

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, June 21, 2011
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:31 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, and Councilman Elmo L. Urra. Also present were City Attorney Charles A. Citrin. And Mayor Yiozet De La Cruz. Councilmen Jorge Merida and 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:** Item 8E was removed from the agenda.
- 6. Review of Minutes:** June 7, 2011. Chairman Garcia made a motion to approve the minutes of June 7, 2011, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Adoption of Special Assessment Allocation Report, City of Hialeah Gardens NW District Infrastructure Improvements: Mr. Joe Lopez.

Motion was made by Chairman Garcia to table Item 8 and Items 9 A-D, to allow for staff to arrive, seconded by Councilman Piña. The motion was unanimously approved.

Mr. Joe Lopez, Public Works Director came forward and presented the Preliminary Special Assessment Allocation Report dated June 21, 2011 prepared by Tri-County Engineering, Inc. Mr. Lopez read the overview and terms of the report to define the District and intentions of the project. The District consists of approximately 291 total acres, which is currently contemplated for Industrial, Commercial and Entertainment uses. The total cost of the Improvements to be constructed by the City is estimated at \$11,682,400 with approximately \$3,682,400 allocated to water and wastewater and \$8,000,000 to roadway improvements. The City proposes the costs to be secured by and repaid from special assessments levied on the benefited parcels. Discussion ensued regarding all requirements as dictated by Chapter 170 of the Florida Statutes, Wetlands mitigation, dedication of roadway right-of-ways, project financing and particulars of the individual parcels involved. Concluding discussion, Chairman Garcia made a motion to adopt the report, seconded by Councilman Piña. The motion was unanimously approved. Mr. Citrin took this opportunity to commend Mr. Lopez on his work on the report as did Chairman Garcia.

9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR DENTAL INSURANCE BETWEEN GUARDIAN AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Marcos Piloto, O.M.B. Director came forward on behalf of Mrs. Aida Martinez-Ruiz, Director of Personnel and read her memo into the record recommending to continue with Guardian as a provider of the City's dental insurance. Chairman Garcia made a motion to approve, seconded by Councilman Piña. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF CERTAIN IMPROVEMENTS,

THE COST OF WHICH IS TO BE DEFRAID BY SUCH SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE ADVISABILITY AND PROPRIETY OF SAID ASSESSMENTS AND RELATED IMPROVEMENTS; PROVIDING FOR NOTICE OF SAID PUBLIC HEARING; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. The resolution serves to cover the process for the special assessment including public notice. Chairman Garcia made a motion to approve, seconded by Councilman Piña. The motion was unanimously approved. Mr. Citrin pointed out that Ms. Laskshmi McGrath, the city's financial advisor with First Southwest was in attendance and also complimented her on her work on the project.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF ONE (1) FORD FIESTA S 4 DR VEHICLE TO BE USED BY THE HUMAN SERVICES DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-121 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DON REID FORD, 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. Marcos Piloto, O.M.B. Director came forward and read his memo into the record which provided details of the purchase of a vehicle for the use of the Human Services Department. The purchase will be made by waiving competitive bidding and piggy backing on the current Ste of Florida contract pricing with Don Reid Ford, Inc. Chairman Garcia made a motion to approve, seconded by Councilman Piña. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE POLICE BENEVOLENT ASSOCIATION

COMMENCING UPON RATIFICATION RETROACTIVELY TO OCTOBER 1, 2010 AND EXPIRING ON SETEMBER 30. 2013; PROVIDING FOR THE IMPLEMENTATION OF SUCH AGREEMENT; 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 commented that he would like to approve this resolution which includes raising the retirement age from 50 to 55 and lowering the multiplier pending the approval of the Police Pension Board. Chairman Garcia made a motion to approve the resolution with the stipulation outlined by the Mayor, seconded by Councilman Piña. The motion was unanimously approved.

- E) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE RELOCATION AND RECONSTRUCTION OF AN EXISTING NON-CONFORMING SIGN STRUCTURE PURSUANT TO SECTION 70.20 FLORIDA STATUTES; AUTHORIZING THE EXECUTION OF A CONTRACT BY AND BETWEEN THE CITY OF HIALEAH GARDENS, FLORIDA, CBS OUTDOOR, INC. ("CBS"), A DELAWARE CORPORATION, AND 9880 PALMETTO, LLC, A FLORIDA LIMITED LIABILITY COMPANY; ACCEPTING THE PERMANENT NON-EXCLUSIVE EASEMENT ON PROPERTY OWNED BY 9880 PALMETTO, LCC (THE "AGREEMENT") PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

This item was deleted from the agenda.

10. First Reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING SPECIAL EXCEPTION USE AND SITE PLAN FOR MISS CARUSI LEARNING CENTER. FOLIO # 27-3003-052-0010. LOCATION: 8040 N.W. 95TH STREET, HIALEAH GARDENS, FL. UNITS: 11, 12, 13 AND 14, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote 5-0; P&Z Vote 3-0)

Mr. Citrin read the full title of the ordinance into 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. Chairman Garcia made a motion to approve. The applicant was not present. Mrs. Mirtha Gonzalez, Chief Zoning official was asked to speak on the item. She also stated that this was a first reading and that staff's recommendation was for approval of the item. Councilman Piña seconded the motion and the item was unanimously approved by individualized voice vote. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES BY MODIFYING AND AMENDING ORDINANCE NO. 2008-06, CHAPTER 46-60, TAXATION AND FINANCE, TO ADD A NEW CATEGORY OF BUSINESS CLASSIFICATIONS IN MAJOR GROUP 65, REAL ESTATE, TO WIT: SECTION 6512 OWNERS/OPERATORS OF PROPERTY CONTAINING LEASABLE SPACE IN NONRESIDENTIAL BUILDINGS (SHOPPING CENTERS, INDUSTRIAL BUILDINGS OR WAREHOUSES, AND OFFICE BUILDINGS); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia stated that this was a staff sponsored ordinance and 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 Piña. The motion was unanimously approved by individualized voice vote. **(3-0)**

At this time Chairman Garcia made a motion to remove Item 8 and Items 9 A-D from the table, seconded by Councilman Piña. The motion was unanimously approved.

- 11. City Attorney's Report:** Mr. Citrin commented on the resolution dealing with CBS signage which was removed from tonight's agenda. He hopes to have the item back for the first meeting in August and this action will have served for the City's benefit. Mr. Citrin also commented that this board does things they might not realize have a nice effect on other people's lives. His fourth grade teacher, Mrs. Edith Bleich who would have been 103 in a few weeks recently passed away. Her niece Donna made mention to him that one of the things her aunt most cherished was the plaques the Mayor had given her to commemorate her birthday for the last few years. He wanted to thank the Mayor and Council for this kind gesture.
- 12. Mayor's Report – Miscellaneous:** Mayor De La Cruz wished everyone a happy and safe summer.

- 13. Council Members Concerns / Reports/ Board Appointments:** No comments
- 14. Adjournment:** The meeting was adjourned at 8:02 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, August 16, 2011, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, August 1, 2011, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, August 4, 2011, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, August 24, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.