

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, JUNE 2, 2015
CITY COUNCIL CHAMBERS
10001 NW 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, Councilman Rolando Piña Councilman Jorge A. Merida, Councilman Elmo L. Urra, Councilman Jorge Gutierrez, Mayor Yiozet De La Cruz and Mr. Charles A. Citrin, City Attorney.
- 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: May 5, 2015.** Chairman Garcia made a motion to approve the minutes of May 5, 2015 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 AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH MIAMI-DADE COUNTY, FLORIDA REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth came forward and gave details of three resolutions for mutual aid agreements with other law enforcement agencies. The first is with Miami-Dade County. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth remained at the podium and stated that this resolution is for a mutual aid agreement with Miami-Dade Public Schools. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF MIAMI SPRINGS, FLORIDA REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. The mutual aid agreement is with the City of Miami Springs. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE AND INSTALLMENT OF A TELEPHONE SYSTEM FOR THE POLICE DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH LOXIA; WAIVING COMPETITIVE BIDDING DUE TO THE EXISTENCE OF A SOLE PROVIDER; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth gave details of the purchase of a new telephone system for the Police Department. The old system is analog and the department has been having trouble with dropped calls because it is outdated and it is difficult to find replacement parts. The proposal is for a new dual phone system that is both an IP and digital hybrid and will include additional phone lines. The vendor, Loxia who is currently servicing the department's technology needs would be considered a sole provider. Loxia was competitive in pricing and is familiar with the department's system. Funds are available in the police budget for the purchase. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA RATIFYING AND AUTHORIZING THE EXENDITURE OF \$10,000.00 FROM POLICE FORFEITURE FUNDS FOR THE PURPOSE OF PURCHASING AN ADDITIONAL BACK UP SERVER AND HURRICANE PREPAREDNESS EQUIPMENT AND UNIFORMS FOR POLICE OFFICERS OF THE HIALEAH GARDENS POLICE DEPARTMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth gave details for the use of forfeiture funds to purchase an additional backup server and hurricane preparedness equipment and uniforms (weather gear) for police officers. The vendor, Loxia was competitive and is currently servicing the IT for the department. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE SELECTION OF ALBERNI CABALLERO AND FIERMAN LLP AS THE CITY AUDITORS FOR THE LIMITED PURPOSE OF

AUDITING THE HIALEAH GARDENS NORTHWEST DISTRICT SPECIAL ASSESSMENT PROJECT (SCHEDULE OF REVENUES AND EXPENDITURES); AUTHORIZING A CONTRACT BETWEEN THE CITY OF HIALEAH GARDENS AND ALBERNI CABALLERO AND FIERMAN LLP; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. He mentioned that the city had passed a special assessment bond some time ago whereby monies were received from property owners and expensed. For purposes of internal control and for purposes of good accounting the city will have a separate and limited audit conducted and has negotiated a contract with Alberni Caballero and Fierman. The firm is the city's current auditors and their expertise in the city will provide for a lower cost. They have estimated between \$20,000 and \$25,000. After some discussion the firm has agreed to an hourly rate not to exceed the estimated amount unless unforeseen circumstances should arise. Chairman Garcia added that on projects of this type it is customary to conduct an audit in case challenges were to arise, they can be properly addressed. Mr. Citrin agreed that is always appropriate to do an audit when money is received from property owners. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- G) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR DENTAL INSURANCE BETWEEN GUARDIAN AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Aida Martinez Ruiz came forward and gave details of the renewal of the City's dental plan. Employees opt to pay for dental insurance and Guardian is the current provider. After reviewing numerous proposals Ms. Martinez-Ruiz recommended to continue with Guardian as they offered the same rate and the employees would be able to take advantage of rollover benefits. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH UNITED DATA TECHNOLOGIES FOR THE PURCHASE OF COMPUTERS, PRINTERS, MONITORS, TABLETS AND NECESSARY SOFTWARE AND EQUIPMENT FOR THE CITY'S EDUCATIONAL

