

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, April 17, 2012
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:35 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge A. Merida and Councilman Elmo L. Urra. Also present were Mayor Yioset De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña and Councilman Jorge Gutierrez were 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:** A motion to remove Item 8A from the agenda was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved.
- 6. Review of Minutes: April 17, 2012.** Chairman Garcia made a motion to approve the minutes of April 17, 2012 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Proposed Resolutions:

- A) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA, EMPLOYING THE SERVICES OF MR. RENE VIVO, EXPERIENCED AND INTERESTED CITIZEN IN THE AFFAIRS OF CODE ENFORCEMENT, PURSUANT TO THE REQUIREMENTS OF CHAPTER 162 OF THE FLORIDA STATUTES AND CITY CODE SECTION 2-240; PROVIDING FOR EFFECTIVE DATE.

The item was removed from agenda.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE ENTERING INTO AN AGREEMENT WITH TD BANK FOR LOAN PROCEEDS IN THE AMOUNT OF \$4,100,000 FOR THE PURPOSE OF WIDE WATER AND WASTE WASTER INFRASTRUCTURE REHABILITATION AND/OR REPLACEMENT; APPROVING AGREEMENTS RELATED TO SAID LOAN PROCEEDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. The resolution serves to memorialize action taken at the last council meeting authorizing the entering into an agreement for loan proceeds with TD Bank. 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 COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA; AUTHORIZING THE BORROWING BY THE CITY OF NOT TO EXCEED \$4,100,000, SUCH BORROWING TO BE EVIDENCED BY A UTILITY SYSTEM REVENUE NOTE OF THE CITY, FOR THE PURPOSE OF (A) FINANCING ALL OR A PART OF THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM AND (B) PAYING THE COSTS OF ISSUANCE OF THE NOTE; AUTHORIZING THE ISSUANCE OF THE NOTE IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,100,000; PLEDGING TO THE

PAYMENT OF THE NOTE CERTAIN PLEDGED FUNDS, INCLUDING THE NET REVENUES OF SUCH SYSTEM, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS AND ACCOUNTS CREATED UNDER THE RELATED LOAN AGREEMENT AND THE EARNINGS ON SUCH INVESTMENTS; MAKING CERTAIN OTHER COVENANTS FOR THE BENEFIT OF THE HOLDER OF THE NOTE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Citrin stated there would be discussion on this item tonight as he will not be present at the next council meeting for the second reading of this ordinance. Mr. Citrin read the full title of the ordinance into the record. Mr. Piloto, O.M.B. Director came forward and acknowledged that no changes had been made since the discussion that took place during the last council meeting and that the rate was locked in until May 8th at 1.98 fixed for 10 years. He went on to state that the City is set to close tentatively on May 7th and the second reading of this ordinance will take place on May 1st. There will be a second resolution that is required by the bank, which will include the loan agreement and will also be addressed at the Council meeting on May 1st. Mr. Citrin mentioned that Mrs. Lakshmi McGrath, the City's Financial Advisor and Mr. Richard Kuper, the City's Bond Counsel were present at tonight's meeting to answer any questions at this time. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote.

(3-0)

- 11. City Attorney's Report** – Mr. Citrin stated that he will not be present for the next meeting because he will be traveling to Israel. He thanked everyone for allowing him to miss the next meeting, but assured that he will be reviewing the loan agreement documents and that he will return in time for the closing.
- 12. Mayor's Report – Miscellaneous** – Mayor Yioiset De La Cruz gave his recommendation to appoint Mr. Armando Abreu as the Special Master. He commented that Mr. Abreu operates a business in the City and believes he will serve the City well in this capacity. Chairman Garcia made a motion to approve Mayor Yioiset De La Cruz's recommendation, seconded by councilman Merida. The motion was unanimously approved.
- 13. Council Members Concerns / Reports / Board Appointments** –
No comments
- 14. Adjournment** – The meeting was adjourned at 7:44 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, May 15, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, May 7, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, May 3, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, May 23, 2012, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, May 1, 2012, 5:30 P.M.