

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, June 19, 2012
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:37 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 Mr. Charles A. Citrin, City Attorney and Mayor Yioiset De La Cruz. 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:**

RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN INTERLOCAL AGREEMENT WITH SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FOR MUNICIPAL FINANCIAL SUPPORT FOR THE CAMBRIDGE ACADEMY AT HIALEAH GARDENS SENIOR HIGH SCHOOL IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000) PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Garcia made a motion to approve the emergency addition as item 10A, seconded by Councilman Merida. The motion was approved unanimously.

6. Review of Minutes: June 5, 2012. Chairman Garcia made a motion to approve the minutes of June 5, 2012 seconded by Councilman Merida. The motion was unanimously approved.

7. Public Comments: None were offered.

8. Presentation by students of Ernest Graham Elementary/Middle School:
Mrs. Gloria Salvador.

In Spanish, Mrs. Gloria Salvador came forward to thank the Mayor on behalf of the parents and students of Ernest Graham Elementary/Middle School for helping and supporting them by providing the City's banquet hall for their award ceremony. The Mayor translated Mrs. Salvador's comments into English. Shortly after, there was an opportunity for a photo.

9. Request for approval of transfer of 2COP alcohol beverage license for El Nuevo Pio Pio Café Corp., located at 11300 N.W. 87th Court #134, Hialeah Gardens, FL. Owner: Mr. Domingo Rijo.

Applicant Mr. Domingo Rijo was present. Mr. Robert Lorenzo, License Director, came forward to read staff recommendation for approval of the application. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

10. Request for approval of transfer of 2APS alcohol beverage license for Lakeside BP Inc., located at 8314 N.W. 103rd Street, Hialeah Gardens, FL. Owner: Mr. Julio Perez.

Applicant Mr. Julio Perez was present. Mr. Robert Lorenzo, License Director, came forward and gave staff recommendation for approval of the application. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

10A. Emergency Addition:

RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN INTERLOCAL AGREEMENT WITH SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FOR MUNICIPAL FINANCIAL SUPPORT FOR THE CAMBRIDGE ACADEMY AT HIALEAH GARDENS SENIOR HIGH SCHOOL IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000) PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz explained that this is a scholarship program between City of Hialeah Gardens and the Miami-Dade County School board. The scholarship is aimed at allowing students from Hialeah Gardens Senior High School to participate in student-exchange programs in Spain and Argentina. The scholarship will be funded by private donations. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The motion was unanimously approved.

11. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO AGREEMENTS WITH SELECTED CONTRACTORS FOR THE REHABILITATION OF QUALIFIED OWNER-OCCUPIED CONDOMINIUM UNITS AT THE SAMARI LAKES EAST CONDOMINIUMS; 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. Alex David, from Bell David Planning Group, came forward and gave the details on the Samari Lake Condo Rehabilitation Program and the recaptured funds awarded for repairs to units. This resolution serves to qualify contractors for the program who will then bid on the units. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez. The motion was approved unanimously.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE NORTHWEST DISTRICT GRAVITY SEWER IMPROVEMENTS; AUTHORIZING THE PURCHASING OF PEA-ROCK #16 STONE IN THE AMOUNT OF \$13.11 PER TON DELIVERED FOR A TOTAL AMOUNT NOT TO EXCEED \$50,475.00; AUTHORIZING THE AWARDING OF A CONTRACT TO OVERLAND CARRIERS; 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. Joe Lopez, Director of the Public Works Department, came forward and read his memo into the record. In the memo, he made mention to items B, C, D, E, as they all fall under the PW11-110 Northwest District Gravity Sewer. Mr. Lopez confirmed that all items are within the parameters of the budget funded by the assessment. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE NORTHWEST DISTRICT GRAVITY SEWER IMPROVEMENTS; AUTHORIZING AN AGREEMENT WITH OVERLAND CARRIERS FOR THE RENTAL OF A DUMP TRUCK WITH AN OPERATOR IN THE AMOUNT OF \$36.00 PER HOUR; 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. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE NORTHWEST DISTRICT GRAVITY SEWER IMPROVEMENTS; AUTHORIZING THE PURCHASING OF 8" and 10" SDR25 C-900 SEWER PIPES IN AN AMOUNT NOT TO EXCEED \$124,300.00; AUTHORIZING THE AWARDED OF A CONTRACT TO A & B PIPE & SUPPLY; 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. Joe Lopez stated that there is a possibility of a change order for the roadway project. Also, he stated that there have been no other surprises, and all is proceeding as planned. 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, AUTHORIZING THE NORTHWEST DISTRICT GRAVITY SEWER IMPROVEMENTS; AUTHORIZING THE PRE-CAST MANHOLE STRUCTURES WITH RING AND COVER IN AN AMOUNT NOT TO EXCEED \$64,052.70; AUTHORIZING THE AWARDED OF A CONTRACT TO PRE-CAST MANUFACTURING; 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. Joe Lopez assured the Council that due diligence has been done on waiving competitive bidding by seeking proposals, and choosing from the three lowest bidders. 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, AUTHORIZING THE NORTHWEST DISTRICT WATER DISTRIBUTION SYSTEM IMPROVEMENTS; AUTHORIZING THE PURCHASING OF PEA-ROCK #16 STONE IN THE AMOUNT OF \$13.11 PER TON DELIVERED FOR A TOTAL AMOUNT NOT TO EXCEED \$80,000.00; AUTHORIZING THE AWARDED OF A CONTRACT TO OVERLAND CARRIERS; 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. Joe Lopez, Director of Public Works, came forward and read his memo into the record. This memo is in regard to PW11-120, which pertains to items F, G, and H. 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, AUTHORIZING THE NORTHWEST DISTRICT WATER DISTRIBUTION IMPROVEMENTS; AUTHORIZING AN AGREEMENT WITH OVERLAND CARRIERS FOR THE RENTAL OF A DUMP TRUCK WITH AN OPERATOR IN THE AMOUNT OF \$36.00 PER HOUR; 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. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously.

