

## MINUTES

CITY COUNCIL MEETING  
TUESDAY, FEBRUARY 4, 2003

CITY HALL COUNCIL CHAMBERS  
10001 N.W. 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:33 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Council members Rolando Piña, Lucy Valdes, Miguel Haddad and Manuel Zardon. Also present was City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Councilman Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Recommendation for landscaping/maintenance services by Marcos Piloto, O.M.B. was added to the agenda as **Item 7a**.
6. **Review of Minutes: January 21, 2003:** Chairman Garcia made a motion to approve the minutes of January 21, 2003, seconded by Councilman Haddad. The motion passed with unanimous consent.
7. **Recommendation for purchase of equipment for Public Works Department/Streets Division:** Mr. Joe Lopez, Public Works Director made the following recommendations after his review of available governmental agency contracts:
  - The purchase of a S300 Bobcat Skid Steer Loader with an 84" angle broom attachment for a total of \$30,829.00, as quoted by Bobcat of Metro Dade through Kippers Tools, under General Services Administration (GSA) Contract No: GS-06F-0018L which expires 3/11/06.

Councilman Haddad made a motion to approve the purchase and to instruct counsel to prepare a resolution memorializing the council's action. Chairman Garcia offered a second and the motion was approved by unanimous consent.

- The purchase of an International chassis model 4400 SBA 4x2 as per State Contract No. 070-700-02-01 with, a non-contract attachment, Rosco 2000 gallon tank and accessories, for \$65,290.00

Councilman Haddad made a motion to approve the purchase and to instruct counsel to prepare a resolution memorializing the council's action. Chairman Garcia offered a second and the motion was approved by unanimous consent.

- The purchase of a Schwarze model A-700 Pneumatic Street Sweeper for \$138,073.36 as per quote from Southern Sewer Equipment Sales, who is honoring a "piggy back" purchase based on the bid by Brevard County titled "Street Sweeper" bid No. B-2-02-74 opened on August 22, 2002.

Chairman Garcia made a motion to approve the recommendation and to instruct counsel to prepare a resolution to memorialize this action. The motion was seconded by Councilman Haddad and approved by unanimous consent.

- 7a. **Recommendation for landscaping/maintenance services:** Mr. Marcos Piloto, Director O.M.B. informed the Council that he had reviewed the sealed bid received from Ground Keepers Environmental Maintenance and Landscape Development totaling \$187,269.00. Based on his review of the proposal, Mr. Piloto recommended entering into a contractual agreement with the responsive bidder for landscaping services. Chairman Garcia made a motion to approve the recommendation and to instruct counsel to prepare a resolution to memorialize this action. The motion was seconded by Councilman Haddad and unanimously approved by voice vote.
8. **Request for approval of water and sewer extension agreements between Shoma Commercial Investments LLC and the City of Hialeah Gardens:** Mr. Albert Nielson, Director, Department of Water and Sewers came forward and asked for the Council's approval of this agreement. Mr. Nielson reported that the agreement had received unanimous approval from the Water Board and had been reviewed by Mr. J. Frost Walker, attorney for the Board. Chairman Garcia received assurance from Mr. Nielson that the additional water service would not affect the current level of service being provided. The Chair moved for approval, seconded by Councilman Haddad. The motion was approved by unanimous consent.
9. **Request for approval of general services agreement with URS Corporation and the City of Hialeah Gardens for the DERM mandated Inflow Filtration (I/I) Study of the City's sanitary sewage system:** Mr. Albert Nielson, Director, Department of Water and Sewers asked the Council to table the item. He informed that additional time was needed to review recent policy changes at URS Corporation that may or may not affect the pending services agreement. Based on Mr. Nielson's request, the Chair made a motion to table the item, seconded by Councilman Haddad and approved by unanimous consent. **(Tabled)**
10. **Discussion regarding exchange of deadlined police vehicles:** Mayor Yioset De La Cruz. Ms. Aida Martinez, Assistant City Attorney came forward to report on the exchange policy the City has been using with respect to deadlined vehicles. Ms.

