription from a member's treating physician and when filled at a participating retail pharmacy (excludes mail-order and specialty pharmacies):

- **Aspirin 80 to 325 mg once a day**, when prescribed for men 45-79 years of age, or women 55-79 years of age;
- **Folic Acid 0.4 to 0.8 mg once a day**, when prescribed for women 15-50 years of age. Prior authorization is required if prescribed for women below the age of 15 or above the age of 50;
- **Iron supplements**, when prescribed for infants through 12 months of age;
- **Fluoride supplements**, when prescribed for children below 18 years of age. Prior authorization is required.

NOTE: These benefits will be administered in accordance with the requirements of Health Care Reform



*Amendment*

**Durable Medical Equipment**

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If selected, the following coverage is hereby modified, for an additional premium.

**DURABLE MEDICAL EQUIPMENT**

- Benefits are limited to a maximum of \$2,000 per contract year\*.

All other coverage provisions, including co-payment, limitations and exclusions remain as stated in the Certificate of Coverage or Schedule of Co-Payments.

\*For the treatment of diabetes, coverage for an infusion pump will not apply toward the annual maximum limitation and shall not be subject to the durable medical equipment benefit limitation.



*Amendment*

**ELECTIVE TERMINATION OF PREGNANCY**

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If selected, the following optional coverage is hereby added:

The AvMed Health Plan Group Medical and Hospital Service Contract is amended to state:

- Elective termination of pregnancy will be a covered benefit if the services and treatment are provided by an AvMed participating provider in an AvMed participating facility. There shall be a physician copayment of \$100.00 in addition to the applicable facility copayment.

## *Amendment*



### **Mental Health Services**

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As of the effective date, outpatient and inpatient mental health services are covered, when Medically Necessary, subject to the following Member cost sharing responsibility:

- Office visits for mental health services are covered subject to the Member's cost sharing responsibility for primary care services.
- Inpatient or partial hospitalization for mental health services is covered when a Member is admitted to a Participating Hospital or Health Care Facility. Coverage is subject to the Member's cost sharing responsibility for inpatient Hospital Services.
- All other outpatient mental health services are covered at **NO CHARGE**.

Residential treatment services are not covered and are specifically excluded from benefits provided under this Amendment.

Prior authorization is required for mental health services. Please consult the Schedule of Benefits for Member cost sharing responsibility and Deductible information, if applicable. For further information, contact AvMed at 1-800-882-8633.

## *Amendment*



### **Substance Abuse Services**

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As of the effective date, outpatient and inpatient substance abuse services are covered, when Medically Necessary, subject to the following Member cost sharing responsibility:

- Office visits for substance abuse services are covered subject to the Member's cost sharing responsibility for primary care services.
- Inpatient or partial hospitalization for substance abuse services is covered when a Member is admitted to a Participating Hospital or Health Care Facility. Coverage is subject to the Member's cost sharing responsibility for inpatient Hospital Services.
- All other outpatient substance abuse services are covered at **NO CHARGE**.

Residential treatment services are not covered and are specifically excluded from benefits provided under this Amendment.

Prior authorization is required for substance abuse services. Please consult the Schedule of Benefits for Member cost sharing responsibility and Deductible information, if applicable. For further information, contact AvMed at 1-800-882-8633.



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b> <i>(Enter X in box)</i>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
				X			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X		<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>
		X			X		
<b>Funding Source:</b>			<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	<i>(Enter #)</i>			
		X					
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>  Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i> N/A			
		X					
<b>Sponsor Name</b>	Danny Crew City Manager		<b>Department:</b> <b>City Manager</b>	City Manager's Office			

**Short Title:**

A RESOLUTION OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2011-2012 OF \_\_\_\_\_; SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARINGS TO CONSIDER THE PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

On July 1, 2011, the City received the final certification of 2011 taxable value for fiscal year 2012. Pursuant to Chapter 200, Florida Statutes, the City has to provide the Property Appraiser Office no later than August 4, 2011 a not to exceed millage rate to be levied for fiscal year 2012. The roll back rate for FY 2012 is 5.9112.

The rate to be adopted at this meeting is a "not to exceed" rate. At the September budget hearings that are required by law and will be held on September 14, and September 28, the Council can reduce this "not to exceed" rate if they desire to, but cannot levy a rate which is higher than what is established at this meeting.

**ITEM L-1) RESOLUTION  
Setting Tentative Millage**

**Proposed Action:**

Staff recommends that Council approve the millage resolution.

**Attachment:**

None

**RESOLUTION NO. 2011**

**A RESOLUTION OF THE CITY OF MIAMI GARDENS, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATE FOR FISCAL YEAR 2011-2012 OF \_\_\_\_\_; SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARINGS TO CONSIDER THE PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Chapter 200, Florida Statutes, provides for a uniform procedure for the adoption of ad valorem tax and millage rates associate therewith, and

WHEREAS, Section 200.065, Florida Statutes, provides for the adoption of a proposed millage rate, together with the establishment of a rolled-back rate computed pursuant to Section 200.065(1), Florida Statutes, and

WHEREAS, on July 1, 2011, the Property Appraiser of Miami-Dade County, Florida served upon the City, a Certification of Taxable Value, certifying to the City its 2011 taxable value and

WHEREAS, the provisions of Section 200.065, Florida Statutes, require that the City, within thirty-five (35) days of service of the Certification of Taxable Value, furnish to the property Appraiser and Tax Collector the proposed millage rate and the date, time and place at which public hearings will be held to consider the proposed millage rate and the tentative budget,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

1           Section 2.       ADOPTION OF PROPOSED MILLAGE RATE: The City  
2 Council hereby adopts and establishes the proposed millage rate for FY 2011-2012  
3 at \_\_\_\_\_, which is \$\_\_\_\_\_ per \$1,000.00 of assessed property within the  
4 City of Miami Gardens, Florida.

5           Section 3.       COMPUTATION OF ROLLBACK RATE: The roll-rate is  
6 5.9112.

7           Section 4.       ESTABLISHMENT OF DATE, TIME AND PLACE OF  
8 PUBLIC HEARING: The date, time and place of the first and second public  
9 hearings on the proposed millage rate and tentative budget is set by the City  
10 Council as follows:

<u>Date</u>	<u>Time</u>	<u>Place</u>
<b><u>First Budget Hearing:</u></b>		
<u>September 14, 2011</u>	<u>5:01 p.m.</u>	<u>City Hall/City of Miami Gardens 1515 NW 167 St., Bldg. 5, #200 Miami Gardens, FL 33169</u>
<b><u>Second Budget Hearing:</u></b>		
<u>September 28, 2011</u>	<u>5:01 p.m.</u>	<u>City Hall/City of Miami Gardens 1515 NW 167 St., Bldg. 5, #200 Miami Gardens, FL 33169</u>

11  
12           Section 5.       DIRECTIONS TO THE CITY CLERK: The City Clerk is  
13 directed to send the original Certification of Taxable Value and a certified copy of  
14 this resolution to the Property Appraiser and the Tax Collector on or before  
15 August 4, 2011.

16           Section 6.       EFFECTIVE DATE: This resolution shall be effective  
17 immediately upon its adoption.

1  
2 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF  
3 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON July 27, 2011.  
4  
5  
6

7  
8 \_\_\_\_\_  
9 SHIRLEY GIBSON, MAYOR

10 ATTEST:

11  
12 \_\_\_\_\_  
13 RONETTA TAYLOR, CMC, CITY CLERK

14  
15 Reviewed by SONJA K. DICKENS, ESQ.  
16 City Attorney

17  
18 SPONSORED BY: Danny O. Crew

19  
20 MOTION BY: \_\_\_\_\_

21  
22 SECOND BY: \_\_\_\_\_

23  
24  
25 VOTE: \_\_\_\_\_

26  
27 Mayor Shirley Gibson \_\_\_\_\_(Yes) \_\_\_\_ (No)  
28 Vice Mayor Aaron Campbell Jr. \_\_\_\_\_(Yes) \_\_\_\_ (No)  
29 Councilwoman Lisa Davis \_\_\_\_\_(Yes) \_\_\_\_ (No)  
30 Councilman David Williams Jr. \_\_\_\_\_(Yes) \_\_\_\_ (No)  
31 Councilman Andre' Williams \_\_\_\_\_(Yes) \_\_\_\_ (No)  
32 Councilwoman Felicia Robinson \_\_\_\_\_(Yes) \_\_\_\_ (No)  
33 Councilman Oliver Gilbert III \_\_\_\_\_(Yes) \_\_\_\_ (No)  
34

# Millage Alternatives

	<b>Millage</b>	<b>Impact on FY 12 Budget</b>
Current Millage Rate	5.7141	- \$649,216
FY-12 Roll-Back Rate	5.9112	\$0
5% Above Roll-Back	6.2068	+ \$973,659
8% Above Roll-Back	6.3841	+ \$1,557,657
Max Rate w/Majority Vote	6.6516	+ \$2,142,314

# Millage Alternatives

	<b>Millage</b>	<b>Impact on Average Home</b>
Current Millage Rate	5.7141	- \$ 7.10
FY-12 Roll-Back Rate	5.9112	\$0
5% Above Roll-Back	6.2068	+ \$10.65
8% Above Roll-Back	6.3841	+ \$17.04
Max Rate w/Majority Vote	6.6516	+ \$23.43

# Millage Alternatives

## Advantages of Max Rate

- Would increase reserve from 3.6% to 7.8%
- Would provide better cash flow for FY-12
- Would add flexibility in the event of a sudden downturn between now & September
- Would give greater margin of safety for emergency and for operations in FY-12



**City of Miami Gardens  
Agenda Cover Memo**

<b>Council Meeting Date:</b>	July 27, 2011		<b>Item Type:</b>	<b>Resolution</b>	<b>Ordinance</b>	<b>Other</b>	
			<i>(Enter X in box)</i>	X			
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>	
		X	<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>
					X		
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>	
						X	
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>RFP/RFQ/Bid #:</b>	N/A			
	X						
<b>Strategic Plan Related</b> <i>(Enter X in box)</i>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b>	<b>Strategic Plan Obj./Strategy:</b> <i>(list the specific objective/strategy this item will address)</i>			
		X	Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communcation <input type="checkbox"/>	N/A			
<b>Sponsor Name</b>	Mayor Shirley Gibson		<b>Department:</b>	<b>Mayor and Council</b>			

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN FISCAL AGENT AGREEMENT BETWEEN THE CITY OF MIAMI GARDENS AND THE MIAMI GARDENS EXCELLENCE IN EDUCATION COMPACT, COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

On February 24, 2010, the City Council approved the Miami Gardens Excellence in Education Compact, 501(c)3, and subsequently made appointments to the Board. One of the key elements in the approval of the MGEEC concept was that the City of Miami Gardens would provide both monetary and in-kind assistance to the organization in its infancy. One of the in-kind services was support from the City of Miami Gardens Finance Department to assist the MGEEC Board in tracking its revenues and expenditures.

**ITEM L-2) RESOLUTION  
Fiscal Agen Agreement w/  
Miami Gardens Excellence in Education Compact**

In an effort to memorialize the terms of this in-kind arrangement, and in order to clearly separate the financials of the MGEEC and the City of Miami Gardens, it was suggested that the City and MGEEC enter into a Fiscal Agent Agreement. As such, attached for Council approval is the Fiscal Agent Agreement between the City and the MGEEC.

**Proposed Action:**

Mayor Shirley Gibson recommends approval of the Fiscal Agent agreement between the City and the MGEEC

**Attachment:**

**Attachement A: Fiscal Agent Agreement**

RESOLUTION NO. 2011\_\_\_\_\_

1  
2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
4 MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY  
5 MANAGER AND CITY CLERK TO EXECUTE AND ATTEST  
6 RESPECTIVELY, THAT CERTAIN FISCAL AGENT AGREEMENT  
7 BETWEEN THE CITY OF MIAMI GARDENS AND THE MIAMI  
8 GARDENS EXCELLENCE IN EDUCATION COMPACT, COPY OF  
9 WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING  
10 FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR  
11 THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN  
12 EFFECTIVE DATE.  
13

14 WHEREAS, the City Council of the City of Miami Gardens created the Miami  
15 Gardens Excellence in Education Compact ("MGEEC") which is a recognized 501(c)3  
16 entity, and

17 WHEREAS, the City Council appointed certain members to the Board of  
18 Directors of MGEEC, and

19 WHEREAS, the Board is currently operating independently of the City, and

20 WHEREAS, the purpose of the MGEEC is to improve education in the City of  
21 Miami Gardens, and

22 WHEREAS, the City would like to provide in-kind services to the MGEEC through  
23 the City's Finance Department, in order to assist it with tracking its revenues and  
24 expenditures, and

25 WHEREAS, in order to memorialize this Agreement, the parties have agreed to  
26 enter into a Fiscal Agent Agreement for this purpose,

27 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
28 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

29 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas  
30 paragraphs are hereby ratified and confirmed as being true, and the same are hereby  
31 made a specific part of this Resolution.



66 **VOTE:** \_\_\_\_\_

67

68 Mayor Shirley Gibson \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

69 Vice Mayor Aaron Campbell, Jr. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

70 Councilman David Williams Jr. \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

71 Councilwoman Lisa Davis \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

72 Councilman Oliver Gilbert, III \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

73 Councilwoman Felicia Robinson \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

74 Councilman Andre' Williams \_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

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**FISCAL AGENT AGREEMENT  
BETWEEN THE CITY OF MIAMI GARDENS AND  
THE MIAMI GARDENS EXCELLENCE IN EDUCATION COUNCIL**

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THIS **FISCAL AGENT AGREEMENT** (the "Agreement ") is made as of \_\_\_\_\_ by and among **THE CITY OF MIAMI GARDENS**, a municipality under the laws of the State of Florida (the " FISCAL AGENT") AND **THE MIAMI GARDENS EXCELLENCE IN EDUCATION COUNCIL** (the Client), a nonprofit corporation, exempt from federal tax under section 501(c)(3) of the Internal Revenue Code.

It is understood and agreed that the Fiscal Agent and the Client will be parties to this Agreement and will accept the following terms and conditions:

1. It is agreed that the City of Miami Gardens will act as a Fiscal Agent for the Client for the duration of the Agreement as indicated above. On the Client's behalf, The Fiscal Agent agrees to:
  - a. Receive and account for grants, earned income, and tax-deductible donations (funds) and will distribute these funds as directed in writing by the Client.
  - b. Administer all funds received by and for the Client and separately account for all funds received on Client's behalf.
  - c. Deposit all Client's funds received in an insured checking account. Should the Client desire any other form of financial investment, the Client will be responsible for investigating, selecting, setting up, and covering any costs associated with this alternate financial investment. Upon written request by the Client, The Fiscal Agent will transfer the Client's funds to the alternate investment the Client selected. The Fiscal Agent will not advise the Client as to available alternate forms of investment and will have no responsibility regarding the security of Client's funds invested in these alternate investment forms.
  - d. Issue authorized checks within 14 working days of the date The Fiscal Agent receives an approved check request submitted by the Client.
  - e. Have an annual audit conducted of all the Client's accounts.
  - f. File 1099 forms with the IRS, as required by law, at the end of each calendar year reporting all disbursements made to individuals during the year or as the law may otherwise require.
  - g. Submit quarterly reports to the Client of the Client's account.
  - h. Maintain a database of donor information and funds received on behalf of the Client.
  - i. Waive all fees associated with providing these services.