- H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE NORTHWEST DISTRICT WATER DISTRIBUTION SYSTEM IMPROVEMENTS; AUTHORIZING THE PURCHASING OF 4", 6", 12" and 16" CL250 DUCTILE IRON PIPES IN AN AMOUNT NOT TO EXCEED \$1,442,270.00; AUTHORIZING THE AWARDED OF A CONTRACT TO A & B PIPE & SUPPLY; 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. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously.

- I) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF THREE THOUSAND NINE HUNDRED EIGHTY-ONE (3,981) CREDITS FROM THE FLORIDA POWER & LIGHT EVERGLADES MITIGATION BANK IN ORDER TO MITIGATE THE POSSIBLE ENVIRONMENTAL IMPACT OF THE NORTHWEST DISTRICT INFRASTRUCTURE IMPROVEMENTS FOR A TOTAL COST OF \$338,395.00; 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. Joe Lopez, Director of Public Works, came forward and read his memo. He clarified a typo in the original resolution that reads 3,981, when the correct credit number is 3.981. The resolution will be corrected to reflect this. Mr. Lopez mentioned that an environmental consultant had looked at the possibility of purchasing land, and there were no offers available. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- J) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING AN AGREEMENT WITH EIRANOVA ELECTRICAL FOR THE COMPETITION POOL ELECTRICAL WORK IN AN AMOUNT NOT TO EXCEED \$27,100.00; 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. Joe Lopez, Director of Public Works, came forward and read his memo into the record. Mr. Lopez added that this is a housekeeping item. The initial intentions were to complete the electrical work in house. However, the time table for the completion of the project was behind schedule and Mr. Lopez believed the Department would not be able to handle the electrical issue involved therefore he solicited bids for the work needed and selected the lowest bidder. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

12. First Reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR YHOAN & NORMA PITALUGA. LEGAL DESCRIPTION: THE EAST 1/2 OF THE WEST 1/2 OF THE WEST OF 1/2 OF TRACT 5, SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, RECORDED IN MIAMI-DADE COUNTY, FLORIDA. FOLIO #:27-2029-001-0053. CONTAINING 49,489.16 SQUARE FEET OR 1.1 ACRES, MORE OR LESS. APPROXIMATE LOCATION: NORTH SIDE OF NW 133RD STREET AND BETWEEN THEORETICAL NW 99TH AVENUE AND NW 97TH AVENUE, HIALEAH GARDENS, FL. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 5-0; P&Z Vote: n/a)**

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present. Chairman Garcia stated that this was a first reading and as such an opportunity for public input would be provided on second reading. He then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

13. City Attorney's Report – No comments

14. Mayor's Report – Miscellaneous – Mayor Yiozet De La Cruz just wanted to give thanks to Mr. Joe Lopez, Director of Public Works, for the completion of the construction of 89th Avenue and 113th Terrace. The project was completed a week ahead of schedule and the residents in the area are extremely satisfied.

15. Council Members Concerns / Reports / Board Appointments – Councilman Jorge Gutierrez expressed his gratitude to the Mayor and the City for the work at Samari Lakes Condominiums. Chairman Garcia reminded the Council of the need for new appointments to the Water and Sewer Board. Lastly, Chairman Garcia noted that the next meeting will take place in August, due to July recess.

16. Adjournment - The meeting was adjourned at 8:00 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, August 21, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 10, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 6, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, August, 22, 2012, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.