CENTER PROGRAM/ EDUCATION FIRST WHICH IS BEING FUNDED THROUGH A FLORIDA DEPARTMENT OF EDUCATION GRANT (PROJECT NUMBER 93G-95195-5P001); AUTHORIZING THE AWARDING OF A CONTRACT TO UNITED DATA TECHNOLOGIES; WAIVING OF COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Citrin read the resolution into the record. Mr. Joe Lopez, Public Works Director came forward and gave details of the State grant the City was awarded, through the Florida Department of Education for the purchase of computers, printers, monitors, tablets and other necessary software and equipment to be used at public schools within the City. The program was approved on March 31, 2015 requires that monies be expended by July 1, 2015. An informal RFQ process was adopted and the City received bids from several vendors. The quotes were reviewed and it was recommended to enter into a contract with United Data Technologies which is an MDCPS School Board approved vendor. Mayor De La Cruz added that maintenance for the equipment would be provided by the School Board and that he had met with the principals of the public schools within the City who had provided him with a list of the equipment needed for their particular school. The City is also required to maintain an inventory of the equipment. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- I) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH DADE TECHNOLOGY SOLUTIONS FOR THE PURCHASE OF COMPUTERS, PRINTERS, MONITORS, TABLETS AND NECESSARY SOFTWARE AND EQUIPMENT FOR THE CITY'S EDUCATIONAL CENTER PROGRAM/ EDUCATION FIRST WHICH IS BEING FUNDED THROUGH A FLORIDA DEPARTMENT OF EDUCATION GRANT (PROJECT NUMBER 93G-95195-5P001); AUTHORIZING THE AWARDING OF A CONTRACT TO DADE TECHNOLOGY SOLUTIONS; WAIVING OF COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Lopez, Public Works Director remained at the podium and stated that Dade Technology Solutions is the second vendor, also an approved vendor with the MDCPS School Board and would be providing additional equipment. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. First Reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR RUSSO TIRES TRACT CONCERNING PROPERTY LEGALLY DESCRIBED: ALL OF TRACT "Z", OF "SHOMA COMMERCIAL REPLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161, PAGE 100, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; TOGETHER WITH A PORTION OF TRACT "Y" OF SAID PLAT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 166, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT "Z", SAID POINT BEING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF N.W. 138TH STREET; THENCE SOUTH 50 DEGREES 59'15" EAST ON THE NORTHEASTERLY LINE OF SAID TRACT "Z" AND ITS EASTERLY EXTENSION FOR 327.81 FEET TO THE INTERSECTION WITH A LINE LYING 11.28 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF SAID TRACT "Z"; THENCE SOUTH 39 DEGREES 00'45" WEST FOR 225.83 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEASTERLY LINE OF TRACT "C" OF "HOME DEPOT-HIALEAH GARDENS"; THENCE NORTH 50 DEGREES 59'15" WEST ON SAID NORTHEASTERLY LINE AND ON THE SOUTHEASTERLY LINE OF TRACT "Z" FOR 74.05 FEET; THENCE SOUTH 39 DEGREES 00'45" WEST FOR 35.00 FEET TO THE INTERSECTION WITH A LINE LYING 35.00 FEET SOUTHWESTERLY AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF TRACT "C"; THENCE NORTH 50 DEGREES 59'15" WEST ON SAID PARALLEL LINE FOR 253.62 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID TRACT "C" AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF N.W. 138TH STREET; THENCE NORTH 38 DEGREES 58'58" EAST ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ON THE NORTHWESTERLY LINE OF SAID TRACT "C" AND AFOREMENTIONED NORTHWESTERLY LINE OF TRACT "Z" OF "SHOMA COMMERCIAL REPLAT" FOR 260.83 FEET TO THE POINT OF BEGINNING. LOCATION: 10990 NW 138TH STREET, HIALEAH

GARDENS, FLORIDA. PROVIDING FOR CONDITIONS;
 PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z
 n/a)

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present. Chairman Garcia stated that was first reading and as such an opportunity for public input would be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR BRIDGE POINT CROSSROADS SOUTH; OWNER: CAC REAL ESTATE LLC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 53 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT PROPERTY CONVEYED IN OFFICIAL RECORDS BOOK 27751, PAGE 762, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TRACT 54 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT PROPERTY CONVEYED IN OFFICIAL RECORDS BOOK 5318, PAGE 739 AND OFFICIAL RECORDS BOOK 27751, PAGE 758, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS #: 27-2019-001-0600 AND 27-2019-001-0610, APPROXIMATE LOCATION: BETWEEN NW 107TH AVENUE AND THEORETICAL NW 109TH AVENUE AND BETWEEN NW 142ND STREET AND NW 140TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 6-0; P&Z 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Bryan Latta, Bridge Development Partners, for the applicant was present. Chairman Garcia stated that was first reading and as such an opportunity for public input would be provided upon second reading. Chairman Garcia made a motion to approve,

seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

10. Second Reading / Public Hearing for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA; AMENDING THE CITY CODE CHAPTER 40 ARTICLE II (POLICE PENSION PLAN); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin swore in all those who would be providing testimony on items for Second Reading / Public Hearing and proceeded to read the full title of the ordinance into the record. Mr. Citrin stated that the Police Pension Board had asked that the City amend the code for technical changes made by the IRS and the City has complied. Mr. Austin Stack, an associate at Holland and Knight, LLP came forward and summarized the changes that were made to in order to receive a favorable determination letter from IRS which is required every five years. The changes would not affect any costs to the current pension plan. Chairman Garcia opened the public hearing at 8:07 p.m. No one came forward. He then closed at 8:07p.m. and made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously. **(5-0)**

11. City Attorney's Report: No Comments.

- 12. Mayor's Report – Miscellaneous –** Mayor De La Cruz commented that construction on the new 2506 Brigade museum is about three months from completion and once completed there would be an official opening ceremony. He added that the Botanical Gardens is on schedule to open in the summer of 2016.

- 13. Council Members Concerns / Reports / Board Appointments –** Chairman Garcia noted that he had been by the construction site and was impressed with layout and progress thus far.

- 14. Adjournment -** The meeting was adjourned at 8:08 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

July Recess

PLANNING AND ZONING BOARD

July Recess

TECHNICAL REVIEW COMMITTEE

July Recess

WATER AND SEWER BOARD

Wednesday, June 24, 2015, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, August 4, 2015, 5:30 P.M.