## 2. The Client agrees to:

- a. Raise funds that comply with its mission as established by its by-laws and the legal requirements of the Client's 501(c)(3) status. The Client agrees not to use any of its funds received from grants, earned income or donations in any way which would jeopardize its tax-exempt status. The Client agrees to comply with any written request by the Fiscal Agent that it cease activities which might jeopardize its tax status. Any changes in the purpose for which funds are spent must be approved in writing by the Fiscal Agent before implementation. The Fiscal Agent retains the right, if the Client breaches this Agreement to withhold, withdraw, or demand immediate return of grant funds.
- b. At least \_\_\_\_ days prior to the submission deadline of any grant, the Client agrees to submit to The Fiscal Agent a draft of the intended grant application for which The City of Miami Gardens will serve as the fiscal agent. The Client further agrees to submit to The Fiscal Agent a copy of all final grant applications.
- c. Use funds strictly for the purposes stated in any grant agreement or letter from any funding source or for the purpose for which any funds were contributed.
- e. Deposit with The Fiscal Agent all funds received for which The City of Miami Gardens is the designated fiscal agent.
- f. Maintain complete and accurate records (including receipts) of all income received and expenses incurred by the Client, as well as all other documents related to the Client's funds and for which The City of Miami Gardens is the fiscal agent. The client further agrees to submit these records to The Fiscal Agent upon request for examination and review.
- g. Submit to The Fiscal Agent a copy of grant change requests, grant evaluations and reports for which The City of Miami Gardens is the fiscal agent.
- h. Complete all information requested on approved check requests submitted to The Fiscal Agent and include all applicable invoices, contracts, receipts, or other proofs of purchase.
- i. Maintain its own ledgers and make all information available to The Fiscal Agent upon request for examination and review.
- j. Submit quarterly written reports to The Fiscal Agent showing how the client applied its funds and its progress toward accomplishing its purposes.
- k. If, in the sole opinion on of The Fiscal Agent, the Client's actions necessitate a special audit, the client will pay for all expenses related to the audit.
- l. For all employees who are hired to work for the client, the Client will provide relevant employee personal information, W-4 and I-9 forms, fingerprints, and other documents required for work. Further, the client will be responsible for all expenses associated with employees including payroll costs, workers' compensation, and unemployment fees.
- m. Provide written proof of liability insurance to The Fiscal Agent upon request. In addition, the Client agrees to name The Fiscal Agent as an

- “additional insured” under said policy and to defend, indemnify, and hold The Fiscal Agent, its employees, and its governance council harmless against all claims, liabilities, costs, or judgments which may be made against The Client, its employees, and Board of Directors arising out of or related to any project for which fiscal sponsorship is provided.
- n. Not use any portion of the Client’s Funds to participate or intervene in any political campaign, ballot measure on behalf of or in opposition to any candidate for public office, not induce or encourage violations of law or public policy, not cause any improper private benefit to occur, nor take any other action inconsistent with IRS Section 501(c)(3).
  - o. Notify The Fiscal Agent immediately of any change in (a). The Client’s legal or tax status, or (b). The Client’s executive staff or key staff responsible for achieving the purposes of this Agreement.

This Agreement shall be governed by and construed in accordance with the laws of the State of Florida applicable to agreements made and to be performed entirely within the State of Florida.

This Agreement shall supersede any prior oral or written understandings or communications between The Fiscal Agent and the Client and constitutes the entire agreement between The Fiscal Agent and the Client with respect to the subject matter of this Agreement.

The Fiscal Agent shall not be liable for any action taken or neglected to be taken by it in good faith in any exercise of reasonable care and believed by it to be within the discretion or power conferred upon it by this Agreement, nor shall the Fiscal Agent be responsible for the consequences of any error of judgment; and the Fiscal Agent shall not be answerable except for its own action, neglect or default, nor for any loss unless the same shall have been through its gross negligence or willful default. The Client further agrees to indemnify, defend and save the Fiscal Agent its officers, employees, directors and council harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence or willful conduct or failure to comply with the terms of this Agreement.

This Agreement may not be amended or modified, except in writing signed by both The Fiscal Agent and the Client. Either party may terminate this Agreement by giving 30 days written notice to the other party. In the event this agreement is terminated, the balance of assets held by the Fiscal Agent for the Client, together with any other assets held or shall be transferred to the Client at the end of the notice period or any extension thereof, subject to the approval of any third parties (including funding sources) that may be required.

By signing below, both parties agree to execute this Agreement on the day and year written above.

**For the City of Miami Gardens (Fiscal Agent)**

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

**For the Miami Gardens Excellence in Education Council (The Client)**

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

## Staff Monthly Report Jun - Jul 2011

### CITY MANAGER

- Participated a unit determination hearing before the Florida Public Employees Relations Commission for a proposed blue collar union election.
- Prepared PowerPoint presentation and Participated in the Council budget workshop.
- Met on site with real estate broker and potential buyers concerning property owned by the City (Warren Henry)
- Met with potential buyer concerning property owned by the City (Mt. Herman).
- Met with potential buyer concerning property owned by the City (Cornerstone).
- Met twice with City Hall architects on the details for the new City Hall complex.
- Met individually with Council Members regarding various topics in including City Hall progress.
- Met with representatives of ATS concerning declining revenues. On-going dialogue.
- Worked on the FY 2012 budget.
- Met with company offering loans to city employees.
- Took 5 furlough days.
- Finished working on and issued RFP for City Hall.

### FINANCE DEPARTMENT (Patty Varney)

1. Assist City Manager in balancing and compiling the FY 2012 budget document which was distributed to Council on July 13, 2011.
2. Attended two meetings held at Dade County's office. One is for TRIM Compliance which will be on-line reporting for FY 2012, and the other meeting is with FPL regarding the electric franchise fees.
3. Finalized all leave accrual corrections for all sworn personnel and HR department input all reductions as appropriate.

4. The Department filed 9 grants reimbursement for a total amount of \$855,069.58 between NSP, CDBG, Byrne, Cops, and ARRA grants.

At the end of June 2011, the year-to-date expenditures or revenues should reflect 75% of the budget. Revenues for Red Light camera continue to decrease. Month of June is \$10,000 less than May. Also in late June, the City was informed by the County who just received information from FPL that the franchise fees will be reduced by as much as 30%. This equates to \$1.7 million less what the City budgeted for FY 2011. The reason of this reduction is attributed to a one time refund imposed by the Public Service Tax Commission and reduction in fuel adjustment rate. Finance staff is projecting a shortfall for the year in the General Fund to be approximately \$5.5 to \$6 million. The fuel tax for the month of June in the Transportation Fund also decreased dramatically. It is the lowest the City ever received in this fiscal year. Staff is projecting a deficit for year-end of approximately \$200,000 in the Transportation Fund and \$650,000 in the Development Services Fund. Since the City's General Fund fund balance is already depicted staff is recommending no subsidy will be provided to these two funds in FY 2011 and therefore these two funds will end the year with a negative fund balance. Detail analysis of revenues can be found from the table below.

As of June, 2011, the City has total investments in the amount of \$6,927,272. Of this amount, \$4,161,374 is with Wachovia which is available cash to fund for the operating expenses earning 0.25%. The City holds a CD with the Bank of America in the amount of \$2.6 million earning 0.07%. This is a bond requirement and that is the highest and safest rate of return the City can obtain. The City still has approximately \$59,826 in market value with the State Board of Administration and \$106,072 in tax certificates with Dade County.

## GENERAL FUND

Revenues as of June 30, 2011

		<i>FY 2010</i>	<i>FY 2010</i>	<i>%</i>	<i>FY 2011</i>	<i>FY 2011</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Property Tax</i>	1	23,089,178	20,599,261	89.22%	20,177,903	18,307,118	90.73%
<i>Utility Tax</i>	2	11,276,242	6,241,236	55.35%	10,667,000	6,082,528	57.02%
<i>Franchise Fees</i>	3	5,809,802	793,604	13.66%	5,520,000	680,110	12.32%
<i>Permits/License Tax/Other Fees</i>	4	1,925,000	1,510,715	78.48%	1,765,000	1,706,348	96.68%
<i>Intergovernmental Revenue</i>	5	11,624,716	6,277,805	54.00%	10,360,243	6,462,313	62.38%
<i>Charges for Services</i>	6	3,231,509	3,444,204	106.58%	4,886,052	3,873,438	79.28%
<i>Fines &amp; Forfeitures</i>	7	2,537,000	2,902,079	114.39%	7,518,024	2,241,952	29.82%
<i>Miscellaneous Revenues</i>		1,535,000	1,412,892	92.05%	1,701,392	917,598	53.93%
<i>Non-Operating Revenues</i>		20,341,553	1,171,709	5.76%	9,117,834	1,030,476	11.30%
<b>TOTAL</b>		<b>81,370,000</b>	<b>44,353,506</b>	<b>54.51%</b>	<b>71,713,448</b>	<b>41,301,882</b>	<b>57.59%</b>

- 1 July 1 certification certifies that the taxable value dropped nearly 5% than what the Property Appraiser Office estimated a year ago, therefore, the City may recognize shortfall in this revenue source. Currently we are waiting on the information to the deeds sale for delinquent taxes to estimate the shortfall for the year.
- 2 Lower Telecommunication tax is being received and may recognized a shortfall of approximately \$300,000
- 3 City were informed in late June that the electric franchise fees will be short by \$1.7 million compared to budget. The reason being a one-time refund required by the Public Service Tax Commision and lower fuel adjustment rate.
- 4 Most of the revenues in this category are due October 1 or April 1, therefore, collection rate is higher.
- 5 State Revenue Sharing and Half Cents Sales tax reflect 7 months of collection. Staff is projected that State Revenue Sharing will be short, however, should sales tax revenue continues to derive as the past few months, it will negate the shortfall of SRS.
- 6 This category is projected to be \$500,000 short. Part of this is attributed to Recreation fees as the City contracted out the summer camp program. The remaining is attributed to less revenue (approximately \$391,407) received for Jazz in the Gardens when compared to budget.
- 7 Red Light Camera fines continue to decrease. May was \$126,430 less than April, and June is another \$11,000 less than May. Currently projection of shortfall for year end is \$4.6 million

## GENERAL FUND

Expenditures as of June 30, 2011

		<i>FY 2010</i>	<i>FY 2010</i>	<i>%</i>	<i>FY 2011</i>	<i>FY 2011</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	1	41,101,884	31,930,042	77.69%	42,187,327	30,837,758	73.10%
<i>Operating Expenses</i>	2	11,222,983	8,219,197	73.24%	12,134,894	8,883,627	73.21%
<i>Capital Outlay</i>	3	1,694,156	1,404,639	82.91%	847,091	586,158	69.20%
<i>Grants and Aids</i>		93,730	39,051	41.66%	58,399	13,391	22.93%
<i>Debt Service</i>		0	0	0.00%	2,723	2,722	99.97%
<i>Other Uses</i>		18,042,861	13,024,125	72.18%	9,138,712	5,425,412	59.37%
<i>Emergency Reserve Build Up</i>		9,214,386	0	0.00%	7,344,302	0	0.00%
<b>TOTAL</b>		<b>81,370,000</b>	<b>54,617,053</b>	<b>67.12%</b>	<b>71,713,448</b>	<b>45,749,068</b>	<b>63.79%</b>

- 1 There is 9 remaining pay period for FY 2011. The percentage expensed should be 65.38%. The higher percentage is attributed to police overtime and off duty services .
- 2 Expenditures is slightly higher than budgeted due to special events line item which includes expenses in Jazz in the Gardens is attributed to 16.5% of the operating budget. This line item is currently overspent by approximately \$240,000
- 3 Other uses is for interfund transfers, however, any savings from the department's line items are transferred to this category as a reserve not be spent.

## TRANSPORTATION FUND

Revenues as of June 30, 2011

		<i>FY 2010</i>	<i>FY 2010</i>	<i>%</i>	<i>FY 2011</i>	<i>FY 2011</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Local Option Gas Tax</i>	1	2,335,000	1,471,233	63.01%	2,276,966	1,451,640	63.75%
<i>Permits/License Tax/Other Fees</i>		95,000	46,158	48.59%	73,050	41,313	56.55%
<i>Intergovernmental Revenue</i>	2	1,008,514	529,543	52.51%	2,059,590	525,398	25.51%
<i>Charges for Services</i>		5,200	1,346	25.89%	2,500	4,726	189.02%
<i>Miscellaneous Revenues</i>	3	29,969	4,909	16.38%	27,729	12,567	45.32%
<i>Non-Operating Revenues</i>		986,166	377,606	38.29%	197,142	145,888	74.00%
<b>TOTAL</b>		<b>4,459,849</b>	<b>2,430,794</b>	<b>54.50%</b>	<b>4,636,977</b>	<b>2,181,531</b>	<b>47.05%</b>

<sup>1</sup> In the month of June, the 6 cents gas tax dropped from an average of \$135,046 to \$98,004 per month and the 3 cents gas tax dropped from an average of \$53,221 to \$35,752. Should this trend continue, staff is projecting a shortfall of \$245,326.

<sup>2</sup> State fiscal year ends June 30. The State will have to performed a true up for State Revenue sharing, which means a reconciliation of what the State received and the actual amount the City should receive. Usually, City will be receiving the June distribution and any true up in late July or early August, therefore, reflecting a lower percentage of collection in this category. Currently, staff is projecting a shortfall of approximately \$50K in State Revenue Sharing

<sup>3</sup> Miscellaneous revenues is lower than FY 2010 due to lower cash flow and interest rate of return.

## TRANSPORTATION FUND

Expenditures as of June 30, 2011

		<i>FY 2010</i>	<i>FY 2010</i>	<i>%</i>	<i>FY 2011</i>	<i>FY 2011</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	1	\$1,992,146	1,464,826	73.53%	2,042,677	1,404,251	68.75%
<i>Operating Expenses</i>		\$604,626	482,308	79.77%	493,134	362,302	73.47%
<i>Capital Outlay</i>		\$119,804	15,418	12.87%	1,052,021	56,580	5.38%
<i>Other Uses</i>		\$1,743,273	1,078,922	61.89%	1,049,145	679,966	64.81%
<b>TOTAL</b>		<b>\$4,459,849</b>	<b>3,041,474</b>	<b>68.20%</b>	<b>4,636,977</b>	<b>2,503,099</b>	<b>53.98%</b>

<sup>1</sup> Salaries expenditure is lower due to two vacancies and furlough

## DEVELOPMENT SERVICES FUND

Revenues as of June 30, 2011

		<i>FY 2010</i>	<i>FY 2010</i>	<i>%</i>	<i>FY 2011</i>	<i>FY 2011</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Permits/License Tax/Other Fees</i>	1	2,429,000	2,322,093	95.60%	3,052,680	1,594,872	52.24%
<i>Charges for Services</i>	2	0	2,109	100.00%	7,000	106,018	1514.54%
<i>Miscellaneous Revenues</i>		6,100	1,268	20.78%	1,300	0	0.00%
<i>Non-Operating Revenues</i>		1,813,211	1,181,213	65.14%	2,900	0	0.00%
<b>TOTAL</b>		<b>4,248,311</b>	<b>3,506,682</b>	<b>82.54%</b>	<b>3,063,880</b>	<b>1,700,890</b>	<b>55.51%</b>

<sup>1</sup> Less permit activities as compared to FY 2010, may experience a shortfall of \$1.2 million.

<sup>2</sup> Technology surcharge received in FY 2011 is combined with Permits revenue in FY 2010.

## DEVELOPMENT SERVICES FUND

Expenditures as of May 30, 2011

	<i>FY 2010 Budget</i>	<i>FY 2010 YTD Expenses</i>	<i>% of Budget</i>	<i>FY 2011 Budget</i>	<i>FY 2011 YTD Expenses</i>	<i>% of Budget</i>
<i>Personnel Expenses</i> <sup>1</sup>	2,525,807	1,537,547	60.87%	2,216,927	1,376,758	62.10%
<i>Operating Expenses</i>	225,096	133,886	59.48%	157,785	73,639	46.67%
<i>Capital Outlay</i>	13,396	1,478	11.04%	0	0	0.00%
<i>Other Uses</i>	1,484,012	742,435	50.03%	689,168	418,850	60.78%
<b>TOTAL</b>	<b>4,248,311</b>	<b>2,415,346</b>	<b>56.85%</b>	<b>3,063,880</b>	<b>1,869,247</b>	<b>61.01%</b>

<sup>1</sup> Lower personnel expenses is attributed to vacancy and less overtime than originally budgeted.

