

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, August 16, 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 A. Merida, Councilman, Jorge Gutierrez and Councilman Elmo L. Urra. Also present were Mr. J. Frost Walker, III serving as counsel. Councilman Piña, Mayor Yioiset De La Cruz and City Attorney Charles Citrin were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Councilman Gutierrez led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes:** August 2, 2011. Chairman Garcia made a motion to approve the minutes of August 2, 2011, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Presentation of Proclamation for Miami-Dade Alzheimer's City Challenge to Mr. Bill Sussman, Chairman of the Miami-Dade Walk: Mayor Yioiset De La Cruz.

Chairman Garcia introduced Mr. Enrique Pineiro who came on behalf of Mr. Bill Sussman. Mr. Pineiro said a few words regarding the affliction of Alzheimer's disease and the efforts being made for treatment. Chairman Garcia then presented Mr. Pineiro with a proclamation from the city on behalf of the Mayor and Council

9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA; AUTHORIZING A CAPITAL PROJECT CONSISTING OF THE ACQUISITION AND CONSTRUCTION OF CERTAIN INFRASTRUCTURE IMPROVEMENTS IN THE NORTHWEST DISTRICT OF THE CITY; AUTHORIZING THE BORROWING BY THE CITY OF NOT TO EXCEED \$10,000,000 TO FINANCE A PART OF THE COSTS OF SAID CAPITAL PROJECT; ACCEPTING THE PROPOSAL OF REGIONS BANK ("LENDER") TO PROVIDE THE CITY WITH A LOAN NOT TO EXCEED \$10,000,000 TO FINANCE A PART OF THE COSTS OF SAID CAPITAL PROJECT; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH SAID LENDER IN SUBSTANTIALLY THE SAME FORM AS ATTACHED HERETO AS EXHIBIT "A" PURSUANT TO WHICH THE CITY WILL ISSUE A SPECIAL ASSESSMENT IMPROVEMENT BOND TO SECURE THE REPAYMENT OF SAID LOAN AND WILL PLEDGE TO THE PAYMENT OF SUCH BOND SPECIAL ASSESSMENTS LEVIED AGAINST BENEFITTED PROPERTY AND COLLECTED FROM THE OWNERS THEREOF AND OTHER MONEYS IN THE FUNDS AND ACCOUNTS HELD PURSUANT TO THE LOAN AGREEMENT; AUTHORIZING THE ISSUANCE OF SUCH BOND IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,000,000 PURSUANT TO THE LOAN AGREEMENT; DESIGNATING SUCH BOND FOR THE EXCEPTION TO THE PROVISIONS CONTAINED IN THE INTERNAL REVENUE CODE OF 1986 WHICH DENY FINANCIAL INSTITUTIONS ANY DEDUCTIONS FOR INTEREST EXPENSE ALLOCABLE TO TAX-EXEMPT OBLIGATIONS; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS IN CONNECTION WITH SAID LOAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Mr. Walker 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 recommending the financing proposal provided by Regions Bank for the Special Assessment Bank Loan RFP 2011-02 as advertised for the NW District improvements. Chairman Garcia confirmed with Mr. Piloto that the city had complied with all public notices and requirements as per Florida Statutes regarding the levying of the special assessment. Chairman Garcia then 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 ENTERING INTO AN AGREEMENT WITH GOVERNMENT SERVICES GROUP, INC.; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GOVERNMENT SERVICES GROUP, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Walker 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 requesting the approval to enter into an agreement with Government Services Group, Inc. to assist in implementing the special assessment program. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

10. Second Reading / Public Hearing for consideration and final adoption of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 40 "HIALEAH GARDENS POLICE PENSION TRUST FUND" OF THE CITY CODE BY AMENDING SECTION 40-214 "NORMAL RETIREMENT AGE" AND SECTION 40-281 "CALCULATION OF BENEFIT AMOUNT" TO IMPLEMENT THE PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PBA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Walker read the full title of the ordinance into the record. Chairman Garcia stated that the item had been discussed on first reading and proceeded to open the public hearing at 7:57 p.m. No one came forward at this time and he therefore closed the public hearing at 7:57 p.m. and made a motion to approve,

seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

- 11. City Attorney's Report:** Mr. Walker sent regards on behalf of Mr. Citrin and relayed a message from him to commend Mr. Marcos Piloto on his hard work and the wonderful job done on a complicated issue; that being the special assessment.
- 12. Mayor's Report – Miscellaneous:** Mayor De La Cruz was absent.
- 13. Council Members Concerns / Reports/ Board Appointments:** No comments
- 14. Adjournment:** The meeting was adjourned at 8:00 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

Wednesday, September 21, 2011, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 26, 2011, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 6, 2011, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, September 28, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.