

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, OCTOBER 6, 2015
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 and Councilman Elmo L. Urra. Also present were Mayor Yiozet De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** One item was added to the agenda as 8B.
- 6. Review of Minutes: September 22, 2015.** Chairman Garcia made a motion to approve the minutes of September 22, 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, FLORIDA, AUTHORIZING THE PURCHASE OF NEW COMPUTER SOFTWARE FOR THE BUILDING, CODE COMPLIANCE AND LICENSE DEPARTMENTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH PALADIN DATA SYSTEM; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Mr. Citrin read the full title of the resolution into the record. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and read her memo into the record giving details of the need to purchase new permitting software. The city approached several software companies and received three proposals, Calvin Giordano and Associates, CRW and Paladin Data System. After review the recommendation is to waive competitive bidding and enter into an agreement with Paladin Data System. The company offers low maintenance costs and ease of usage and has existing government contracts with the Cities of Sunny Isle Beach, Lighthouse Point, Highland Beach and Fort Pierce. The monies for the purchase were allocated in the FY2015-16 budget. Councilman Gutierrez indicated Section 2. as worded in the resolution appears to be a scrivener's error. Mr. Citrin stated that the resolution would be corrected to reflect this. Chairman Garcia then made a motion to approve the resolution as amended, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING AN AGREEMENT WITH FIRST SOUTHWEST COMPANY AS THE FINANCIAL ADVISOR FOR THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY RELATED TO ITS CONDUIT FINANCING FOR CATHOLIC HEALTH SERVICES OBLIGATED GROUP; AUTHORIZING AN AGREEMENT BETWEEN THE CITY AND FIRST SOUTHWEST COMPANY; APPROVING AGREEMENTS RELATED TO SAID SERVICES PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. He stated that the city has had a relationship with First Southwest Company since 2002 and in 2007 they served as financial advisor for the original financing, this is a refinancing. There are new federal regulations which require financial advisors to have separate agreements with any authority of the city, which in this case would be the Hialeah

Gardens Health Facilities Authority. Catholic Services approached the city with a supplemental contract and all charges, approximately \$20,000 will be paid by the Archdiocese. Mr. Citrin responded to Chairman Garcia's inquiry as for the need to provide for the waiving of competitive bidding, by indicating that since First Southwest Company is currently the city's financial advisor, and even though this would be a new contract, it is considered an outgrowth of the contract in place. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR TEBA DEVELOPMENT; OWNER: RICARDO URIBE / TEBA DEVELOPMENT, LLC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: : TRACT "A" OF "TEBA SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, AT PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. FOLIO: 27-2019-004-0010. APPROXIMATE LOCATION: SE CORNER INTERSECTION OF NW 112TH AVENUE AND NW 144 STREET, AND SW CORNER OF NW 109 AVENUE AND NW 144 STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin swore in those individuals who would be providing testimony for items on First Reading / Public Hearing. He then read the full title of the ordinance into the record. Ms. Nathale Anton, Project Manager for the project was present and came forward. Mr. Ernesto Jaramillo, representing the owner and having power of attorney on record was also present. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and gave staff recommendations. The project is to construct two warehouse/office buildings, 24,200 square ft. each with 90 parking spaces on approximately 3.7 acres. Mrs. Gonzalez informed that the condition addressed by T.R.C. to move the entrances toward the middle of the site had been met and recommended approval. At this time Ms. Anton proceeded to make a presentation of the project. Chairman Garcia stated that there were no variances for the project and opened the Public Hearing at 7:45 p.m. No comments were offered and the Public Hearing was closed at 7:45 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR SPECIAL EQUIPMENT SERVICES, LLC.; OWNER: ABRAHAM HERNANDEZ / SPECIAL EQUIPMENT, LLC.; CONCERNING

PROPERTY LEGALLY DESCRIBED AS: THE NORTH 1/2 OF TRACT 12, ALL BEING IN THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", OF SECTION 19, TOWNSHIP 52 SOUTH. RANGE 40 EAST AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS THE WEST 40 FEET, AND LESS THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 12 ALSO BEING THE SOUTHEAST CORNER OF NORTH ONE-HALF (N. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE. 1/4) OF SAID SECTION 19; THENCE N02°34'00"W ALONG THE EASTERLY LINE OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE. 1/4) OF SAID SECTION 19 FOR 165.00 FEET TO THE POINT OF BEGINNING; THENCE S89°29'30"W FOR 35.02 FEET TO A POINT ON A LINE PARALLEL WITH AND 35.00 FEET WEST OF THE EASTERLY LINE OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE.1/4) OF SAID SECTION 19; THENCE N02°34'00"W ALONG SAID LINE FOR 36.32 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY 20.51 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°00'51" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 63.00 FEET, A RADIAL LINE THROUGH SAID BEGINNING OF REVERSE CURVE BEARS N40°25'09"E; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY 150.65 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 137°00'51" TO A POINT ON THE EASTERLY LINE OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE. 1/4) OF SAID SECTION 19; THENCE S02°34'00"E ALONG SAID LINE FOR 164.95 FEET TO THE POINT OF BEGINNING. FOLIOS: 27-2019-001-0130 AND 27-2019-001-0121, APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH AVENUE AND SOUTH OF THEORETICAL 150TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full ordinance into the record. Manny Reus, architect for the project was present. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and gave staff recommendations. The applicant is requesting to install a temporary office trailer with truck parking and construction material storage. A discussion

ensued as Chairman Garcia offered his concern over the intended use of the trailer and the interpretation of the city's code in this regard. Mr. Citrin recommended continuing the item to allow for further review. Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

- 11. City Attorney's Report:** No Comments
- 12. Mayor's Report – Miscellaneous –** No Comments
- 13. Council Members Concerns / Reports / Board Appointments:
Water and Sewer Board –** Councilman Merida
- 14. Adjournment –** The meeting was adjourned at 8:01 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, November 17, 2015, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 9, 2015, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, November 5, 2015, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, TBD, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 3, 2015, 5:30 P.M.