## STORMWATER FUND

Revenues as of June 30, 2011

	<i>FY 2010 Budget</i>	<i>FY 2010 YTD Revenues</i>	<i>% of Budget</i>	<i>FY 2011 Budget</i>	<i>FY 2011 YTD Revenues</i>	<i>% of Budget</i>
<i>Permits/License Tax/Other Fees</i> <sup>1</sup>	40,000	46,160	115.40%	60,000	21,815	36.36%
<i>Grant</i>	163,275	0	0.00%	512,073	0	0.00%
<i>Charges for Services</i>	3,395,000	1,812,739	53.39%	3,395,000	2,074,221	61.10%
<i>Miscellaneous Revenues</i> <sup>2</sup>	74,643	35,112	47.04%	45,000	0	0.00%
<i>Non-Operating Revenues</i>	1,399,331	76,290	5.45%	1,375,440	0	0.00%
<b>TOTAL</b>	<b>5,072,249</b>	<b>1,970,301</b>	<b>38.84%</b>	<b>5,387,513</b>	<b>2,096,036</b>	<b>38.91%</b>

<sup>1</sup> More permitting fees were issued in FY 2010

<sup>2</sup> This category includes the drawdown of bond proceeds for the purchase of a front-end loader in FY 2010

## STORMWATER FUND

Expenditures as of June 30, 2011

	<i>FY 2010 Budget</i>	<i>FY 2010 YTD Expenses</i>	<i>% of Budget</i>	<i>FY 2011 Budget</i>	<i>FY 2011 YTD Expenses</i>	<i>% of Budget</i>
<i>Personnel Expenses</i>	862,495	617,720	71.62%	962,046	648,838	67.44%
<i>Operating Expenses</i> <sup>2</sup>	1,015,617	661,100	65.09%	1,174,696	539,170	45.90%
<i>Capital Outlay</i>	617,263	189,172	30.65%	2,228,860	533,252	23.92%
<i>Debt Service</i>	665,889	250,358	0.00%	706,843	229,525	32.47%
<i>Other Uses</i>	1,910,985	490,583	25.67%	315,068	231,796	73.57%
<b>TOTAL</b>	<b>5,072,249</b>	<b>2,208,933</b>	<b>43.55%</b>	<b>5,387,513</b>	<b>2,182,582</b>	<b>40.51%</b>

<sup>1</sup> Personnel Expenses are lower due to vacancies and furlough.

<sup>2</sup> Operating expenses are lower than budgeted is mainly attributed to very minimal professional service have been utilized for the year.

## CAPITAL PROJECTS FUND

Expenditures as of June 30 2011

	<i>FY 2010 Budget</i>	<i>FY 2010 YTD Expenses</i>	<i>% of Budget</i>	<i>FY 2011 Budget</i>	<i>FY 2011 YTD Expenses</i>	<i>% of Budget</i>
<i>Personnel Expenses</i>	471,551	341,661	72.45%	477,731	342,474	71.69%
<i>Operating Expenses</i> <sup>1</sup>	335,858	189,306	56.36%	56,770	67,353	118.64%
<i>Capital Outlay</i>	25,150,722	5,169,319	20.55%	66,564,636	6,167,829	9.27%
<i>Other Uses</i>	818,606	140,721	17.19%	714,280	531,899	74.47%
<b>TOTAL</b>	<b>26,776,737</b>	<b>5,841,007</b>	<b>21.81%</b>	<b>67,813,417</b>	<b>7,109,554</b>	<b>10.48%</b>

<sup>1</sup> Operating expenses is higher due to legal fees incurred for the Judson case and the N&J Construction. Once settlement is reached the funding of legal fees from N&J can be derived from the project costs.

## CAPITAL PROJECTS FUND

Expenditures as of May 30 2011

	<i>FY 2010 Budget</i>	<i>FY 2010 YTD Expenses</i>	<i>% of Budget</i>	<i>FY 2011 Budget</i>	<i>FY 2011 YTD Expenses</i>	<i>% of Budget</i>
<i>Personnel Expenses</i>	457,283	306,389	67.00%	482,813	309,351	64.07%
<i>Operating Expenses</i> <sup>1</sup>	260,365	74,147	28.48%	56,770	55,110	97.08%
<i>Capital Outlay</i>	25,805,570	4,902,841	19.00%	64,891,192	3,730,736	5.75%
<i>Other Uses</i>	224,463	125,085	55.73%	2,382,642	2,113,739	88.71%
<b>TOTAL</b>	<b>26,747,681</b>	<b>5,408,463</b>	<b>20.22%</b>	<b>67,813,417</b>	<b>6,208,936</b>	<b>9.16%</b>

<sup>1</sup> Operating expenses is higher due to legal fees incurred for the Judson case and the N&J Construction. Once settlement is reached the funding of legal fees from N&J can be derived from the project costs.

## HUMAN RESOURCES (Taren Kinglee)

Accident Review Committee held several review meetings.

Participate in hearing related to union petition.

Consultation with outside council through Florida League of City regarding pending litigations including deposition for cases.

Responded to several public records request.

Held several meetings with department supervisors regarding recruitment, discipline and performance management. Developed job descriptions, administered benefits, responded to salary/benefit surveys, etc.

Negotiated with the City's health provider, AVMED, to reduce a proposed FY-12 rate increase from 16.6% to 9.8%.

Monthly Statistics FY-11	Oct-Nov	Nov-Dec	Dec-Jan	Jan-Feb	Feb-Mar	Mar-Apr	Apr-May	May-Jun	Jun-Jul
Applications/resumes received	240	157	152	92	183	146	90	71	40
Positions Advertised	6	2	4	3	4	2	1	0	2
Interviews Conducted	18	44	9	39	15	42	9	9	4
Pre-employ Physicals	15	5	4	1	3	22	11	13	14
Background/Reference Checks	18	3	3	14	9	3	6	250	24
New Hires	8	5	3	4	1	3	4	5PT	1/1PT
Workers Comp Claims	22	26	19	15	8	29	36	23	30
Exit Interviews	2	2	1	0	0	1	0	0	2
Promotions	0	0	0	4	1	1	0	3	0

**DEPUTY CITY MANAGER FOR PUBLIC SERVICES (Renee Crichton)**

**MAJOR INITIATIVES MANAGED**

**Red Light Camera Program**

- working with ATS to reduce the monthly fee for each camera location
- Worked with staff to address impacts of increased court cases

**Education Compact/Miami Gardens Excellence in Education 501C3**

- Coordinated Board Meeting
- Worked with consultant to draft new service agreement
- Finalized governance documents

**Building and Code Compliance**

- Completed Food Truck Legislation
- Established framework for lien amnesty summer events
- Worked with staff to identify code compliance software for new city hall

**Police Department**

- Byrne Grant Funding
- UASI charter discussions
- Contract extensions of 2007 funding year

**IT**

- Miami Lakes Contract transition
- Budget reductions

**MISCELLANEOUS**

- Communications Forum

**LEGISLATION PREPARED (NON LEGAL)**

- Food Truck
- Tax Anticipation Note
- Police Uniforms

**EXTERNAL MEETINGS**

- Carnival 2011
- Sunny Isles Apartment Unsafe Structures Issues
- Coconut Cay CDD
- Majorica Isles CDD
- Federation of Public Employees Hearing

**POLICE DEPARTMENT (Matt Boyd, Chief)**

**Police Department Staff**

TOTAL BUDGETED POSITIONS: 258  
TOTAL HIRED TO DATE: 248

- 1 Chief
- 1 Deputy Chief
- 3 Majors
- 8 Captains ( 1 vacant position)
- 28 Sergeants
- 153 Police Officers (6 vacant position)
- 10 Community Service Aides (1 vacant position)
- 15 Telecommunications Operators (1 vacant position)
- 2 Telecommunications Supervisors
- 1 Telecommunications Manager
- 1 Records Supervisor

- 5 Records Clerks
- 1 Executive Secretary
- 6 Administrative Assistants
- 2 Property Control Officers
- 1 Facilities Manager
- 1 Custodian
- 1 Court Liaison/Off Duty
- 1 Crime Analysts (1 vacant position)
- 1 Administrative Analyst
- 1 Investigative Assistant
- 1 Crime Scene Supervisor
- 5 Crime Scene Technicians

**The monthly activity for the Operations Division for the month of June 2011 is as follows:**

**ARRESTS:**

- FELONY 66
- MISDEMEANOR 217
- TRAFFIC 371
- DUI 0
- WARRANT 46

**TOTAL ARREST 700**

**CITATIONS:**

- MOVING 679
- NON-MOVING 1006
- PARKING 197

**TOTAL 1882**

**FIELD INTERVIEW CARDS 1562**

**TOTAL CALLS RESPONDED TO 6480**

**REPORTS WRITTEN 1737**

**TRAFFIC CRASHES 258**

**The monthly activity for the Support Services Division for the month of June 2011 is as follows:**

**Property and Evidence, Number of property items processed:**

278 - Property Receipts Processed  
07 - Property Receipts Rejected

<u>17</u>	- Property Released
<u>49</u>	- Property out to Lab
<u>0</u>	- Property to be Disposed
<u>07</u>	- Lab Runs to MDPD
<u>\$2,062</u>	- Cash Impounded
<u>11</u>	- Firearms Impounded *not counting CSI direct delivered to lab.

**Number of reports processed and number of requests made at window for records:**

Reports Processed 225 / Walkup Requests at Window 902 / Mail Logged In 606 / Fingerprints 35 / Background Checks 64 / Total Revenue Collected \$89,677.00.

**Number of calls received by dispatch:**

CAD Calls = 9,628 / Administrative Phone Calls = 13,773/ FCIC Entries = 225/

Overtime Hours = 478 total

**Court Liaison and Off-Duty**

- 30 subpoenas stamped and placed in the officers' mailboxes.
- 497 off duty personnel processed and entered into Eden for payroll processing.
- 8 off duty vendor requests processed.
- 16 dispositions stamped and placed in the officers' mailboxes.

**The monthly activity for the Investigations Division for the month of June 2011 is as follows:**

**Arrests – Total: 214**

Felonies –	94
Misdemeanor –	68
Truants Returned-	0
U.S. Currency Seized –	\$2,780.00
Vehicles Recovered –	19
Vehicles Recovered Value-	\$190,964.00
Vehicles Processed-	4
Property Recovered Value-	\$0
Firearms Seized –	05
Search Warrants	03

**Total Cases Assigned**    388            **Closed**    185            **Rate**    47.7%

**Scenes Processed by Crime Scene Investigations Unit-**    112

## Capital Improvement Projects (Brandon DeCaro)

### Administration Items:

- V. Nelson and B. DeCaro submitted all required information to the County Staff for transfer of GOB Grant Funds into appropriate active project. Letter requesting GOB transfer was sent by the City Manager. County requested additional information and a revised letters have been issued. City staff issued another letter directing the County regarding requested value for each of the new GOB Contracts. City & County staff met on 9/15/10 to resolve issues for the new contracts. The GOB contract exhibit for the next phase for the Betty T. Ferguson Center was filled out and returned to the County on 3/25/11. **The new contract for the B.T.F. Center has been executed. The contracts for the other selected parks projects are still pending.**
- V Nelson and B. DeCaro submitted all required information to the County Staff for transfer of GOB Grant Funds for the FF&E for the MG Community Center. Additional information was submitted to the County on 4/13/10. County distributed proposed contract to City with some unacceptable terms. Meeting with Commissioner Jordan was held on 5/25/10 to resolve contract issues. New GOB contract was approved by the City Council during the June 23<sup>rd</sup> meeting. The new GOB contract has been executed by the City and County. The 1<sup>st</sup> reimbursement payment for the Community Center FF&E was received in August, 2010. The 2<sup>nd</sup> reimbursement package was delivered to County staff on 10/05/10. The City has received the payment for the 2<sup>nd</sup> reimbursement package. **The third and forth FF&E reimbursement package was delivered to County staff on 6/03/11. The payments for these reimbursement packages are pending.**

### Art in Public Places (AIPP): Planning & Design Phase – Christina Goetzman

- Miami-Dade County AIPP Staff has submitted proposal for assisting the City in the implementation of AIPP at Miami Gardens Community Center. Meeting with staff to discuss terms of proposal took place on 11/23/09. Revised proposal submitted by County on 11/30/09. An agenda item was approved by the City Council at the meeting on 01/13/10.
- Item was approved by the City Council during the 01/13/10 Council Meeting. Acceptance Letter mailed to Miami-Dade County AIPP on 05/03/10.
- Kick-off meeting with Miami-Dade County AIPP staff for AIPP implementation at Betty T. Ferguson Community Center took place on 05/27/10. Site visit with artists conducted on 7/07/10.
- AIPP applications for Miami Gardens Community Center Phase I were submitted to Miami-Dade County on 7/23/10. City Staff attended the initial PAC meeting on 09/17/10, where five artists were shortlisted to develop proposals for the Public Art. The Artists' Project Orientation Meeting took place at the site on 09/28/10. The second PAC meeting took place on 11/18/10, where a final artist was selected to be presented before Council for approval. Resolution #2011-13-1406 was passed during the 01/26/11 Council Meeting. The AIPP Professional Artist Services Agreement was executed on 03/14/11. Notice to Proceed for A/E Services was issued to Artist. **The Final Design was submitted to the Department of Capital Improvements on 06/19/11. Building Department**

**approval was obtained on 06/21/11. The Artist is scheduled to begin the installation on 10/03/11.**

- Discussions with the Department of Parks and Recreation have taken place pertaining to Public Art to be implemented at Miami Gardens Community Center Phase II – Amphitheatre, and Miami Carol City Park Recreation Building. It is preferred that a mosaic is implemented on the face of the stage platform at the Amphitheatre, and a mural be implemented in the breezeway of the Miami Carol City Park Recreation Building.
- The AIPP budget for the Amphitheatre is \$15,000.00. The AIPP budget for the Miami Carol City Park Recreation Building is \$15,058.85. The schedules and Call-to-Artist's for these particular projects have been finalized. The dates for the extension of the Call to Artists for both projects are currently under discussion.
- The proposed AIPP Ordinance was adopted during the City Council Meeting on 09/08/10.
- While the review of an Art in Public Places Advisory Committee is a requirement of the proposed AIPP Ordinance, due to time constraints and the inability to form said committee within the necessary time frame a resolution was passed during the 09/22/10 Council Meeting allowing the waiver of said review of AIPP to be implemented at Miami Gardens Community Center Phase II – Amphitheatre and Miami Carol City Park Recreation Building.
- The Licensing Agreement for the CAFÉ System for the extension of "Calls for Artists" was executed on 03/14/11. CAFÉ System was set-up for "Calls" for three projects on 03/29/11.
- The Miami Carol City Park Recreation Building AIPP mural project is now started. The "Call for Artists" was extended on 04/01/11 via CAFÉ System online and the Miami Herald. The deadline for Artist applications was 04/30/11 and 30 applications were received. Applications were reviewed for qualifications and four artists were shortlisted on 06/06/11 to provided proposals to the City. **The relative Artist Proposal Agreement is currently being reviewed by the City Attorney's Office for legal sufficiency.**
- The Betty T. Ferguson Recreational Complex Phase II – Amphitheatre AIPP mosaic project is now moving forward. The "Call for Artists" was extended on 04/01/11 via CAFÉ System online and the Miami Herald. The deadline for Artist applications was 04/30/11 and 15 applications were received. Applications were reviewed for qualifications and four artists were shortlisted on 06/06/11 to provided proposals to the City. **The relative Artist Proposal Agreement is currently being reviewed by the City Attorney's Office for legal sufficiency.**

## **CAPITAL IMPROVEMENT PROJECTS:**

### **New City Hall & PD Building: Design Phase 65% – Brandan DeCaro**

- Preliminary Program and cost estimate reviewed by CIP Director and City Manager.
- Review of Space Allocation & Building Program occurred 09/14/09, 09/15/09 & 9/16/09.

