

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, May 3, 2011  
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 Gutierrez, Councilman Elmo L. Urra, and Councilman Jorge A. Merida. Also present were City Attorney Charles A. Citrin and Mayor Yiozet 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:** None were offered
- 6. Review of Minutes:** April 5, 2011. Chairman Garcia made a motion to approve the minutes of April 5, 2011, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

**8. Discussion on PW-11-200 Maintenance & Repair to Pump Stations No. 1,2,4,5,10,11,12,13,14,15,16 & 18:** Mr. Joe Lopez, Public Works Director.

Mr. Joe Lopez, Public Works Director came forward and provided individual cost estimates for repairs to each of the pump stations. The Council at their previous meeting conceptually accepted to reject all bids received for PW-11-200 and allow the Public Works department to undertake the task in house. This would reduce project costs and permit the City to begin work on individual stations as opposed to awarding the contract as a bundle for repairs to all stations. Mr. Lopez also explained the controls that have been put in place regarding costs for the project and the process for selecting vendors. Resolutions will be prepared and brought back to Council to waive competitive bidding and formalize all work contracts. The Chairman made a motion to reject all bids received and allow the Public Works department to proceed with the project, the motion was seconded by Councilman Merida and was unanimously approved. Resolutions will be prepared and brought back to Council to formalize work contracts. Mayor De La Cruz took this opportunity to introduce, Ms. Olga Fulgueiras with the office of Commissioner Jose "Pepe" Diaz who was in attendance at tonight's meeting.

**5. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF A JOHN DEERE 310J BACKHOE TO BE USED BY THE WATER & SEWER DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH NORTRAX, INC.; 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, Public Works Director came forward and read his memo explaining the need to purchase a backhoe for use by the Water and Sewer department to replace nonfunctional and outdated equipment. Competitive bidding will be waived and an existing Florida Sheriff's bid will be used for the purchase. 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 PURCHASE OF A JOHN DEERE 410J BACKHOE TO BE USED BY THE PUBLIC WORKS DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH NORTRAX, INC.; 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, Public Works Director came forward and explained the need to purchase an additional backhoe to add to the current fleet of equipment for use by the Public Works department. Competitive bidding will be waived and an existing Florida Sheriff's bid will be used for the purchase. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**6. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADDING AN EDUCATION ELEMENT TO THE HIALEAH GARDENS COMPREHENSIVE PLAN 2005 – 2025, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and explained that this ordinance serves the requirement by the State Department of Community Affairs that an Education Element be included in the City's Comprehensive Plan. Objections and comments from D.C.A. were addressed and incorporated into the ordinance for final adoption. Chairman Garcia stated that this is a first reading allowing transmittal of the document to D.C.A. and an opportunity for public input will be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR VICENZA AT HIALEAH GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS

19,20,21,22,28,29,30 AND 31, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF "FLORIDA FRUITS LANDS COMPANY'S SUBDIVISION No1" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF SAID SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE S.02° 39' 03" E. ALONG THE EAST LINE OF SAID NORTHWEST ONE QUARTER (N.W. ¼) OF SAID SECTION 33, A DISTANCE OF 659.55 FEET TO ITS INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 19; THENCE S. 89° 36' 11" W., ALONG LAST DESCRIBED EASTERLY EXTENSION AND THE ALONG THE NORTH LINE OF SAID TRACT 19 A DISTANCE OF 785.03 FEET TO THE POINT OF BEGINNING; THENCE S 02° 39' 03" E, A DISTANCE OF 1029.30 FEET; THENCE S 89° 36' 25" W., A DISTANCE OF 504.60 FEET; THENCE N. 50° 58' 30" W., A DISTANCE OF 1136.51 FEET; THENCE N. 39° 01' 30" E., ALONG THE SOUTHEASTERLY LINE OF THE N.W. 92-97 AVENUE CONNECTOR ROAD, A DISTANCE OF 823.62 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID TRACT 31; THENCE N. 89° 36' 06" E., ALONG THE NORTH LINE OF SAID TRACT 31, A DISTANCE OF 271.68 FEET TO THE NORTHEAST CORNER OF SAID TRACT 31; THENCE S. 02° 41' 23" E. ALONG THE EAST LINE OF SAID TRACT 31, FOR A DISTANCE OF 329.75 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 31, ALSO BEING THE NORTHWEST CORNER OF SAID TRACT 19, THENCE N. 89° 36' 11" E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 534.17 FEET TO THE POINT OF BEGINNING; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(T.R.C. Vote: 5-0; P&Z Vote: n/a)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Shahin Etessam was present for the applicant 84A Holdings. Chairman Garcia stated that this was a first reading and as such an opportunity for public input would be provided on

second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(4-0)**

- 9. City Attorney's Report:** Mr. Citrin reported that a selection committee comprised of Mr. Arturo Ruiz, Mr. Marcos Piloto and himself would be meeting tomorrow to review and select from the six proposals received in response to the city's R.F.Q. for Bond and Disclosure Counsel. Mr. Citrin also took this opportunity to comment on the great pride he feels for our soldiers who did a task that took a decade to complete and that he is glad for their safe return. He reminded all that freedom is not easy and does not come for free.
- 10. Mayor's Report – Miscellaneous:** No Comments
- 11. Council Members Concerns / Reports/ Board Appointments:** No comments
- 12. Adjournment:** The meeting was adjourned at 8:06 p.m.

Respectfully submitted by:

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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, June 7, 2011, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, June 6, 2011, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, June 2, 2011, 11:30 A.M.

**WATER AND SEWER BOARD**

Wednesday, May 25,, 7:00 P.M.

**POLICE PENSION BOARD**

.T.B.A.