

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, NOVEMBER 1, 2016
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 Jorge Gutierrez, Councilman Jorge A. Merida, Councilman Elmo L. Urra, and Councilman Rolando Piña. Also present were Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes: October 18, 2016.** Chairman Garcia made a motion to approve the minutes of October 18, 2016 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING THE RENEWAL OF THE AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION, STATE OF FLORIDA, AND THE CITY OF HIALEAH GARDENS CONCERNING TURF AND LANDSCAPE MAINTENANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the resolution into the record. Mayor De La Cruz stated that this is the annual renewal of the agreement with FDOT for maintenance of Frontage Road. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING THE ENTERING INTO AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY, THE CITY OF HIALEAH, THE CITY OF HIALEAH GARDENS AND THE MIAMI-DADE EXPRESSWAY AUTHORITY (MDX) FOR NW 107TH AVENUE BETWEEN NW 138TH STREET AND NW 170TH STREET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the resolution into the record. Joe Lopez, Public Works Director, came forward and read highlights from his memo. In response to Chairman Garcia's question Mr. Lopez stated that there is a right-of-way acquisition map in place for 11 parcels have been identified in the city and need to be acquired. He mentioned he is hoping to secure the right-of-way to be donated by the property owners so City does not have to pay. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE SIGNING AND SUBMISSION OF A COORDINATION AND FARE AGREEMENT WITH MIAMI-DADE COUNTY; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the resolution into the record. Mayor De La Cruz mentioned that this resolution was part of the acquisition process for the grant to purchase a bus for the Senior Center. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE PURCHASE OF ONE (1) JOHN DEERE 330G SKID STREET LOADER AND ONE (1) JOHN DEERE 310SI BACKHOE LOADER FOR THE USE OF THE PUBLIC WORKS DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AND UTILIZING OUT-DATED CITY OWNED EQUIPMENT AS TRADE IN FOR THE PURCHASE; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH NORTRAX EQUIPMENT COMPANY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the resolution into the record. Mr. Lopez, Public Works Director, came forward and gave details of the equipment purchase to be used for the infrastructure maintenance in the City. The equipment is listed under the Sheriff's Association contract. The City will be trading in two (2) excavators and one (1) bulldozer and there will be a refund to the City on the trade in. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE PURCHASE OF TWO (2) VACTOR TRUCKS FOR THE USE OF THE WATER AND SEWER DEPARTMENT AND THE STORMWATER UTILITY; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ENVIRONMENTAL PRODUCTS OF FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin mentioned there were changes to the short title of the resolution and then read the resolution with the correction into the record. This was to include the use of the Vactor trucks by the Stormwater Utility and to correct the name of the agreement with Environmental Products of Florida. Mr. Lopez came forward and gave details of

the purchase/lease and mentioned that both units had been budgeted for in each department accordingly and would replace existing older equipment. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA TO PERMIT A DIGITAL SIGN FOR SCHOOL DEVELOPMENT HG II, LLC. AND GRANTING VARIANCES FOR A PYLON SIGN WITH HEIGHT OF 16.34' WHERE 6' IS PERMITTED, AREA OF 68.59 SQUARE FOOT WHERE 32 SQUARE FOOT IS PERMITTED LOCATED AT 7901 NW 103RD STREET, HIALEAH GARDENS, FLORIDA. FOLIO 27-3003-001-0020, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote 3-0)**

Mr. Citrin swore in those that would be testifying of items for second reading and public hearing. Mr. Hugo Arza was present for the applicant and came forward. Mr. Arza respectfully requested that the item be tabled. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)** Mr. Citrin mentioned the item will be rescheduled for the next council meeting.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING VARIANCES ON AN EXISTING SCHOOL SITE FOR A PAVILION ADDITION AND BASKETBALL COURT FOR 8003 FOUNDATION, INC., LOCATION: 8003 NW 103RD STREET, HIALEAH GARDENS, FLORIDA. FOLIOS: 27-3003-001-0110 AND 27-3003-001-0144., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote 3-0)**

Mr. Citrin read the ordinance into the record. Mr. Hugo Arza was present for the applicant. Mirtha Gonzalez, Chief Zoning Official, came forward and read staff recommendation for approval into the record. Variance height is 12' where 8' is permitted and variance of front setback of 9'2" where 50" is permitted. Mr. Arza came forward and gave details about the request for the variance. Mr. Citrin noted that the Technical Review Committee (TRC) vote was 5-1 with Rey Regalado voting against. Chairman Garcia stated his concern that a car could lose control and come onto basketball court. Chairman Garcia stated he would like to see some sort of structure such as a metal or concrete barrier so a car does not plow into children. Mr. Arza clarified

that the wall is 6' of solid block and then a picket fence from the 6' to 12'. The public hearing was opened at 7:54 p.m. No one came forward. The public hearing was closed at 7:54 p.m. Councilman Gutierrez asked if the wall was to go "all the way around". Mr. Arza stated the wall is only on 103rd Street. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

- 10. City Attorney's Report:** Nothing to report.
- 11. Mayor's Report – Miscellaneous:** Nothing to report.
- 12. Council Members Concerns / Reports / Board Appointments:** Nothing to report.
- 13. Adjournment:** The meeting was adjourned at 7:55 p.m.

Respectfully submitted by:

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 MEETINGS

CITY COUNCIL

Tuesday, December 20, 2016, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 12, 2016, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 5, 2017, 11:30 A.M.

WATER AND SEWER BOARD

T.B.A.

POLICE PENSION BOARD

Tuesday, February 7, 2017, 5:30 P.M.