- Miami Garden's staff met with the Developer, Contractor and Architect on 8/13/09 to discuss the program for the proposed Town Center Project. The project will include the New City Hall, Police Department Building and Parking Garage.
- All staff comments received & incorporated into building program. The revised program was provided to the developer on 09/24/09. Coordination Meetings with Developers Team on 10/09/09 & 10/15/09.
- The building programs were review, & revised with the City Manager, Deputy & Assistant Managers.
- City Council Workshop held on 11/18/09 for proposed City Hall and new Police Building.
- City Planning Concept presentation was given during the 4/14/10 City Council Meeting.
- City Council approved preparation of RFP for construction of City Hall and development of City Center during 4/28/10 meeting.
- The Criteria for the RFP was completed by J. Allen and delivered to the City Manager on 6/18/10. There was one response for the RFP which is being reviewed by the City Manager.
- The A/E Professional Services proposal was approved during the 7/28/10 Council Meeting.
- City Staff met with the A/E firm, URS Corporation from 8/15/10 to 8/18/10 to validate the preliminary Program & special requirements for the City Hall, PD Building & Garage.
- City staff had meetings with the A/E on 9/13/10 & 9/14/10 to develop parking needs & special relationships for the New City Hall & PD Building.
- URS completed the survey for the existing furniture at City Hall & the PD Building.
- The City Council approved the developer's proposal during the Council Meeting on 12/01/10. The Developers pre-construction services contract was signed December 2010.
- The Architect's preliminary Schematic Design is being revised to include City staff comments and cost reduction ideas. The Schematic Design drawings, that were due on 2/04/11, were submitted late by the A/E and rejected by City staff.
- The Schematic Design was resubmitted on 2/25/11 and reviewed by all City Department Directors. Comments were distributed to the A/E to make revisions to all floor plans.
- The Schematic Design was conditionally approved by the City on 3/25/11.
- The preliminary Construction Estimate has been performed by the Development Team. The estimate revealed that the preliminary schematic design was over budget.
- The development Team performed the final Schematic Design estimate based on the 2/25/11 submittal from the A/E. The estimated cost for the facility is just over \$40,000,000 which is more than \$2,000,000 less than the previous estimate.
- The Design Development (DD) drawings were submitted to the City on 4/25/11. The City reviewed the drawings and provided comments to the design team. The DD drawings and specifications have been revised and they were submitted to the contractors to develop the DD estimate on 5/20/11. The estimate was submitted on 6/10/11. **The estimates were revised and completed on 6/27/11. The cost**

**estimate for the Earthwork is \$2,280,573. The cost estimate for the buildings is \$41,363,977 including all permit fees.**

- The Tree Relocation/Removal package was advertised for bids on 4/14/11
- The award notice for the Tree Relocation/Removal package was issued to the contractor on 5/6/11.
- The DERM Tree Permit was issued on 5/10/11.
- The kick-off meeting for the Tree Relocation/Removal package was held on 5/12/11.
- **The tree contractor started the preparation of the trees for the tree relocation on 5/18/11.**
- **The tree contractor started the relocation of Palm Trees to the various park sites on 6/9/11. The relocation for all existing trees will be completed by 7/22/11.**
- The Demolition Package has been reviewed by DERM and the MG Building Department.
- The bid advertisement for the Demolition Package was on 5/20/11 and the bids were received on 6/10/11.
- **The lowest bid for the Demolition Package was approved by the City Council during the Meeting on 07/13/11. The Kick-off meeting is scheduled for 7/19/11.**
- The Earthwork Package has been reviewed by the city staff, the building department and Public Works.
- The Earthwork Package has been approved by North Miami Beach for the water and sewer service.
- **The Earthwork Package was submitted to DERM. The city received comments from DERM on 7/5/11. The City staff and the A/E are addressing the comments.**
- **The Earthwork Package was submitted to Miami-Dade Fire on 7/5/11.**
- **The RFP (Request for Proposal) for the Construction Management and GMP (Guaranteed Maximum Price) for the Earthwork Package was advertised on 7/7/11.**
- **Pre-Proposal Conference is scheduled to be held on 7/21/11.**
- **Proposal submittals for the RFP and Earthwork Package GMP are due on 8/19/11.**
- **The A/E is scheduled to deliver the 80% Construction Documents to the City for review on 8/12/11.**

### **Police Building Major Interiors Construction: Close-out Phase – Jimmie Allen**

- The Building Department has not issued the Final Certificate of Occupancy (CO) for all of the work under Miami Skylines Contract. Miami Skylines was advised during the meeting of 11/9/10 to re-initiate the process so that the CMG Building Department can begin to process the CO.
- **Miami Skyline has submitted all documentation for closing the Permits for the project to the CMG Building Department on 7/01/11. The Building Departments issuing of the Certificate of Occupancy (CO) is pending. A Letter of acceptance was received by the CMG and placed in the Permit File for the Project regarding “As Built” drawings.**

- Staff has reviewed the situation with Miami Skyline regarding the final release of retainage for the project. A final resolution is being negotiated based on funds remaining in the contract and Purchase Order.

**Fueling Facility & Storm Drainage: Construction Document Phase 85% – Jimmie Allen**

- WAsD and DERM review for original scope completed June 2009.
- A/E responded to the three environmental concerns from DERM. Portion of new storm drainage system will have to be re-designed as a result of DERM review.
- A/E has provided fee proposals for revising the scope of the work for storm drainage.
- The Report of the testing submitted to DERM was responded to 1/20/10. Two letters were forwarded reflecting the status of the review with conditions. The City will be required to issue to DERM within 60 days a mitigation plan along with additional testing specified in their letters dated June 19, 2009 and January 11, 2010. DERM has briefly indicated that the drainage portion of the project can run concurrently with the required clean up of the contaminated soil on site.
- City Staff prepared a letter for the City Manager, which was sent to DERM on 3/05/10. The City would prefer to conduct the additional testing required by DERM before proceeding with the removal of the contaminated soil. DERM accepted the response from the City on 3/09/10.
- Purchase Order was issued and the sampling conducted the week of 4/15/10.
- On 4/16/10, URS the consultant provided preliminary findings for staff review resulting from the recent testing performed. Additional sampling will be taken due to the negative test results and this will require a time extension from DERM.
- The Environmental Assessment Report Addendum was prepared for the additional contaminant assessment required by DERM. The Addendum was submitted to DERM on 5/11/10.
- The City received the DERM response for the recent submittal related to the environmental testing conducted in May, 2010. DERM has requested more additional testing of the soil & ground water. The additional testing was completed the week of 8/30/10.
- Supplemental additional testing and sampling was required by DERM and was completed during the week of 8/30/10. The final results have been completed and the report was submitted to DERM on 10/14/10. DERM provided a response for the last submittal on 12/10/10.
- Meeting with DERM was held on 1/26/11 to address issues with the mitigation requirements for ground water contamination & Pesticide contamination source removal.
- The result of the meeting was that DERM identified that the letter was inaccurately stated and a new letter will be furnished to clarify the DERM requirements. The City was granted a time extension to provide a response along with a proposed action plan for the mitigation design and source removal operations.
- Several additional test samplings were discussed and will be clarified in the revised letter from DERM. The request will be for the City's consultant to establish the outer limits of the potential migration of the contamination plume.

- DERMS most recent response to the City has additional tests requested. A meeting was held with DERM on 5/25/11 to discuss the additional testing that was requested by DERM to minimize the requirements. Staff will be recommending that no additional testing should be done until the City is ready to proceed with the storm drainage project.
- URS submitted spreadsheet with all costs associated for the project so the City can decide how to move forward with the various aspects of the project. The City will defer the redesign for the Fueling Facility until the issues with the contaminated soil removal have been resolved.
- **Further work for testing and action with regard to this project has been placed on hold indefinitely.**

**Miami Gardens Community Center (MGCC): Warranty Period ended January 22, 2011 – J. Allen**

- The Building Department issued the Temporary Certificate of Occupancy (TCO) on 8/02/10. TCO extension request is required to further deal with Miami Dade County and FPL issues that are delaying completion of the review of all documents needed to be presented to the Plat Committee prior to Recordation. Additional documentation will be required that were not clarified in prior communications with Miami Dade County.
- Final Plat documents were submitted to Miami Dade County on 9/16/10 with amendments on 10/16/10. Recent items identified by the County are currently being addressed to finalize the Plat package.
- All supplemental documentation has been submitted and the Warranty Deed was executed by the City to Deed the parcel of land that Pump Station # 33 at the south side of the site sits on to MDWASD. The Warranty Deed was approved by the City Council during the 5/11/11 meeting. Final documents were submitted 4/11/11 to the traffic engineering section and are undergoing a final review for acceptance confirmation of conformance. The Plat recordation occurred in June 2011. **The final CO request was submitted on 6/17/11. The final CO is now pending.**
- Staff has completed the one-year warranty inspection to identify any remaining warranty issues. Staff and the A/E are also inspecting the roof for any defects. Staff transmitted the Warranty Check List for the facility to the contractor on 1/24/11.
- Warranty related issues are being addressed regarding paint failure in the facility and various item identified in the 1/24/11 check list. Work was started on 4/5/11 to remove the failed paint materials for the Natatorium ceiling. The reapplication of new paint started on 4/15/11. The work has been completed and the pool area is being cleaned. The pool is ready to be reopened on 6/13/11.
- **A final roof report is being reviewed for determination and recommendation of further action against the Contractor and the Manufacturer for defects in the installation.**
- Bleachers and Press Box Contractor received the "Notice to Proceed" on 10/26/09. Building Permit was issued on 5/24/10.
- The bleacher contractor has completed all of the Punch List items.

- The Bleacher contractor requested a Time Extension Change Order, which was approved by Council during the 10/13/10 City Council Meeting. The contractor did not achieve Substantial Completion as scheduled on 9/13/10.
- The Bleacher project was determined substantially complete on 9/29/10. The manufacturer & the contractor agreed to replace all of the plastic seat covers with a thicker material since this installation is problematic.
- The Bleacher replacement seat covers were installed by the Contractor during the week of 1/21/11 and the City has accepted the installation.
- The Press Box & Lift final structural and electrical inspections were completed on 12/7/10.
- The final Fire Department inspection was approved 12/9/10.
- CO for the bleacher Installation Occurred 12/21/10.
- The Bleacher project is in the close-out phase. Currently addressing final payments and possible Liquidated Damages. **The GC has reopened communication regarding project close-out in the week of 7/01/11. Staff is responding to the contractor questions.**
- A bid package for HVAC upgrades has been prepared for securing proposals. The pre-bid meeting was held on 5/10/11. The bids were opened and a purchase order has been initiated for the low bid contractor. The building permit is in progress. **The Purchase Order was issued 7/7/2011 and the notice to proceed has been distributed.**
- A bid package for acoustical wall treatment has been prepared for the installation of acoustic panels in the Gym and the Auditorium. The pre-bid meeting was held on 5/09/11. There was only one bid received. **The bid is below the project estimate and the City Council approved the contractor during the 7/13/11 meeting.**
- The FF&E List was developed and the 3,000,000 for the FF&E funding was submitted to the County in December 2010. The contract with the County GOB Office for the FF&E funding was executed by the City and the County in July 2010. The 1<sup>st</sup> reimbursement payment for the Community Center FF&E was received in August 2010. The 2<sup>nd</sup> reimbursement package was delivered to the County staff on 10/05/10 and the City received payment. **The 3<sup>rd</sup> & 4<sup>th</sup> FF&E reimbursement packages were delivered on 6/03/11 and the payment is pending.**

## **Miami Gardens Community Center Amphitheatre: Construction 98% – Jimmie Allen**

- Proposal for MGCC Amphitheatre project submitted for Safe Neighborhood Parks (SNP) Grant in July. Project recommended for grant funding by SNP Oversight Committee on 8/18/09.
- City Council approved required project matching funds at meeting on 10/14/09.
- Negotiation with MGCC A/E for design of Amphitheatre was completed 11/10/09.
- The A/E contract for the Amphitheatre was approved during the 12/09/09 City Council Meeting.
- The Notice to Proceed for the A/E was issued on 2/08/10. The A/E 100% Construction Document submittal was made 5/7/10.

- The Construction Doc's were submitted to County agencies for review on 5/10/10. The Construction Doc's were submitted to the Miami Gardens Building Department on 5/12/10.
- Miami Dade County Fire Department approval 7/15/10.
- CMG Building Department approval was received on 8/12/10.
- The bid advertisement was distributed 6/22/10. Eight bids were received & opened on 8/06/10.
- The staff recommendation was approved during the 9/08/10 City Council Meeting.
- The preconstruction meeting was conducted on 9/14/10. The "Notice to Proceed" was issued to the contractor on 9/27/10.
- Site work commenced on 9/28/10.
- The building footers were completed and poured 11/11/10.
- Plumbing underground was completed 12/19/10.
- CMU walls installed and tie beams and main beams were completed on 12/17/10.
- Roof framing was installed along with the steel decking. The wood deck and final roofing surface has been installed.
- The inspection for permanent electrical power has been completed. The final mechanical & plumbing inspections were preformed during the week of 5/09/11.
- The project did not achieve substantially completed on 3/12/11 as required by the contract. The Contractor is currently incurring liquidated damages for project delays. The contractor's progress has impacted the substantial completion date by about 64 days.
- The contractor claimed that the project achieved substantial completion on 5/13/11. The A/E verified that the project achieved substantial completion on 5/17/11. The Punch List was issued to the contractor and the remaining work is in progress.
- **Punch List Items are still in progress and the Final Completion date per contract of 5/5/2011 has been exceeded by at least 60 days. The total days behind schedule will be tabulated when Final Completion has been established by the project team.**

**Miami Gardens Community Center Phase III: Planning Phase 75% complete – Brandan DeCaro**

- Staff has developed the budget and schedule for all of the remaining components for the Betty T. Ferguson Recreation Center.
- The components that are being proposed for the Phase III scope include a natural turf football field with sports lighting, completion of the site landscaping & irrigation system, completion of the site sidewalks to become a Vita Course with 8 exercise stations, playground with shade structure, perimeter fence & gates and additional parking.
- **The GOB contract exhibit was filled out and returned to the County on 3/25/11. The City received the executed contract on 7/11/11. Staff met with the A/E on 7/14/11 and a fee proposal is pending to start the planning and design for Phases III.**

**Rolling Oaks Park: Design Phase 60% completed – Brandan DeCaro**

- Phase I Improvements include: Installation of 2 athletic fields, new entrance and turn-around, new parking and overflow parking lots, fencing, and concession/restroom facility.
- Met with A/E 3/12/09 & 6/08/09 to coordinate the completion of the Construction Doc's.
- Revised CDs submitted to CIP staff for review 4/15/09.
- DERM - Tree removal permit approved.
- Miami-Dade County Fire - Plans approved for permitting.
- Department of Health - Plans approved for permitting.
- MDWASD & North Miami Beach sewer connection pending final approval.
- Sewer pipe up-grade requested by DERM. Survey information & pipe as-built's provided to DERM so that pipe up-grade will not be required. DERM approval received in June, 2009.
- Miami Gardens Building Department submittal pending.
- Negotiating Additional Service with A/E for completion of Construction Documents.
- Terminated A/E during 11/10/09 Council Meeting.
- Negotiated conducted with new A/E to assume design and construction admin for project.
- **Agreement with new A/E will be presented to the City Council for approval.**
- Purchase of additional land for the new main entrance from Miami Gardens Drive is in progress. **The closing date for the property did not occur as anticipated.**
- **City staff has requested the remaining GOB contracts so that the project will be funded.**

### **Bunche Park & Pool: Design Phase 80% completed – Brandan DeCaro**

- Phase I Improvements include: Construction of entire pool parcel including pool house, parking paving/stripping/drainage, lighting, fencing, landscaping, and signage.
- Met with A/E 3/12/09 & 6/08/09 to coordinate the completion of the Construction Doc's.
- Revised Construction Doc's submitted to CIP staff for review 4/15/09.
- County Fire - Plans approved for permitting.
- WASD – Water & Sewer connection reviewed and approved.
- DERM - Review for Water & Sewer completed. Surface water permit approved. Payment for all DERM Permit Fees completed 7/14/09.
- Construction Doc's were submitted to Miami Gardens Building Department on 7/30/09. Building Department and Public Works comments received. A/E response to the comments is pending.
- A/E terminated during 11/10/09 Council Meeting.
- Negotiations conducted with new A/E to assume design and construction admin for project.
- **Agreement with new A/E will be presented to the City Council for approval.**
- **The project will move forward once all necessary funding has been secured.**
- **City staff has requested the remaining GOB contracts.**

### **North Dade Optimist Park: Design 100% completed, Bid Phase 95% – Anthony Smith**

- Phase I Improvements include: Construction of new 3,000 sq. ft. building including six restrooms, small concession/kitchenette, and storage rooms; paved parking lot with 114 spaces including drainage, irrigation and landscaping, football field & sports lighting relocation and minor landscaping; and construction of a sewer lift station.
- Lift Station - Received approval by MDWASD and DERM.
- Construction Doc's for the Recreation Building & Lift Station submitted to the CMG Building Department for review on 5/27/09.
- Plans resubmitted to the MG Building Department for 2<sup>nd</sup> review on 9/01/09.
- A/E started work for additional services to add a new fence around the property, gates at entrances, irrigation system and building elevations.
- Construction Doc's re-submitted to the MG Building Department for 3<sup>rd</sup> Review on 11/03/09. Re-submittal included all additional service work.
- The Construction Documents for the Recreation Building and site was approved by the MG Building Department on 11/10/09.
- The Construction Documents for Lift Station approved by the MG Building Dept on 12/29/09.
- The Construction Documents for the Recreation Building were denied approval by the MG Public Works on 1/06/10. The Construction Documents were re-submitted to the MG Building Department to address MG Public Works Department comments on 02/10/10.
- The Construction Documents for the Recreation Building were approved by the MG Public Works on 2/23/10.
- The A/E submitted final additional services proposal to revise the construction documents to include security system, fire alarm and phasing of construction on 6/30/10.
- The new ordinance letter, for water connection, was approved by Miami-Dade WASD on 6/29/10. (The original letter expired on 5/7/10.)
- Revised plans, with Fire Alarm and Security System, submitted to Miami-Dade Fire Dept. for concurrent review on 7/28/10. Miami-Dade Fire approved the revised plans on 8/9/10.
- The project was advertised for bids on 9/20/10.
- The bid opening was held on 11/03/10.
- **The city's recommendation of award for the low bid contractor is anticipated to be presented during one of the City Council meeting in 2011.**
- **The issuance of the General Obligations Bond (GOB) was approved by the Board of County Commissioners on 3/1/11. The City is awaiting the GOB contract from Miami-Dade County. The low bid contractor will have the first right of refusal on the award of the contract once the GOB contract has been received from the County.**
- **Once the bid has been approved by the City Council the construction can begin.**

**Miami Carol City Park: Close-out 100% completed, Warranty Period – Anthony Smith**

- Contractor for new Recreation Building and Site Improvements on hold pending final approval of site utility plans from WASD and DERM.