Martinez explained that the City deadlines a vehicle when the engine is no longer functioning or the vehicle has an excess number of miles. The City of Hialeah exchanges functioning vehicles for these deadlined vehicles that Hialeah in turn sells at public auction. Ms. Martinez added that this exchange policy is beneficial to our City as the vehicles provided by the City of Hialeah are police interceptors with cages in the back for officer safety and are better equipped to handle being turned on for longer periods of time. No action was needed by the Council on this item as it served for informational purposes only.

**11. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING AND ADOPTING A REVISED EMPLOYEE MANUAL; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Ms. Aida Martinez came forward and addressed the issue of updating the City's employee manual. She explained that from the date of the manual's original adoption in 1996, the Council had passed several changes either by ordinance or resolution. The new employee manual would serve to reflect these changes and thereby provide existing employees and new hires with a current manual. Councilman Piña noted sections 14.1, 14.2 and 14.3 of the manual dealing with employee organizations for the record. Thereafter, Councilman Haddad made a motion to approve, seconded by Chairman Garcia and approved by unanimous consent.

- 12. Second Reading for consideration and final adoption of the following ordinances:**  
All those providing testimony on the item for public hearing were asked to stand and be sworn in by Mr. Citrin.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING VARIANCES AND SITE PLAN FOR MR. AND MRS. YIOSET AND JENNY DE LA CRUZ'S RESIDENCE AT N.W. 102 AVENUE AND N.W. 130 STREET. CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 12, BLOCK 1 OF SPLIT RAIL SECTION ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 108, PAGE 3 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOLIO #27-2029-002-0120. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: East of N.W. 102 Avenue and North of 130 Street) (T.R.C. 12-04-02 Vote: approved 6-0; P&Z 01-13-03 Vote: approved 5-0)***

Mr. Citrin read the full title of the ordinance into the record. Mr. Ralph Puig, architect for the project and serving as representative for the applicant was present. Mirtha Gonzalez, Chief Zoning Official, reported the recommendations from both the P & Z Board and the T.R.C. for approval of the site plan and variances. Chairman Garcia explained that this was the last remaining vacant \_ acre lot in the Estates area. As provided for in the past with similar parcels of a non-conforming lot size, variances are needed to allow the construction of a new residence. The Chair opened the public hearing for discussion at 7:59 p.m. Mrs. Gerri Fontanella came forward and addressed the Council. No further testimony was offered. At this time Councilman Haddad made a motion to approve, seconded by Chairman Garcia. The motion was approved unanimously by individualized voice vote. **(Vote 5-0)**

13. **Public Comments:** The following individuals addressed the Council:

Mr. Pablo Alvarez, 10010 N.W. 135 Street, Hialeah Gardens, FL  
 Mrs. Gerri Fontanella, 13425 N.W. 102 Avenue, Hialeah Gardens, FL  
 Mr. Henry Gonzalez, 9895 N.W. 131 Street, Hialeah Gardens, FL

14. **City Attorney's Report** - No Comments

15. **Mayor's Report – Miscellaneous** – Mayor De La Cruz was not present.

16. **Council Members Concerns/Reports – Miscellaneous -**

**Councilman Zardon** – Informed that he would not be present for the next council meeting.

**Councilman Piña** – Also informed that he would be unable to attend the next council meeting because he would be out of town on business.

**Councilwoman Valdes** – No comments.

**Councilman Haddad** – Addressed questions asked by Mr. Pablo Alvarez during Public Comments (Item 13).

**Chairman Garcia** – No comments.

17. **Adjournment** – The meeting was adjourned at 8:13 p.m.

Respectfully submitted:

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Maria L. Joffe  
 City Clerk

"Any person desiring to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

**SCHEDULE OF FUTURE MEETINGS:**

CITY COUNCIL

Wednesday, March 5, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, March 10, 2003, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, March 5, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, February 25, 2003, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, May 14, 2003, 7:00 p.m.