

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, AUGUST 5, 2008**

**CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:35 p.m. and made comments regarding the first meeting being held in the new council chamber.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge Gutierrez, Councilman Jorge A. Merida and Councilman Rolando Piña. Also present were Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Boy Scout Troop 49 members Austin Garcia and Angel Viera led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Councilman Piña made a motion to delete Resolution K from the agenda, seconded by Councilman Merida. The motion was unanimously approved.
6. **Review of Minutes:** June 17, 2008. Chairman Garcia made a motion to approve the minutes of June 17, 2008, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Presentation of Certificate of Recognition to Boy Scout Troop 49:** Mayor Yioiset De La Cruz.

Chairman Garcia gave details of the Scout Project at Westland Gardens Park where the troop built benches and trash bins for two gazebos. Troop 49 received a Certificate of Recognition for their hard work.

9. **Presentation of Distinguished Public Service Award to Austin W. Garcia Boy Scout Troop 49 Eagle Service Project:** Mayor Yioiset De La Cruz.

Austin Garcia received a Distinguished Public Service Award for the Scout Project at Westland Gardens Park. Recognition plaques will be placed at the gazebo site.

10. **Approval of Water Extension Agreement between the City of Hialeah Gardens and Los Jardines Estates, project location: N.W. 130 Street and N.W. 102 Avenue:** Mr. Albert Nielson, Director of Water and Sewer Department.

Mr. Albert Nielsen, Director of the Water and Sewer Department came forward and gave details on the sewer extension agreement already reviewed and approved by the Water Board. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

11. **Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH AEROTEK E & E FOR THE PURPOSE OF IDENTIFYING AND RECRUITING CANDIDATES FOR THE POSITION OF DIRECTOR OF THE WATER & SEWER DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH AEROTEK E & E; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record memorializing the action taken at the last council meeting. 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 ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF DORAL, FLORIDA REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE EXECUTION

OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS 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. Chief Van Toth came forward and gave details of the agreement. 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, APPROVING THE RENEWAL OF THE AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION; STATE OF FLORIDA; AND THE CITY OF HIALEAH GARDENS CONCERNING TURF AND LANDSCAPE MAINTENANCE; 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 gave details of the renewal agreement. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING AN OWNER INITIATED CHANGE ORDER FOR SITE LIGHTING AT CITY HALL, UNDER CONTRACT NUMBER PW-07-B100; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE CHANGE ORDER WITH E.L.A. CONSTRUCTION CORPORATION; 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. Jose M. Lopez Director of Public Works came forward and explained the need for the change order for site lighting. 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 AN OWNER INITIATED CHANGE ORDER FOR SITE FLOORING AT CITY HALL UNDER CONTRACT NUMBER PW-07-B100; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE CHANGE ORDER WITH E.L.A.

CONSTRUCTION CORPORATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Jose M. Lopez Director of Public Works explained the need for the change order for site flooring. 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 AN OWNER INITIATED CHANGE ORDER FOR ON SITE FIRE LINE AND WATER SERVICES AT CITY HALL, UNDER CONTRACT NUMBER PW-07-B100; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE CHANGE ORDER WITH E.L.A. CONSTRUCTION CORPORATION; 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. Jose M. Lopez Director of Public Work explained the need for the change order for site fire line and water services. 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 EXTENSION OF THE FY2005 HOME CONTRACT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF HIALEAH GARDENS FOR THE SAMARI LAKE EAST CONDOMINIUM REHABILITATION ASSISTANCE PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz gave details regarding the extension of FY 2005 Home Contract between Miami-Dade County and the city for rehabilitation assistance project at Samari Lake Condominium. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF A SCOREBOARD TO BE USED FOR THE WESTLAND

GARDENS EL DUQUE BASEBALL FIELD; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH JUAN DIAZ; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. This resolution serves to memorialize the action taken at the last council meeting. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- I) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE EXTENSION OF AN EXISTING AGREEMENT WITH HERNANDEZ LAWN SPRINKLERS FOR THE PURCHASE OF IRRIGATION TO BE USED FOR THE HIALEAH GARDENS CITY HALL COMPLEX; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXTEND THE CURRENT AGREEMENT WITH HERNANDEZ LAWN SPRINKLERS; WAIVING 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. Jose M. Lopez Director of Public Works came forward and gave details of the extension of the agreement. 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, ENDORSING THE HEALTHCARE REFORM PRINCIPLES IN THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Councilman Rolando Piña sponsored this resolution for support of healthcare reform. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- K) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, SUPPORTING THE EMPLOYEE FREE CHOICE ACT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Resolution K was deleted from the agenda.

12. **First Reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR FDC COMMERCIAL PARK CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF TRACT Z OF SHOMA COMMERCIAL REPLAT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161 AT PAGE 100 OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; TOGETHER WITH A PORTION OF TRACT Y OF SAID PLAT; AND TOGETHER WITH A PORTION OF TRACT "C", HOME DEPOT-HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 166 AT PAGE 62 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A. FOLIO #: 27-2030-015-0090. LOCATION: 10990 N.W. 138 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Councilman Gutierrez stated that he would be abstaining from voting on this item due to professional conflict of interest. Mr. Citrin swore in all those who would be testifying on the item for first reading and read the full title of the ordinance into the record. Ms. Jane Storm was present for the applicant. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input would 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** with Councilman Gutierrez abstaining from voting).

13. **City Attorney's Report:** Mr. Citrin congratulated the Mayor De La Cruz and Mr. Lopez on the new building and also congratulated Boy Scouts Austin Garcia and Angel Viera.
14. **Mayor's Report – Miscellaneous:** Mayor De La Cruz reminded the council members that the city will be hosting a Miami-Dade League of Cities meeting at the Howard Johnson's this Thursday, August 7 to which they are invited to attend.
15. **Council Members Concerns / Reports :** Chairman Garcia thanked everyone for being present.
16. **Adjournment:** The meeting was adjourned at 8:13 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, September 2, 2008, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, August 11, 2008, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 4, 2008, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, September 23, 2008, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.