- WASD Water & Sewer Agreement to 4/08/09 City Council Meeting. County Attorneys denied minor revision requested by City Attorney. Submittal of Water & Sewer Agreement pending up-dated "Opinion of Title". Revised Water & Sewer Agreement accepted by WASD on 6/04/09.
- MDWASD, DERM and Miami-Dade Public Works approval received week of 9/07/09.
- Final submittal to MG Building Department on 9/18/09. Construction Documents approved by Miami Gardens Building Department. Miami Gardens Public Works approval pending.
- Kick-off meeting held with contractor, Portland Construction. Miami Gardens Building Permit issued 10/15/09 and construction began on 11/02/09.
- The underground plumbing and electrical were underway December 2009.
- The property address of the new Recreation Building has been changed by the MG Planning & Zoning and Miami-Dade County's Property Appraisal Departments to reflect accurate location.

Certified copy of sheets submitted to Miami-Dade as a revision for review on 1/8/10 because the County permit number had expired. Miami Dade-Fire Dept. approved the drawings on 1/12/10.

- Shell of the Recreation Building was completed March, 2010.
- The installation of the conduit for the security systems is complete.
- The connection to the FPL transformer has been installed. FPL installed the electric meter & the power was turned on 10/14/10.
- The contractor was granted a 5 calendar day time extension due to construction issues beyond their control.
- The project achieved Substantial Completion on 10/21/10.
- Security Guard Service to monitor the Building at night commenced on 10/26/10. Security Guard Services ended on 12/26/10.
- The final punch list was issued to the contractor 11/2/10.
- The contractor completed the punch list & requested Final Inspection on 11/23/10. Final Inspection was performed & approved by A/E and city staff on 11/30/10.
- The A/E and City staff reviewed all close-out and warranty documents. The contractor has submitted all outstanding close-out and warranty documents to the City. The final release of retainage for the contractor is being processed by the City.
- Kick-off meeting was held with communications vendor for the installation of the security systems for the intrusion/burglar alarm and security cameras was held on 11/19/10.
- The security system for the intrusion alarm & security cameras was completed on 12/22/10. The intrusion alarm communications between the Recreation Building and the Police Department has been completed.
- The Network connectivity at the Recreation Building was completed on 1/7/11. The Police Department began monitoring camera activity at the Recreation Building on 1/12/11.
- The ribbon cutting ceremony was held on 1/17/11 and City staff has moved into the building.
- The first reimbursement package was submitted to the County in February 2011 and the payment from the Grant Agency is pending.

- The second reimbursement package was submitted to the Grant Agency in May 2011 and the payment from the County was received on 7/07/11.

## **Brentwood Park Sports Lighting Football Field: Construction 100%, Closeout Phase - J. Allen**

- CIP & Parks Staff met with Electrical Engineer & representatives from Musco Lighting at Park on 4/14/10 to discuss the proposed project. Engineer determined there is enough existing electrical power for Musco light fixtures for football field & future basketball courts.
- CIP staff has developed Master Site Plan to coordinate location of football field, new light poles, future basketball courts and all future components for the Park. Master Site Plan was completed on 5/01/10.
- Musco Lighting has developed design for sports fixtures. Musco provided cost proposal for fabrication of fixtures and electrical design on 5/28/10.
- The Musco cost proposal for the electrical design drawings & the fabrication of the fixtures was presented but not approved by the City Council during the 10/13/10 Council Meeting.
- The Agenda item for the Musco proposal has been revised and it was approved by the City Council during the 10/27/10 meeting.
- The project will be funded by a Community Development Block Grant (CDBG).
- The Lighting Package was received from MUSCO on 11/16/10 for Owner review.
- Owner reviewed completed and approved on 11/16/10.
- Engineering Drawings submitted to CMG Building Department for permit on 12/3/10.
- Engineering Drawings approved by the Building Department on 12/14/10.
- The bid package for the Sports lighting installation was advertised in January 2011.
- Bids were received on 2/17/11 with the lowest responsive responsible bidder selected.
- The manufacturer was released to fabricate the sports lighting equipment on 1/28/11.
- The equipment is scheduled to arrive in Miami on 3/21/11.
- City Staff conducted a Preconstruction Meeting on 3/10/11 with ECS Contracting and the Purchase Order for the work has been issued.
- Construction Began on 3/21/11. The installation was completed during the week of 4/25/11. The project was finished ahead of the scheduled 5/25/11 completion.
- The testing for the light fixtures was completed on 5/10/11.
- **The project close-out is in progress.**

## **Brentwood Park Sports Landscape Irrigation Master Plan: Construction Phase 25%- J. Allen**

- Planning for site irrigation of the football play field has progressed.
- The Landscape Architectural consultant proposal for irrigation system design has been approved by staff. The staff initiated the Purchase Order for the irrigation design work.
- The Landscape Architectural consultant has completed the design. The design was reviewed and approved by staff.

- The Parks Department Staff was not permitted by the Building Department to provide the installation.
- The Landscape Architect has provided revised documents to secure bids for the installation. A bid invitation was advertised for the installation and bids were received in May, 2011. The building permit is complete.
- **The Irrigation system is being installed and approximately 25% completed. The well permit has been issued and the deep well will be drilled shortly.**
- **The laser grading & sod application for the football field was bid and accepted. The delivery of fill proceeded on 7/07/11. Fill will be spread during the weeks of 7/18/11 and 7/25/11 in conjunction with the irrigation system installations.**

### **New Senior Center: Design Phase 15% - Anthony Smith**

- The planning for the renovation of the main building at the Archdiocese site started during in January 2011.
- The Kick-off meeting with A/E was held on 1/19/11.
- Staff requested three proposals for the 40 Year Recertification, Asbestos Survey, and ADA Survey from the A/E. The A/E will also analyze the existing roofing, plumbing and mechanical systems and develop a Master Plan for the facility.
- The A/E submitted the draft proposals on 1/26/11. The final proposals were submitted on 1/28/11. The Purchase Orders for the 3 reports were approved and issued on 1/9/11.
- Work for the 40 Year Recertification, Asbestos Survey & ADA Survey commenced on 2/10/11.
- The A/E performed four site inspections for the various reports the week of 2/14/11.
- The A/E submitted separate draft reports for the 40 year Certification, ADA Survey, Asbestos Survey and Roofing Mechanical on 3/2/11. The Plumbing component was submitted on 3/7/11.
- A meeting was conducted with the A/E and city staff to review the draft reports on 3/14/11. The 40 Year Report was finalized and submitted to the MG Building Department.
- The Building Department conducted inspections of the building during the week of 4/04/11.
- The A/E submitted a proposal to prepare the construction documents to address all of the problems identified by the 40 Year Report and the Building Department.
- **The Purchase Order (PO) for the A/E was issued on 6/10/11.**
- **The A/E commenced with a site visit of the facility in preparation of the As-built drawings along with construction documents for the 40 Year Recertification on 6/13/11.**
- **The A/E submitted the As-built drawings on 7/8/11.**
- **The 60% Construction Documents are scheduled to be submitted on 7/18/11.**

## BUILDING AND CODE ENFORCEMENT (SHARON RAGOONAN)

<b>REVENUES:</b>	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
Building Permits	\$119,934.18	\$134,808.40	\$148,924.47	\$157,523.87	\$98,337.92
Certificates of Occupancy (CO)	\$1,458.50	\$3,375.00	\$2,977.28	\$864.00	\$1,946.14
40 Year Recertification	\$315.00	\$0.00	\$315.00	\$315.00	\$630.00
Overtime Inspection Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unsafe Structures	<u>\$0.00</u>	<u>\$1,102.56</u>	<u>\$0.00</u>	<u>\$1,023.76</u>	<u>\$1,025.40</u>
<b>TOTAL:</b>	<b>\$121,707.68</b>	<b>\$139,285.96</b>	<b>\$152,216.75</b>	<b>\$159,726.63</b>	<b>\$101,939.46</b>

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<b>EXPENDITURES:</b>	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
Salaries & Wages	\$90,310.26	\$91,685.27	\$135,434.12	\$86,922.09	\$85,668.98
Personnel Benefits	\$29,130.48	\$29,392.22	\$40,741.83	\$26,138.76	19523.47
Contract Services	\$40.00	\$116.15	\$841.86	\$882.38	272.91
<i>(Professional Services)</i>					
Operating Expenditures/Expenses <i>(Travel &amp; Per Diem; Postage &amp; Freight; Utilities; Rentals &amp; Leases, etc.)</i>	\$1,098.85	\$901.95	\$407.80	\$1,287.09	1451.72
Operating Expenditures/Expenses <i>(Supplies; Other Operating Expenses; Uniforms; Books; Education &amp; Training, etc.)</i>	\$3,198.41	\$1,827.74	\$3,538.02	\$5,294.91	3359.84
Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Internal City Expenditures	\$40,049.50	\$40,049.50	\$40,049.50	\$40,049.50	\$0.00
Unsafe Structures Expenditures	<u>\$1,798.06</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
<b>TOTAL</b>	<b>\$165,625.56</b>	<b>\$163,972.83</b>	<b>\$221,013.13</b>	<b>\$160,574.73</b>	<b>\$110,276.92</b>

<b>Permit Applications Submitted:</b>	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
Building	186	210	223	229	211
Certificates of Occupancy	9	19	6	2	11
Demolition	3	14	12	10	10
Electrical	79	142	131	102	105
MDC Permit Closure	10	23	25	18	30
Mechanical	32	59	55	48	47
Miscellaneous	35	34	45	55	43
Plumbing	36	67	67	66	51
Public Works	11	10	29	34	18

Recertification	4	7	1	12	2
Zoning	<u>81</u>	<u>79</u>	<u>39</u>	<u>54</u>	<u>25</u>
<b>TOTAL:</b>	<b>486</b>	<b>664</b>	<b>633</b>	<b>630</b>	<b>553</b>

<b>Permits Issued:</b>	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
<b>Building</b>	149	214	208	215	191
<b>Certificates of Occupancy</b>	10	18	9	1	9
<b>Demolition</b>	2	4	14	8	12
<b>Electrical</b>	86	134	115	116	89
<b>MDC Permit Closure</b>	3	15	15	10	8
<b>Mechanical</b>	29	52	53	42	59
<b>Miscellaneous</b>	26	33	27	23	35
<b>Plumbing</b>	32	57	53	66	64
<b>Public Works</b>	11	12	20	30	22
<b>Recertification</b>	1	0	0	0	0
<b>Zoning</b>	<u>55</u>	<u>79</u>	<u>48</u>	<u>48</u>	33
<b>TOTAL:</b>	<b>404</b>	<b>618</b>	<b>562</b>	<b>559</b>	<b>522</b>

<b>Plan Reviews Performed:</b>	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
<b>City Staff</b>					
<b>Building</b>	177	240	239	253	247
<b>Electrical</b>	141	221	175	168	114
<b>Mechanical</b>	70	71	61	44	61
<b>Plumbing</b>	90	123	108	105	96
<b>Structural</b>	101	116	97	98	132
<b>Professional Services</b>					
<b>Building</b>	0	0	0	0	0
<b>Electrical</b>	0	0	0	0	39
<b>Mechanical</b>	0	0	0	0	0
<b>Plumbing</b>	0	0	0	0	0
<b>Structural</b>	<u>0</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>
<b>TOTAL:</b>	<b>579</b>	<b>771</b>	<b>683</b>	<b>668</b>	<b>689</b>

<b>Inspections Performed</b>	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
<b>City Staff</b>					
<b>Building</b>	453	609	692	718	687
<b>Electrical</b>	168	179	178	256	141
<b>Mechanical</b>	63	85	68	88	101
<b>Plumbing</b>	206	217	228	216	253
<b>Professional Services</b>					
<b>Building</b>	0	0	0	0	0
<b>Electrical</b>	10	0	15	0	80

Mechanical	0	0	0	0	0
Plumbing	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL:</b>	<b>900</b>	<b>1,090</b>	<b>1,181</b>	<b>1,278</b>	<b>1,262</b>

UNSAFE STRUCTURE CASES	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
Issued	1	1	0	2	1
Board Hearing	0	0	0	0	0
Demolished	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL:</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>

**CENSUS BUREAU MONTHLY REPORT:**

NEW CONSTRUCTION	<u>02/15 to 03/14</u>	<u>03/15 to 04/14</u>	<u>04/15 to 05/13</u>	<u>05/14 to 06/14</u>	<u>06/15 to 07/15</u>
Commercial Permits	0	0	0	0	0
Total - Construction Value	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Residential Permits	0	6	5	9	6
Total - Construction Value	\$0.00	\$672,025.00	\$487,135.00	\$1,016,250.00	\$665,820.00

**MAJOR PROJECTS:**

1. D R Horton Guardhouse
2. FMU Dorm inspections are on-going.

**CODE ENFORCEMENT (Roderick Potter)**

- Code Compliance Supervisor Octavia Taylor was celebrated as the City's employee of the month.
- Code Compliance was recognized during the annual Code Enforcement Appreciation week.
- In cooperation with the South Florida Water management District (SFWMD) Code Compliance initiated this year's water restriction program.
- Conducted weekly Federal Property Registration Corporation meeting to discuss continued progress of the program.
- Code initiated the tow company registration and permit program.
- Completed the landlord permit inspection project.
- Code Management staff attended the Nuisance Abatement Board hearing.
- Building & Code Department conducted the Guest Services Committee meeting for improved guest satisfaction.
- Code management staff attended demos by Inkforce and New World Systems regarding a new code software system for the Code automation project.
- Code Division Director participated in facility site visits at Midtown towing and Downtown towing.
- Code attended the Rolling Oaks and Scott Lake Neighborhood Crime Watch meetings.

- Conducted the monthly management field zone review.
- Conducted weekly code compliance management meeting.
- Conducted the monthly Housing Division meeting.
- Conducted monthly general staff meeting.
- Attended the Sr. Management meeting for Building & Code management team.

