

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, OCTOBER 16, 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 A. Merida, Councilman Jorge Gutierrez and Councilman Elmo L. Urra. Also present were Mr. Charles A. Citrin, City Attorney and Mayor Yioset De La Cruz. Councilman Rolando Piña and 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:** There were none.
- 6. Review of Minutes: October 2, 2012.** Chairman Garcia made a motion to approve the minutes of October 2, 2012 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 MAYOR TO ENTER INTO AN EDUCATION COMPACT BETWEEN THE CITY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOLS AND MADE A PART HEREOF AS EXHIBIT "A"; 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 thanked Ms. Lubby Navarro, Miami-Dade County Public Schools Director of Intergovernmental Affairs and Mr. Roberto Carvalho, Miami-Dade County Public Schools Superintendent, for their hard work in putting the Educational Compact together. The Mayor stated that this agreement is geared towards helping out local schools by providing a year of funding for the Cambridge Program. Although this agreement is based on a one year commitment, he hopes to keep this program functioning for at least 20 more years. Chairman Garcia added that he reviewed the Compact Plan and is looking forward to working with M-DCPS to help benefit the students. Ms. Navarro came forward on behalf of the M-DCPS Superintendent and the M-DCPS Board Member, Perla Tabares Hantman. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CITY MAYOR TO APPLY FOR THE FEDERAL DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM GRANT AVAILABLE THROUGH MIAMI-DADE COUNTY TO APPLY FOR, RECEIVE, EXPEND AND AMEND BYRNE/JAG FORMULA PROGRAM FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF CREATING A RECORDS IMPROVEMENT PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief of Police Van Toth came forward and gave the details of the Jag/Byrne Grant that the City applies for every year. The program is utilized for records improvement programs and other support for the Police Department. 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 AWARD OF A CONTRACT FOR THE CITY'S LANDSCAPING TO GENERAL MOW, LLC d/b/a GROUNDSKEEPERS; WAIVING COMPETITIVE BIDDING AND USING AN EXISTING MUNICIPAL CONTRACT AS ALLOWED BY ORDINANCE 2002-54; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AGREEMENT WITH GENERAL MOW, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; 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, which recommended the City to piggyback onto the agreement between the Village of Palmetto Bay and General Mow, LLC., for grounds maintenance in the best interest of the City of Hialeah Gardens. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. First Reading for consideration and final adoption of the following ordinance

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR BLUE BELL CREAMERIES: LEGAL DESCRIPTION: COMMENCE AT THE MOST WESTERLY CORNER OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 A.K.A. OKEECHOBEE RD., THENCE RUN S50°59'15"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 25 FOR A DISTANCE OF 482.09 FEET, TO THE POINT OF BEGINNING (POB), THENCE RUN N39°00'45"E FOR A DISTANCE OF 332.60 FEET TO A POINT BEING ON THE NORTHERLY LINE OF SAID TRACT "N" OF AFOREMENTIONED SUBDIVISION, THENCE RUN S50°46'28"E ALONG THE DIVIDING LINE OF TRACTS "N" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 144.00 FEET, THIS POINT BEING THE NORTHERLY CORNER OF TRACT "M", THENCE RUN S50°46'28"E ALONG THE DIVIDING LINE OF TRACTS "M" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 106.00 FEET, THENCE RUN S39°00'45"W TO A POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO.25 A.K.A. OKEECHOBEE RD. FOR A DISTANCE OF 331.68 FEET, THENCE RUN N50°59'15"W

ALONG THE NORTH RIGHT OF WAY LINE OF AFOREMENTIONED STATE ROAD NO.25 A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING (P.O.B.) PROPERTY CONTAINS 83,035 SQUARE FEET MORE OR LESS OR 1.910 ACRES MORE OR LESS. AND: COMMENCE AT THE MOST WESTERLY CORNER OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 A.K.A. OKEECHOBEE RD., THENCE RUN S50°59'15"E ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 25 FOR A DISTANCE OF 911.25 FEET, TO THE POINT OF BEGINNING (POB), THENCE RUN N39°00'45"E FOR A DISTANCE OF 330.29 FEET TO A POINT BEING ON THE NORTHERLY LINE OF SAID TRACT "M" OF AFOREMENTIONED SUBDIVISION, THENCE RUN S50°29'02"E ALONG THE DIVIDING LINE OF TRACTS "M" AND "P" OF AFOREMENTIONED SUBDIVISION FOR A DISTANCE OF 179.19 FEET, THENCE RUN S39°00'45"W TO A POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD NO.25 A.K.A. OKEECHOBEE RD. FOR A DISTANCE OF 328.71 FEET, THENCE RUN N50°59'15"W ALONG THE NORTH RIGHT OF WAY LINE OF AFOREMENTIONED STATE ROAD NO.25 A DISTANCE OF 179.16 FEET TO THE POINT OF BEGINNING (P.O.B.) OF SAID PARCEL # 3. PROPERTY CONTAINS 59,034 SQUARE FEET MORE OR LESS OR 1.360 ACRES MORE OR LESS. ALSO KNOWN AS: TRACT "M" AND THE SOUTHEASTERLY 144.00' OF TRACT "N" OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. FOLIO #: 27-2030-014-0131. LOCATION: 13295 WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FL.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; 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)**

- B) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE EXTENSION OF THE EXCLUSIVE FRANCHISE WITH WASTE MANAGEMENT FOR THE PURPOSE OF TRASH AND GARBAGE SERVICES OF THE CITY OF HIALEAH GARDENS AND COLLECTION OF RECYCLABLE MATERIALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin recused himself from this item as he represents Waste Management. Ms. Aida Martinez-Ruiz came to the dais and read the full title of the ordinance into the record. Mr. Alex Gonzalez, representing Waste Management was present for the record. 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)**

- 10. City Attorney's Report:** Mr. Citrin returned to the dais and had nothing to report.
- 11. Mayor's Report – Miscellaneous –** No comments
- 12. Council Members Concerns / Reports / Board Appointments –** Chairman Garcia added that there is a new appointment by Councilman Piña for the Water and Sewer Board. There were no objections and Mr. Justo Bobadilla was appointed as a new member to the Water and Sewer Board.
- 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, November 20, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 3, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

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

WATER AND SEWER BOARD

Wednesday, November 28, 2012, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 6, 2012, 5:30 P.M.