

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, JANUARY 16, 2018
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge A. Merida, and City Attorney J. Frost Walker, III. Councilman Rolando Piña, Councilman Jorge Gutierrez and Mayor Yiozet De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** City Attorney J. Frost Walker led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:** None were offered.
- 6. Review of Minutes: December 5, 2017** Chairman Garcia made a motion to approve the minutes of December 5, 2017. The motion was approved unanimously.
- 7. Public Comments:** No public comments.

8. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE A PORTION THEREOF OF 13300 NW 97TH AVENUE, HIALEAH GARDENS, FLORIDA LEGALLY DESCRIBED AS THE EAST ½ OF THE EAST ½ OF THE EAST ½ OF TRACT 7, SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION #1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA SUBJECT TO PUBLIC HIGHWAYS, COVENANTS, RESTRICTIONS AND ZONING; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH 13300 LLC IN THE AMOUNT OF THREE HUNDRED AND TWENTY THOUSAND DOLLARS (\$320,000.00) IN ADDITION TO REASONABLE CLOSING COSTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Walker read the full title of the resolution into the record. Mr. Joe Lopez, Public Works Director, came forward and explained that this ordinance concerns a gross 1.25 acre parcel that is being purchased in order to relocate Bernie Wilson Park. The funding source is the mitigation cost which is paid by the Florida Department of Transportation (FDOT). The City secured \$1.6 million for Bernie Wilson Park from FDOT and has been negotiating the purchase of the parcel. The parcel has been approved by the State and Federal government for the purpose of mitigating the sale of Bernie Wilson Park. Purchase price is offered at \$320,000 and has been verbally accepted, but not signed. It is based on an appraisal prepared by the City's appraiser. Chairman Garcia asked about the use of any surplus funds. Mr. Lopez answered that the money paid by FDOT is explicitly for the relocation of the Park; if it ends up costing less than that sum, the City can keep the money; if it ends up costing more, the City must take the bill. Chairman Garcia made a motion to approve seconded by Councilman Merida. The motion was passed unanimously. **(3-0)**

9. Second Reading / Public Hearing for consideration and final adoption of following ordinance:

- A) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA CREATING CHAPTER 54 "CROSS-CONNECTION CONTROL PROGRAM", IN THE CITY'S CODE OF ORDINANCES; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR

INCLUSION IN CITY CODE OF ORDINANCES;
PROVIDING AN EFFECTIVE DATE.

Mr. Walker read the full title of the ordinance into the record. Mr. Joe Lopez, Public Works Director, came forward and explained that the purpose of this ordinance is to implement the provisions of Section 62-555.360 of the Florida Administrative Code, promulgated under authority of Part 6 of Chapter 403 of the Florida Statutes, by the Department of Environmental Protection, which "requires public water systems to establish a cross-connection control program to detect and prevent cross-connections that create or may create an imminent or substantial danger to public health." The program will manage, track, and make sure that all back flow preventers are tested yearly. It is a testing program. The program is self-funded; fees are paid by the reporting company. The City has negotiated a contract with BSI, an online company, which will cost the City about \$450 a year. BSI funds itself via a user fee. Chairman Garcia opened the public hearing at 7:36 P.M. No comments were offered and he closed the public hearing at 7:36 P.M. Chairman Garcia proceeded to make a motion to approve, seconded by Councilman Merida. The motion was passed unanimously by individualized voice vote. **(3-0)**

- 10. City Attorney's Report:** Mr. Walker commented that it was a pleasure to be back at City Hall for the next three months filling in for Mr. Charles Citrin.
- 11. Mayor's Report – Miscellaneous:** No comments; The Mayor is in Tallahassee.
- 12. Council Members Concerns / Reports / Board Appointments:** N/A
- 13. Adjournment:** The meeting adjourned at 7:38 P.M.

Respectfully submitted by:

Maria L. Joffee
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 MEETINGS

CITY COUNCIL

Tuesday, February 20, 2018, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, March 12, 2018, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, March 1, 2018, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, February 28, 2018, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, May 1, 2018, 5:30 P.M.