**PERSONNEL**

Staff Development:

- All Code and Building staff attended training for Effective Communication in the Workplace.
- Code and Building Management staff attended the Workplace Morale and Engagement webinar.
- Code Division Director attended the annual Florida Association of Code Enforcement conference.
- All CEO's attended the Gold Coast Association of Code Enforcement (GCACE) network and training.
- All Code Officers received landlord permit and inspections cross-training

<b><u>Licensing Stats</u></b>	<b><u>Mar 11</u></b>	<b><u>Apr 11</u></b>	<b><u>May 11</u></b>	<b><u>June 11</u></b>
New Business Tax Receipts	171	94	71	38
New Certificates of Use	50	37	42	22
New Alarm Permit Accounts	42	4	37	40
New Landlord Permit Accounts	9	37	5	8
Business Tax Receipts Issued	115	76	137	61
Certificates of Use Issued	81	65	111	56
Alarm Permits Issued	139	26	75	35
Landlord Permits Issued	23	19	23	225

<b><u>Housing Stats</u></b>	<b><u>Mar 11</u></b>	<b><u>Apr 11</u></b>	<b><u>May 11</u></b>	<b><u>June 11</u></b>
Re-occupancy Inspections	102	88	82	70
Re-occupancy Applications	84	89	73	64
Re-occupancy Certificates issued	65	50	44	57
Administrative Foreclosure Inspections	7	0	1	5

<b><u>CODE Stats:</u></b>	<b><u>Mar 11</u></b>	<b><u>Apr 11</u></b>	<b><u>May 11</u></b>	<b><u>June 11</u></b>
Business Tax Receipt	154	127	172	173
Inspections				
Certificate of Use Inspections	61	42	137	137
Landlord Permit Inspections	72	102	67	376
Warning Notices Issued	420	218	151	142
Civil Violation Notices Issued	43	84	461	269
Re-Inspections	124	269	207	279
Special Master Hearings	15	16	14	18
Massey Hearings	59	38	32	86
Lien Reduction Amnesty	16	5	7	13
Request Hearings				
Extension Requests	86	70	65	71
Complaints Received	138	89	102	110
Proactive Cases	552	192	437	295
Cases Closed Within 30 Days	38	135	115	94
Cases Closed Within 60 Days	8	9	2	0
Cases Closed Within 90 Days	7	6	0	1
Special Operations-Code	8	9	5	4
Special Events	1	2	0	7
Illegal Signs Removed	595	641	699	543
Phone Calls Received by CEOs	244	218	239	204
Parking Tickets Issued	6	3	4	5
Lien Searches	225	162	240	193
Joint Operations-MGPD	2	1	3	4
PD Requests for CE	17	4	7	17
Abandoned Vehicles - Tagged	10	12	9	14
Abandoned Vehicles - Towed	4	0	1	0

**Note: All totals are from beginning to end of month.**

**ASSISTANT CITY MANAGER (Vernita Nelson)**

- Media & Events Division – Close out of production expenses associated with 2011 Jazz in the Gardens music festival is 100% complete (final report submitted to Council on July 18<sup>th</sup>); Weekly meetings with AEG Live to begin implementation of deliverables for 2012 Jazz in the Gardens music festival; Working North Star on development of CMG Branding concept
- Capital Improvement Projects – Preparation of council agenda items; Assisting with Art in Public Places for Miami Carol City Recreation Center and Amphitheater projects.
- Public Works Department – Preparation of council agenda items

- Procurement – Preparation of agenda items and reports to Council.
- Outreach – Presented Senior Survey and Needs Assessment initiative to Elderly Affairs Committee members
- Conducted Weekly Department/Division Meetings
- City Manager's Office – On-going meetings with consultants related to future City Hall project; Preparation of council agenda items; Assisting with preparation of FY12 budget and facilitating discussions with employees; Meeting with Miami Dade Public Schools to plan for Project Victory program in August 2011; fulfilled public records requests; Conducting Kick-Off Meeting with Strategic Partners ref: Senior Survey and Needs Assessment; Accident Review Committee

#### Additional Meetings:

- 6/21 – Youth Violence Prevention Coalition Meeting @ STU
- 6/22 – Elderly Affairs Committee Meeting
- 6/26 – Progressive Young Adults Committee Meeting @ BTFRC

#### **MEDIA & EVENTS (Ula Zucker)**

- Completed the June 2011 issue of the Community Newspaper. It has been distributed throughout the community and in various locations throughout the City. Visit [www.communitynewspapers.com](http://www.communitynewspapers.com) for an online version. We are currently working on the August issue which will go to press next week.
- Miss Miami Gardens, Janey Tate, participated in the Miss Florida Scholarship Pageant held from July 6<sup>th</sup> through 9<sup>th</sup> in St. Petersburg, Florida. Janey placed in the top 15 of 43 contestants, a first ever for a Miami Gardens contestant.
- Participating in ongoing planning meetings for the 2012 Jazz in the Gardens which include, budgeting, site planning, talent selection and sponsorship. The 2012 events dates are March 17-18, 2012.
- Staff is in the process of organizing all the marketing collateral from the various events (dating back to 2005) the City has hosted. We are also organizing all event photos dating back to 2005.
- Attended the Public Relations Society of America's local PR Professional Development Day. A number of different workshops addressed the changes in the Public Relations discipline as it pertains to social media. This included using social media to pitch to the press; making your news more interactive; the different social media forums that are useful in interacting with the press; and blogging.

- Coordinated and produced various articles and flyers for council for distribution. These included:
  - Hurricane Preparedness article/flyer(Mayor Shirley Gibson)
  - Adopt –A-Tree flyer (Councilwoman Lisa C. Davis)
  - Silver Knights Honorees article (Councilwoman Lisa C. Davis)
  - Meet Me Mondays flyer (Councilwoman Felicia Robinson)
  - Back to School event flyer (Councilwoman Felicia Robinson and Councilman David Williams Jr.)
  - Office Hours flyer (Councilman Oliver Gilbert III)
  - Laptop Awarded to High School Students ((Councilman Oliver Gilbert III)
  - Foreclosure article/flyer (Councilman André Williams)
  - Commission for Women- Girls and Women’s Summit
- Participated in the Citizens Academy and presented information about the Events and Media Department’s operations, services and projects.
- Coordinating Back to School event hosted by Councilwoman Felicia Robinson and Councilman David Williams Jr. The back to school event will be held at the Betty T. Ferguson Recreational Complex on August 6<sup>th</sup> from 10pm-1pm. A limited number of book bags and school supplies will be distributed. Health screenings along with a number of other services will be provided for free.
- The Events and Media Department is working with Sharon Ragoonan on the marketing aspect of the Miami Broward Carnival that may potentially be held in Miami Gardens again in October 2011.
- Our public relations efforts are ongoing. Please visit or contact the Events and Media Division for press clippings, pictures. We are also placing advertisement and purchasing media for the various departments.

## **PURCHASING (Pam Thompson)**

- Prepared and issued eleven bid/RFP:
  - Replacement Housing re-bid 18821 NW 7<sup>th</sup> Avenue
  - Rehabilitation Home 19450 NW 6<sup>th</sup> Avenue
  - Towing Services
  - Design-Build NW 42<sup>nd</sup> Avenue Bridge Replacement
  - City Hall Complex
  - Furnish & Deliver Ready Mix Concrete
  - Flat Tire Road Service
  - Emergency Board-Up Services
  - Parks After School Program
  - NW 38<sup>th</sup> Court Drainage Improvements
  - Tree Removal & Trimming Annual Contract

- Prepared and issued five Quotations:
  - Irrigation Well – Vista Verde
  - Irrigation – Vista Verde
  - Dry Cleaning Services
  - CET Building roof repairs
  - Appraisal Services
- Preparing specifications for the following:
  - Demolition Services – Mt. Hermon Church, 2245 West Bunche Park Dr.
  - Fire Suppression System – postponed insufficient budget
  - Sponsorships for Youth Sports Programs
  - Furnish & Installation of Scoreboards
  - Design-Build Canal Work

Issued 79 Purchase Orders

- Continue to maintain Fixed Assets (ongoing)
- Continue to order and assist with auditing fuel card program
- Continue to train and assist City staff on Eden software
- Continue entering contracts into Contract Management (ongoing)
- Continue assisting vendors with on-line vendor registration Bids & Quotes – bid vendors (ongoing)
- Continue to add current contracts to Procurement Web Page

Purchases \$25,000-\$50,000			
Date	Vendor	Service/Project	Amount
6/22/11	Work 4 U Corp	Rehab Work	\$26,330.00
6/22/11	Seico Construction	Rehab Work	\$31,132.00
6/22/11	Work 4 U Corp	Rehab Work	\$31,400.00

**FLEET SERVICES** (David Motola)

- **Fleet Management Software Utilization (Ongoing)**
  - Repairs are being entered in the data base, and vehicles are being tracked based upon the established preventative maintenance schedule
  - Fuel usage is being entered into the database reflecting both economy and total operating cost
  - Reports are now available to reflect expenditures by repair category or department
  - Units with low utilization are brought to respective management’s attention to make sure they are rotated into service.

- **Fuel Usage (Ongoing)**
- Monthly reports of fuel usage with concern identification provided to all Department Managers for concurrence.
- Fuel invoices are being maintained electronically, master bill.
- Fuel invoices are reviewed and billing errors are reported to Procurement for investigation and resolution.
- Low utilization vehicles are being brought to the attention of department heads.
- Employees are directed to procure fuel within city limits, purchases outside of city limits are brought to the attention of the respective department head.
- In order to prepare for a hurricane, Purchasing has been asked to look into vendors that would provide onsite above ground fuel storage to be used in the event of an emergency.
- **Collision Repair**
- Continue to work closely with vendors, Risk Management, and user department to provide prompt collision repairs within departmental policy and procedures.
- Fleet Service Rep. obtains estimates of crashed vehicles and provides to Risk Manager for review and repair approval.
- During routine vehicle inspections, unreported damage was identified and reported to Risk Management.
- One unit was declared a total loss as a result of collision damage and removed from service.
- Aside from the small number of minor repairs, one Police Patrol unit was involved in a major collision as well as one motorcycle.
- **Graphics**
- a) Remaining K-9 and Building Services units graphics installed on July 13<sup>th</sup>.

- b) Additional graphics ordered to maintain sufficient inventory for vehicles damaged in collisions.
- **Tire Repair / Road Side Assistance** – An inventory of used / temporary tires have been placed in inventory and used on an as needed basis.
- **Warranty Repairs**
- c) Check service repair invoices against vehicle warranty to insure proper billing for services.
- **Vehicle Lot Checks/Inspections**
- Parks' Recreation Division routine vehicle inspections on July 12<sup>th</sup>
- Building and Code routine vehicle inspections performed on July 14<sup>th</sup>
- Public Works routine vehicle inspections performed on July 14<sup>th</sup>
- Fleet Manager performs weekly lot checks, identifying vehicles concerns and notifying department heads when appropriate
- Replace spot light bulbs and missing hubcaps on Patrol cars
- Monthly start up and check City Hall and Parks standby generators
- **PD Hub Caps** - Maintain hubcap inventory for Police vehicles. Additional hub caps procured and placed in inventory.
- **Vendor Inspections** - Regular visits to mechanical and body shop vendors for visual vehicle repair status and updates and drop off and pick up vehicles at various locations.
- **Meetings/Conferences/Events**
- Fleet Admin. attended a Safety Video "For What" on June 13<sup>th</sup> hosted by HR Risk
- Fleet Staff hosted a South Florida Fleet Managers Forum meeting on June 23<sup>rd</sup> to discuss Hurricane Preparedness.
- Fleet Manager presented on June 23<sup>rd</sup> an overview of the Fleet Department objectives and operations at the Citizen Advisory Committee.

- Fleet Staff watched a Web presentation on Fleet Operating Costs by Utilimarc, July12th.
- Both the Fleet Manager and Fleet Representative passed the EVT Fleet Management Certification program for level 1 & 2.
- The Fleet Department published an internal newsletter for employees.
- **Alternative Fuels** – The Fleet Department is looking into converting two existing gasoline units to run on LPG. They are currently in service at Public Works. Awaiting review with gas company for installation of a LPG storage tank.
- **Other Ongoing Fleet Items**
- Fleet Administrator schedules car wash, detail appointments and window tinting services for various departments.
- Responded to multiple service calls for Police, Public Works, Parks Maintenance, Building and Code Enforcement departments, addressing their concerns.
- Fleet Administrator routinely contacts vendors for monthly accounting statements to research and reduce invoices from becoming past due.
- Fleet Administrator process invoices from vendors regarding parts, service, and maintenance repairs on vehicles and equipment.
- Fleet Administrator Prepares requisitions necessary to purchase parts, accessories, maintenance and services.

## **INFORMATION TECHNOLOGY (Ronald McKenzie)**

This Status report covers the activities of the Information Technology Department for the period from 06/16/2011 through 07/20/2011. It is organized into the following areas:

- Significant Accomplishments
- Significant Issues
- Schedule Status
- Travel Activity

Accomplishments from Month:

- Significant Accomplishments

- Ricardo Castillo successfully completed the Certified Chief Information Officer Curriculum and has been granted his certification as a CCIO.
- Installation of the AFIS line at PD. Line connects us to the county and is used by CSI.
- Conducted various meetings with Brandan DeCaro in reference to the New City Hall Complex. Meetings were conducted to discuss reader card placement, electrical and low voltage placement in EOC and Dispatch offices, exterior A/V cameras, internal low voltage considerations and department design.
- Attended Budget Workshop meeting.
- Discussed final budget considerations and decisions with DCM.
- Set up various meeting for Citizen's Academy, Caribbean Affairs, Zoning and other functions.
- Paul Catania has begun to work on the module he created for CD to make necessary changes. He has also completed the necessary changes needed for Code Compliance.
- Continued working with Antranette Pierre to in discussions on the Web Site for the Miami Gardens Chamber of Commerce and functionality. This project will continue, but we expect to launch the website by the end of August.
- Many Website changes occurred. Continued working with the Building Department to provide some new features and pages to their portion. Currently working with PD to provide various updates to the Police Departments web page. Provided various updates to the CD portion and provided various updates for other departments.

- Modified the button on both the CH and PD websites for Cry Wolf.
  
- Many Website Changes for Miami Lakes.
  
- Town Council at Miami Lakes voted to end the contract with CMG for IT services. The date mentioned for termination at the agenda meeting was 9/30/11. DCM Renee Crichton and I met with the Town Manager and our Town POC Amber to discuss transitioning. After the discuss it was agreed that the true date of termination would be 12/1/11 due to knowledge transfer and the town finding a viable internal replacement.
  
- Continued working on an IT SOP for PD and for CH. We will combine the two SOPs into a Department SOP. Working to document all major processes to allow for quicker knowledge transfer.
  
- Continued our weekly conference calls with OSSI to work on correcting issues and outstanding tickets with operation of their software for PD.
  
- Completed Work with the Parks Department to set up the fingerprint reader for volunteer investigations.
  
- Continued Working with Contractor and for low voltage wiring, Intrusion Detection System and Video surveillance camera system needed for the Amphitheater at BTFCC. Contractor has already started work and should be finished by 7/22/11.
  
- Completed the setup of communications at Cloverleaf for the Children's Trust Team. They have an independent phone system and are using Comcast for internet and TV.
  
- Ricardo Castillo and Ron McKenzie sat in as IT advisors for the TML selection committee for a new Building Permitting system.

- IT is working on implementing email in the cloud with Office 365. We will begin migrating users in August and should be completed with CH by September.
- Continued migrating users to Windows 7 and Office 2010.
- Significant Issues
  - Mobility continues to create a major problem for IT in government as well as the private sector. Businesses are having a difficult time keeping up the various different types of PDAs, IPADs, and other devices. It is causing Microsoft Exchange (email) to stall. IT has received IPAD2s and are working on test to secure mobility for the CMG enterprise. The Town of Davie has deployed them for Code and Building remote access. IT will pilot the IPADs to see if it would be practical for CMG. The cost is much cheaper than that of a laptop.
  - Still working to clean up various issues with OSSI.
  - Increase in time and resources being spent on Records Request. May cause a spike in Overtime.
- Travel Activity
  - Ricardo will be attended graduation from CCIO program in July
  - Ron attending ITIL training in August.

## **PUBLIC WORKS DEPARTMENT (TOM RUIZ, DIRECTOR)**

1. Staff continues to clean and maintain bus bench areas throughout the City. This last month we have performed maintenance on bus benches and cans throughout the City. We have also taking on the task of monitoring bus shelters for cleanliness and proper infrastructure. We have also added Swat-a-Litter Bug signs to some of our shelters for public awareness.

2. Staff continues to mow public right-of-ways to ensure that the roadways are aesthetically pleasing. We will continue to detail these areas. The look is very pleasing and it adds foundation to the beautification.
3. Two streets crews continue to repair sidewalks throughout the City. We are not only repairing sidewalks but also roadways, edge of roads, potholes and sinkholes to insure the safety of our residents, and those who visit.
4. Staff continues to trim and prune trees throughout the City. We are within the Hurricane season once again and maintenance is being conducted by pruning problem trees that will be a hazard in a storm.
5. We continue cleaning drains around the City. We have both combination vacuum trucks on the road battling debris and sedimentation within our storm systems. The sweeper truck is also on the roadways each day cleaning curb and gutters around the City, eliminating those pollutants which find a way to our waterways. Clean drains are critical this time of year in the presence of a storm, every cubic inch is necessary.
6. Trans Florida continues to work on the construction of the NW 7 Avenue Road Enhancement Project. The bid price is \$2,981,645. Installation of Drainage System is completed between NW 183 Street & NW 191 Street. Limerock base and curbs completed between NW 183 Street & NW 189 Street - pending first lift of asphalt. Sidewalk completed between NW 183 Street & NW 187 Street, east side of NW 7 Avenue. Electrical underground rough completed between NW 183 Street & NW 189 Terrace. Light pole foundations completed between NW 183 Street & NW 185 Drive. The Contractor continues to work on the east side of NW 7th avenue installing drainage system and constructing concrete sidewalks/driveways & curbs. Traffic is maintained in each direction. All traffic movements, access to businesses and residential areas are maintained.
7. On July 13, 2011, the City Council awarded the Design-Build NW 42 Avenue/NW 179 Street Bridge Replacement-ARRA Project to Community Asphalt Corporation. The bid amount is \$983,658.00.
8. Horizon Contractors has completed the construction of the third LAP Roadway Improvement (ARRA) project. The project accomplishments are: installation of 2350 linear feet of 10 feet wide red stamped concrete sidewalk along the 42 Avenue canal from 171 Street to 179 Street; milled and re-paved along with new pavement markings 1.3 miles of road at 156 Street between 47 avenue and 42 Avenue and 42 Avenue from 156 Street to 167 Street; installed 132 linear feet of guard rail; replaced 48 ADA/connectors; replaced 60 broken sidewalk flags. On July 20, 2011, the office of Tallahassee of Florida Department of Transportation is scheduled to perform an audit.
9. Wrangler Construction continues to work on the construction of the residential drainage improvements project. The approved budget for this project is \$350,000 and covers the area from NW 19 Avenue to NW 21 Avenue and NW 191 Terrace

- to NW 195 Street. For this project the amount \$131,096 was received from South Florida Water Management District (SFWMD) and the City will match it with \$218,904. On May 16, 2011, the construction of the project started. The contractor, Wrangler Construction, has completed installation of all 14 catch basins, 624 linear feet of French drains, and a total of 843 LF of pipe. A total of 1,512 linear feet of sidewalk has been repaired or restored. The contractor is continuing with driveway approaches and swale restorations.
10. The design for Stormwater project for the residential area from NW 38 Court to 38 Avenue and NW 210 Street to 210 Terrace is completed. Project was advertised for bid on July 7, 2011. The total budget amount for this project, including design services is \$172,500, of which \$75,000 was received from SFWMD and the City will match \$ 97,500.
  11. The design for Stormwater project for the residential area from NW 9th Avenue to 10th Place and from NW 191 Street to NW 193 Street is 90% completed. The total budget amount for this project, including design services is \$373,500 of which \$162,500 was received from SFWMD and the City will match \$ 97,500. The plans were forwarded for DERM approval on July 14, 2011.
  12. The design for Stormwater project for the residential area from NW 158 Street to NW 159 Street and from NW 27 Avenue to NW 32 Avenue has started on June 13, 2011. The total budget amount for this project, including design services is \$258,500 of which \$112,500 was received from SFWMD and the City will match \$ 146,000. The survey and geotechnical services are completed. On July 15<sup>th</sup>, 2011 staff met with Kimley – Horn Associates to discuss preliminary design phase.
  13. On June 6, 2011 the construction of irrigation and landscaping improvements along the sound wall have started. The contractor is Orchid Man Landscaping and the bid price is \$47,806. The project consists of installation of irrigation and landscaping on both side of the sound wall along Sunshine State Parkway from 179 Terrace to 183 Street. The irrigation system is completed.
  14. On July 12<sup>th</sup>, staff met with Craven and Thompson to discuss the 75% design phase for the Vista Verde Phase I Road Improvement project.
  15. Public Works issued 23 permits of which 13 for driveways and sidewalk, 7 for utilities, 1 for paving and drainage and 1 for banners 1 for monitoring wells.
  16. On June 17, 2011, the Director met with Councilman David Williams Jr. and the Myrtle Lake Community on lake maintenance due to hydrilla weed growth. We spoke about options on future maintenance to include the Special Taxing District since this is a private lake.
  17. On June 22, 2011, Staff attended the Transportation Improvements Program (TIP) FY 2013-2017 Metropolitan Planning Organization (MPO) Priorities meeting #5.

18. On June 23, 2011, the Director gave a PowerPoint Presentation for the Citizen's Academy.
19. On June 28, 2011, the Director attended a meeting with the Mayor with FDOT and future projects to include two projects on the Palmetto and the Golden Glades Interchange.
20. On June 29, 2011, the Director attended a Hurricane Planning and Recovery Meeting in Broward County.
21. On June 30<sup>th</sup>, 2011, Staff met with the Department of Environmental Resources Management (DERM) in regards to permitting for canal improvements to be completed by the City. The work includes sediment removal, canal bank stabilization, and headwall repairs. This project is being funded by the Natural Resources Conservation Service (NRCS) and the City. The City received the executed Project Agreement and the Notice to Proceed on June 28, 2011.
22. On July 11, 2011, staff attended the Community Traffic Safety Team (CTST) coalition meeting held at the Florida Department of Transportation (FDOT) District 6 headquarters.
23. On July 12, 2011, Staff met with the Public Works Director for the Town of Miami Lakes to coordinate the commencement of street sweeping, by the City of Miami Gardens, within Town boundaries. The interlocal agreement between the City of Miami Gardens and the Town of Miami Lakes for street sweeping services and Community Rating System (CRS) was executed on June 28, 2011.
24. On July 14, 2011, Staff attended a permitting meeting with Miami-Dade Public Works department for the proposed pedestrian bridge (FPID 420914-1-58-01) NW 173rd/NW 175th Street From NW 42nd Court to NW 42nd Avenue. This project is being funded by a Safe Route to Schools grant by FDOT.

## **Keep Miami Gardens Beautiful**

### **Adopt-A-Tree**

- Currently partnering with Miami Dade County for 2011 Adopt A tree, scheduled for July 16<sup>th</sup> at the BTF bldg

### **Miami-Dade Landscape Board Grant**

- Submitted documentations to closeout 183<sup>rd</sup> grant
- City will receive reimbursement in full

### **Vista Verde Garden**

- Arbor, irrigation and fence will soon be installed on property

### **Community Beautification projects**

- Ongoing

## **Summer School Program**

- Partnering with Beacon Hill School to deliver weekly environmental education to students

## **Urban Community Forestry Grants**

- Submitted both packets to the Division of Forestry
- City will receive reimbursement in full for both applications

## **Summer Beautification Awards**

- Reviewing nominations

## **Landscape Maintenance**

- City crews are currently maintaining all landscape areas throughout the city. Mulching, fertilizing and weed barriers have been applied this month
- 175 oak, mahogany, Japanese fern trees and vera woods planted in residential swales.

## **In Class Environmental Education Program**

- 14 elementary schools in the city participated- completed
- Updating curriculum for next school year

## **Fountain Appreciation Luncheon**

- planning with CIAB

## **Community Tree Planting**

- volunteer plantings
- scheduled

## **ASSISTANT CITY MANAGER (Dan Rosemond)**

- **Parks Afterschool & Summer Camp programming-** both of these programs represent a very substantial portion of the Parks Department budget. Earlier this year Council agreed to allow the YMCA to run the City's Summer Camp in order to mitigate further impact to the general fund. Staff is currently soliciting the services of outside agencies for both the Afterschool and Summer Camp programs. Based on the proposals and the capacity of the organizations, Staff will either recommend outsourcing these programs or determine to make adjustments to the fee schedule to reflect a truer cost of operating these programs.
- **Sale of City-owned land-** During this reporting period, Staff has posted signs on all of the parcels currently owned by the City. I have received over 50 inquiries for the various parcels. Most of the inquiries have been from church organizations. We are explaining to inquirers what the City has paid for the parcels and the fact that the price is negotiable. I am also going to be posting the specific property (acreage, zoning, folio, etc) information about the properties on the City's website
- **Dolphin Center Development of Regional Impact (DRI) -** As some of Council may be aware, a DRI exists for several parcels that encompass the city-owned

vacant parcel on N.W. 27<sup>th</sup> Avenue. Part of the benefit to having the DRI abandoned is that it will allow the City to re-zone the parcel for commercial use. I will be working with the City Attorney to fast-track this process within the coming weeks.

- **Economic Development Strategy**– In a previous report, I advised that the City had engaged the FIU Metropolitan Center to conduct a Comprehensive Economic Development Strategy (CEDS) that would govern the City’s economic development efforts going forward for the next several years. A preliminary report was provided and a workshop with key stakeholders was held at City Hall. Due to an extremely low turnout, the Metropolitan Center has agreed to host another workshop in early August.
- **Miami Job Corps Memorandum of Understanding**- In an effort to address the on-going priority of hiring local residents, Staff reached out to Miami Job Corps to assist with providing contractors the people needed based on required skill sets. A memorandum of understanding was approved by Council and executed. This MOU will also assist the Community Development Department in meeting the federal Section 3 requirements.
- **Vista Verde Infrastructure project**- The plans for this project pretty much completed and will be submitted to DERM for their review and permitting. Once that happens, the engineer will finalize the construction documents that will be used to issue an invitation to bid. Staff expects this ITB to be issued sometime in mid-August. Construction is anticipated to commence in November or December.
- **Miami Gardens Honors Program**- This program, while not receiving a lot of fanfare has been successful. The City has filled 4 of the 10 slots made available and the student interns have been getting hands-on experience working with the Departments to which they’ve been assigned. The contract with South Florida Workforce will be extended for another six months thru December 31<sup>st</sup>.

Participated in the following meetings:

- (6-15 & 16-11) All Florida Grantee conference in Orlando, Fl.
- (6-21-11) HUD Consolidated Plan public meeting
- (6-27-11) Housing Finance Authority Board meeting
- (6-28-11) Councilman Gilbert, City Manager, Parks Director
- (6-28-11) Councilman David Williams and rep from Miami Children’s Hospital
- (6-30-11) FIU Metropolitan Center-CEDS workshop
- (7-7-11) Mayor Gibson, City Manager, Parks Director
- (7-8-11) Henry Crespo re: vacant city-owned parcels

## COMMUNITY OUTREACH (Lillie Odom)

- Coordinated, attended and participated in the “Girls & Women Summit Project”.

- Coordinated and directed the five Commissions for Women travel packets to attend the National Association of Commissions for Women to be held in Phoenix, Arizona.
  - Continuing to collect and organize articles, artifacts, signs, stories, booklets and pictures in reference to the city history.
- Met with Dr. Nichols to discuss the future plans to expand the history of the city.

## **Community/ Committee Meetings**

- June 16, 2011 - Attended the Family Fall Festival meeting; held at Sun life Stadium to make plans for the 2011 Festival.
- June 20, 2011– Attended community meeting at Job corp.
- June 22, 2011 – Attended monthly meeting of Elderly Affairs Committee
- June 23, 2011 – Family fall Festival committee meeting.
- June 27, 2011 – Special call meeting of Commission for Women held to make plans for the Women & Girls Summit.
- July 7, 2011 - Special workshop to finalize plans for the Women & Girls Summit.
- Met with the residents of the Miramar Gardens in reference to the newly erected fence, behind their homes, that has blocked access to their backyards.
- July 9, 2011 – Attended and participated in the Summit, approximately 100-150 were in attendance to address the concerns and recommendations of the girls and women in the city. Some of the concerns from the breakout groups were:
  - *a better parent resource center;*
  - *affordable free insurance for your adults;*
  - *Counseling sessions;*
  - *Create a chapter for League of Women Voters in Miami Gardens;*
  - *Ongoing Parenting workshops ;*
  - *Youth workshops*
  - *More and intensive mentoring for young men*
  - *Need mother/daughter organizations*
- July 14, 2011 –Attended monthly meeting for the Commission for Women Advisory Committee
- July 18, 2011- Met with resident to assist with services for her elderly parent.

- July 20, 2011 – Attended the Elderly affairs monthly meeting where the members from Strategic Partners were in attendance to explain the process of the elderly studies.

## **REREATION DEPARTMENT (Kara Petty, Director)**

### **Recreation Division**

#### **Teens' Expanding Horizons Summer Program**

- Teen summer camp began June 13<sup>th</sup> and ends in August. This program is held at Bennett M. Lifter Park
- Participants completed a park cleanup and road side cleaning project this summer.

#### **A.J. King Park**

- Forty participants enjoy line dance
- Line dance classes are held on Wednesday, Thursday, and Friday's from 6pm – 7:30pm with an attendance of 35-40 participants.
- Embracing Girl Power is hosting their summer camp program with a weekly attendance of 20 kids.

#### **Brentwood Park**

- YWCA is hosting their summer camp program with a weekly attendance of 18 kids.
- Registration has begun for youth sports football and cheerleading, teams are currently practicing at BTF Complex.
- Construction on the new field turf installation has begun on the park.

#### **Buccaneer Park**

- Youth tennis lessons take place on Saturdays from 9:00-10:30am.
- Adult tennis meets on Saturday mornings and currently has 15 participants registered.
- Line dancing classes are offered on Tuesdays, Wednesdays and Saturdays from 8:30a.m.-12:00 noon for adults of various ages with 20-25 participants in attendance.

#### **Bunche Park**

- Teen Upward Bound is hosting their summer camp program with a weekly attendance of 44 participants. Teen Upper Bound (TUB) offers a summer camp program Monday through Friday 7:30am-6:30pm for children ages 4-18. TUB offers programs such as mentoring, computer technology, basic life skills, recreational activities, etc.
- On June 25th a Baseball Jamboree took place CMGYS baseball participants received trophies, ate lunch, and enjoyed inflatable bounce houses. There were over one hundred people in attendance.
- The Home Owners Association met on June 26; there were 18-20 people in attendance.

- During inclement weather, there was a power outage to the building; all the computer electronics were destroyed. However, staff is near resolving all the malfunctions.
- Youth sports football season has commenced. Participants are registering and conditioning.

## **Miami Carol City Park**

- Walkers exercise around the park, the building and restrooms open at 7:30a.m.
- Recurring church rentals occur on Sundays.
- Line Dancing classes are held on Tuesday and Thursday nights with an attendance of 35-40 participants.
- YMCA is hosting their summer camp program with a weekly attendance of 20 kids.
- Registration has begun for youth sports football and cheerleading, practice is currently held on site.

## **Myrtle Grove Park**

- Teen Upward Bound is hosting their summer camp program with a weekly attendance of 65 kids.

## **Norwood Park**

- Young Men Christian Association (YMCA) held summer camp where the children engaged in recreational activities. Due to low enrollment, services were transferred to Rolling Oaks Park.
- Youth sports football season has commenced. Participants are registering and conditioning.

## **Rolling Oaks Park**

- Line dancing is held every Thursday night from 6-7:30 pm.
- Adult Tennis has 20 participants in the program meeting on Monday and Thursday nights.
- Neighborhood crime watch meets every third Tuesday of the month.
- Over 30 individuals participate in basketball Monday-Friday evenings
- There are church services held Tuesdays, Wednesdays and Sundays.
- Young Men Christian Association (YMCA) is operating a summer camp program with forty-three participants.
- Youth sports football season has commenced. Participants are registering and conditioning.

## **Scott Park**

- Patrons walk around the park during the mornings and evenings.
- Young Women Christian Association (YWCA) held summer camp where the children engaged in recreational activities. Services were discontinued due to low enrollment.
- RBI Baseball League played their last two games of the season.
- Youth sports football season has commenced. Participants are registering and conditioning.

## Recreation Highlights

- **Summer Camp:** The YMCA is providing summer camp services on City parks. Registrations and financial aid applications are accepted on site at all camp locations.

## Athletics

- **CMGYS Football/Cheerleading:** City of Miami Gardens Youth Football & Cheerleading began practice on June 28th at the following parks. (Scott Park / Rolling Oaks-Vikings, Bunche Park-Cowboys, Miami Carol City Park-Ravens, North Dade Park-Bulldogs, BTFC/Brentwood-Rams,) practice times are from 6pm-8pm. There are currently 237 cheerleading participants registered and 697 football participants registered.
- **Miami Gardens Xpress:** 41 participants competed in the AAU Primary Club Championships on July 12th - 17th in Orlando, Florida, with numerous medals obtained and new records set. All qualified participants from the club championship will be able to compete at the Junior Olympics in New Orleans, Louisiana from July 29th – August 7th.

## **Betty T. Ferguson Recreational Complex**

- **The recreational complex was featured in the Florida Recreation and Parks Association's Facility Showcase which is mailed to all members throughout the state.**

<b>Facility Name</b>	<b>Gross Revenue</b>		
Facility Rentals	\$10,285.00		
<b>Programming</b>	<b>Capacity</b>	<b>Enrolled</b>	<b>Gross Revenue</b>
Martial Arts (contracted)	90	53	\$2,556.00
Shining Stars Afterschool Program	60	0	\$390.00
Get Up and Go! (contracted)	24	0	\$0.00
Drop In		0	\$0.00
Youth Drum Line (contracted)	20	3	\$420.00
Ballet (contracted)	30	26	\$290.00
Intro to Computers (contracted)	24	10	\$328.00
KDO - 6/10/2011	120	37	\$190.00
<b>Seniors</b>	<b>Meeting</b>	<b>Revenue</b>	
Brentwood Goldies	Summer Break	\$0.00	
Rolling Oaks	4	\$65.00	
Buccaneer	4	\$65.00	
Silver Sneakers	343	Undetermined until August	
CMG Senior Memberships (Not Include Silver Sneakers)	62	\$650.00	
<b>Aquatics</b>	<b>Enrolled</b>	<b>Revenue</b>	
Daily Drop-In			
Senior	21	\$21.00	
Adult	131	\$262.00	
Youth	726	\$726.00	
Membership	12	\$144.00	
<b>Water Aerobics</b>			
Daily	151	\$755.00	
Membership	58	\$2,250.00	
<b>Daily Entry</b>		<b>Gross Revenue</b>	
Computer Room		2	\$10.00
<b>Fitness-Daily Drop In</b>			
Fitness-Senior		74	\$222.00
Fitness-Adult		628	\$3,140.00
Fitness-Youth		145	\$435.00
<b>Gymnasium – Daily Drop In</b>			
Gymnasium-Senior		3	\$3.00
Gymnasium-Adult		465	\$930.00
Gymnasium-Youth		737	\$737.00
<b>Package Name</b>		<b>Gross Revenue</b>	
Fitness – Memberships		287	\$12,113.00
Personal Training-Memberships		6	\$840.00
Gymnasium – Memberships		21	\$168.00
<b>Total Gross Revenue</b>			<b>\$37,995.00</b>

## Senior Program

The Senior Program commences every Tuesday at the Betty T. Ferguson Recreational Complex from 10am – 1pm. Seniors engage in a weekly brunch that is health conscious with a varying menu from week to week. Below are some of the activities that took place during the month of April.

### **Participation:**

Registration: 220

Average attendance: 125

SilverSneakers: 343 total participants

### **Revenue Report:**

(May) 54 seniors came at least 8 times this month. At \$24 per person we made \$1,296.00 in reimbursements from the SilverSneakers Program. Please note reimbursements are 30 days behind.

### **Special Guests/Events:**

- June 14<sup>th</sup> Councilman Gilbert and Councilwoman Robinson sponsored a Father's Day luncheon
- June 21<sup>st</sup> presentation on Heart Health and how to maintain a healthy heart
- June 28<sup>th</sup> presentation on hearing loss and treatment

### **Comments:**

Over the course of the next couple months, I will be reviewing the senior program registrations and removing names that have not participated over the past 3 months. I will not register more until the next fiscal year. Depending on how many are not coming on a regular basis (absent 3 or more months) I will open up slots starting October 1, 2011.

## **Current Projects**

### **JANITORIAL AND LANDSCAPING**

	# of Grass Cuts	# of Janitorial Visits	# of Garbage Pick-Ups	Laid Mulch	# of Times Detailed Grounds	Cut/Prune Hedges	Herbicide Grounds	Cut/Prune/Trim Trees	Remove Debris	Sprayed Grounds-Ants	Premises Blown	Trimmed Grounds	Weed Spray	Sprayed & Ring Trees
<b>A.J. King Park</b>	2	22			2	1		1			2	1		
<b>Andover Park</b>		21												
<b>Bennett M. Lifter Park</b>	3	10			3	1					2	2		

Betty T. Ferguson Rec. Complex	7			2	4	1	1	2			4	2	1	1
Brentwood Park	2	11			1						2			
Brentwood Pool		12												1
Buccaneer Park	2	11						1		1	1			
Bunche Church	1	23						2						
Bunche Church Storage	1	23						1						
Bunche Park	5	24				1		3						
Bunche Pool	1	23												
Cloverleaf Park		23												
Inspection Station	1	22												
Jordan Landing														
Miami Carol City Park	6	12			2		1	1		1	1			
Mount Herman	1													
Myrtle Grove Park	2	23				1		1	1					
Myrtle Grove Pool														
North Dade	2	22			1					1	1			
Norwood Park		23												
Norwood Pool		23												
Rolling Oaks Park		23												1
Scott Park	6	22				2	1	3		1				1
Vista Verde Park		11												
183 street /12 avenue														

- All park irrigation systems checked and repaired
- Removed debris from all parks
- Irrigation performed a wet check on all of the parks

## TRADES/IRRIGATION

### Andover Park

- 6/16 Repaired a main line break

### Audrey J. King Park

- 6/13 Replaced all stuck sprinkler heads

### Bennett M. Lifter Park

- 6/29 Unclogged the water fountain
- 7/5 Placed stumps in the parking lot near the signs

### Betty T. Ferguson Recreational Complex

- 6/16 Performed a wet check
- 6/16 Replaced broken heads
- 6/20 Cleaned all the flower beds
- 6/21 Cleaned the rings on all trees
- 6/23 Trouble shoot the system
- 6/24 Repaired a break and trouble shoot the parking lot zone
- 6/29 Patched the storage area roof
- 7/5 Relocated the fire extinguisher
- 7/5 Repaired the hand dryer
- 7/6 Repaired a blowout located on south side of the football field

## **Brentwood Park**

- 6/13 Placed barricades on the park
- 6/16 Removed graffiti
- 6/16 Repaired the playground
- 6/22 Installed a new soap dispenser
- 6/22 Repaired the two dispensers on the wall

## **Brentwood Pool**

- 6/16 Reset the timer for the lights (FPL issue)
- 6/23 Install park signs
- 6/30 Paint the parking lot
- 6/30 Removed shopping carts and returned to individual stores

## **Buccaneer Park**

- 6/29 Barricade and secure the broken pole

## **Bunche Park**

- 6/21 Replaced sprinkler heads causing dry spots
- 7/8 Repaired the broken head near home plate

## **Cloverleaf**

- 6/15 Repaired the basketball rim
- 6/29 Removed the water fountain

## **Miami Carol City Park**

- 6/22 Covered the playground metal with sand
- 6/22 Repaired the fence
- 6/23 Repaired a 3" break
- 6/23 Filled the hole in from the 3" repair

## **Myrtle Grove**

- 6/16 Repaired office lights and door
- 6/20 Cleared water from the front of the sidewalk
- 6/21 Replaced the broken sprinkler heads in front of the building
- 6/22 Repaired the water fountain
- 6/28 Repaired the urinal and water fountain inside the building

## **North Dade**

- 6/22 Repaired the football goal
- 6/29 Placed a tarp on the mulch pallets
- 7/5 Replaced the valves and sprinkler heads
- 7/6 Repaired the main line

## **Norwood Park**

- 6/17 Installed park signs
- 6/22 Repaired playground equipment
- 6/27 Repaired the ice machine
- 6/30 Performed irrigation work

## **Norwood Pool**

- 6/23 Repaired the playground area

## **Rolling Oaks Park**

- 6/16 Cleaned the trailer
- 6/16 Repaired the fence and gate in the overflow parking area
- 6/17 Installed park signs
- 6/21 Closed off the bottom of the trailer

## **Scott Park**

- 6/15 Removed the curb stopper
- 6/20 Installed park signs
- 6/22 Replaced a stuck valve
- 6/22 Trouble shoot the area (two zones inoperable)
- 6/28 Removed graffiti from the playground area
- 6/28 Repaired the wooden fence
- 7/6 Installed the water line for the ice machine

## **Vista Verde**

- 6/15 Install plaque on stone
- 6/24 Install park signs
- 6/29 Cleaned the roof of the building

## **Current Projects**

- Brentwood Park: new irrigation on the entire park and laser grading of the football field is in progress

## **Planning and Zoning Department – (Jay Marder)**

**ZONING** – Jay Marder, Cyril Saiphoo, Nixon Lebrun, Marilu Gunness,

- **Zoning Code Fees** – The new LDR Fees continue to be effective in bringing revenue to the Department. There has been little resistance to the new fees as the services rendered and reviews are cost recovered by the fee.
- **Other Permits Processed:**

Administrative Variance & Waivers	2
Parcel Address Assignment	1
Community Residential/Group Homes	0
Public Hearing	2
Sign Plan	7
Site Plan Review	1
Temporary Sign	2
Tree Removal / Relocation	1
Vehicle Parking Permit	5
Verification Letters	3
Vested Rights Determination	0
Window Sign	7
Sign Related Site Visits	10
ZIP	7
Building Permit Reviews	108
Building Permit Inspections	10
Certificates of Use	36
Pre-Application Meetings	6
Plats	2
Special Events	10

- **The Commons** – A new developer has made an application to build 189 elderly housing unit with future market rate housing and commercial on the partially developed but defunct site on N.W. 27 at N.W. 207 Ave. The application was approved with a covenant being proffered to contribute \$200,000 to improvements at Buccaneer Park. The covenant/declaration has been transmitted to the applicant which be recorded once it is signed. Staff is processing the parking study and site plan approval for the development.
  
- **Public Storage signage** – Public Storage facility on N.W. 27 Avenue south of the Palmetto has applied to modify their existing sign from a pole sign to a monument sign with height and size variances. This application was approved with a modification to the height of the sign from 25.0' to 20.0'. Staff is working with the applicant on the landscape plan submittal.
  
- **Calder Race Track and Casino** – Follow-up meetings resolved issue of rooftop patio. A certificate of use added the nightclub use as an accessory use after the submittal of supportive documents and studies. Processed an administrative variance for 2 hour extension for sale of alcoholic beverages.
  
- **Quantum Storage Systems** – Site plan approval issued for new construction of 45,000 square feet warehouse/office building in the Sunshine State Industrial Park.

- **Green Code Amendments** – LDR amendments for “green code” recommendations as proposed by the City consultant and reviewed by Planning and Zoning are under preparation.
- **Special Events** – In addition to processing many special event requests, participated and provided input to Standard Operating Procedures for Special Events. Also clarified how alcoholic beverage sales requirements interface with special event requirements.
- **Eldorado Furniture** – Met with their attorney regarding sign variance.

## **PLANNING** – Jay Marder, Bhairvi Pandya

- **Dolphin Center South DRI** – Staff has researched the potential to rescind this development which is currently regulated by Miami-Dade County. This includes all property from the Stadium Walmart south to the property the City owns at NW 191 Street. Rescinding the DRI is like abandoning it and would allow the City to rezone our property with much greater flexibility. Met with county zoning staff and spoke to Department of Community Affairs.
- **Dolphin Center North DRI** – This is the other part of the development that includes the Stadium as well as the Water Park. Staff has attended several meetings to monitor this project including the Board of County Commissioners public hearings on the required Comprehensive Plan change and the rezoning with Alcoholic Beverage sales approval.
- **Municipal Transportation Grant for Bicycle/Pedestrian Mobility Plan** – The city ranked high enough in the review criteria for the Metropolitan Planning Organization’s Call for Ideas program to be funded. This approximately \$90,000 Study will be used in creating a master plan for the city and then prioritizing bicycle and pedestrian projects.
- **Bicycle/Pedestrian Funding - Transportation Enhancement Program (TEP) Review Committee**– This is the third time the Planning and Zoning Department has applied for this funding. Our project involves the second phase of a bicycle pedestrian trail on the west side of the City connecting with Risco Park. Jay attended the review committee meeting; all of the projects look very good this time so it will be difficult to rank them. Ranking will be done in August.
- **Monthly Miami-Dade Transportation Planning Council (MPO Staff Technical Committee) Meeting** - Bhairvi attended.
- **Monthly Miami-Dade Planners Technical Committee Meeting** - Bhairvi attended.
- **Annexation Research** – Met with county staff to consider potential steps and procedures to annex property.

- **Town Center Zoning** – The City replaced the old Town Center Zoning District with the Planned Corridor Development Zoning District in the new code. However, staff is drafting a potential modification to create an overlay zone that would provide for more restricted uses than the PCD Zone, more similar to the TCZD. The PCD Zone provides for the inclusion of special master plans.

## HISTORIC PRESERVATION

- **Miami Dade Historic Preservation**
  - **Presentation to City Council was held at the July 6<sup>th</sup> Zoning Meeting.**
  - **Sunshine Arch:** Jay attended the July 20 meeting of the Miami Dade Historic Preservation Board where they unanimously agreed to complete the process of Historic Designation of the Arch at their next meeting.
  - **Historic House on old Archdiocese property** – Staff is meeting with the Ryan Hershberger whose family owned and lived on the site prior to the Archdiocese. We will also be contacting the Claretian Sisters, a group of nuns that lived at the property and in the house itself. Once the building receives a Local Historic Designation from Miami-Dade County, we will work on funding. Renovations are anticipated to cost approximately \$250,000
  - **MiMo Historic District in the Sunshine Industrial Park** – We have a comprehensive study of the area that was funded by the State Division of Historic Archives several years ago. The district nomination now has to be done by the Miami-Dade Historic Preservation Board. This is our third priority; the house is next.

## EDEN – Marilu Gunness, Bhairvi Pandya

- **Parcel Refresh** – Bhairvi – Ongoing, folio addresses show error with zipcode specific to 33055. Per IT CASS certification of each folio address in EDEN database needs to be completed. Bhairvi will complete the CASS project of all 28,530 folio addresses. Monthly update to be provided to ACM. So far 2,730 out of 28,520 addresses have been CASS certified. Completing an average of 500 addresses per day. Estimated completion date is end of September or beginning of October 2010.

## GIS Maps– Bhairvi Pandya

- **Group Home Maps** – 4 maps completed.
- **Group Home Monthly Data** – received monthly group home report from State Department. Integrating all new group homes into database, updating master list and editing map accordingly.
- **Zoning Actions Map** – Ongoing- Created a new Zoning Actions Map based on new zoning districts. The map is interactive with points and parcels highlighted on

it. Upon clicking the desired point, all zoning data relative to that parcel will pop up for review.

- **Census 2010 Map** - Ongoing- Received census data file from Miami-Dade County. Currently working on defining Miami Gardens' census profile for redistricting purposes.

## **OTHER PLANNING AND ZONING DEPARTMENTAL ACTIVITIES**

- **Citizens' Academy** – Prepared and presented a PowerPoint presentation for Citizen's Academy for May 26<sup>th</sup> on Planning and Zoning activities. The presentation was received well and provides a material for other venues to explain the department's functions.