

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, DECEMBER 2, 2008**

**CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:33 p.m.
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 Assistant City Attorney Mrs. Aida Martinez Ruiz in for City Attorney Charles A. Citrin.
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:** November 18, 2008. Chairman Garcia made a motion to approve the minutes of November 18, 2008, seconded by Councilman. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Certificate of Recognition for Mr. Rodrigo Almada:** Mayor Yioiset De La Cruz.

Mayor De La Cruz congratulated Mr. Rodrigo Almada and presented him with a Certificate of Recognition for his efforts at the American Herat Association Walk which the city participated in.

9. **Discussion of Red Light Traffic Safety (Installation and use of traffic control photographic systems):** Police Chief Van Toth.

Chief Van Toth came forward and gave information regarding the proposed red light enforcement system for the city. Mr. Pete Cucaro representative of American Traffic Solutions was present to answer questions. Mayor De La Cruz commented on efforts to add a left turn signal on the high traffic intersection of NW 103 Street and W. Okeechobee Road to no avail and as a result the city is looking into alternatives to alleviate traffic fatalities. Mr. Cucaro came forward and provided additional information on the specifics of the system. The contract is negotiable, and could be for five (5) years and would be provided at no cost to the city. The company installs and maintains the system for the life of the contract. Chairman Garcia would like to contact other communities that have experience using this system to see what kind of problems, if any, may arise. Mrs. Martinez Ruiz added that the enforcement process would be based on a civil as opposed to a criminal violation. A police officer would have to review the photograph of the violation and approve the citation. Mrs. Martinez-Ruiz also added that time should be taken into consideration for adopting an ordinance to enter into a contract before the legislature takes action in March with legislation that might make changes to the feasibility of the system.

10. **Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH JEM PRODUCTIONS FOR PRINTING SERVICES FOR THE CITY OF HIALEAH GARDENS COMMEMORATIVE MAGAZINE, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Martinez read the full title of the resolution into the record and read Mrs. Adalina Morales' memorandum which detailed the recommendation process which included the three (3) bidders on the project. JEM Productions was the lowest responsible bidder. 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 ENTERING INTO AN AGREEMENT WITH FLORIDA POWER & LIGHT GRANTING AN EASEMENT FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE TO THE NEW RECREATION CENTER TO BE LOCATED INSIDE WESTLAND GARDENS PARK; 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.

Mrs. Martinez Ruiz read the full title of the resolution into the record. Chairman Garcia stated that he is both an employee and shareholder of Florida Power and Light Co. therefore; he will abstain from voting on this item and passed the gavel to Vice Chairman Piña at 8:15 p.m. This is a city initiated request. A motion to approve was made by Vice Chairman Piña, seconded by Councilman Merida. The motion was approved (**Vote 4-0**) with Chairman Garcia abstaining from voting on the item. Vice Chairman Piña returned the gavel to Chairman Garcia at 8:17 p.m.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, CREATING A SECTION ENTITLED "OUTDOOR EVENTS" IN THE CITY LAND DEVELOPMENT REGULATIONS BY CREATING SECTION 78-103; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Martinez Ruiz 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 upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote (**5-0**).

12. **City Attorney's Report:** Mrs. Martinez Ruiz had no comments.

13. **Mayor's Report – Miscellaneous Board Appointment (Personnel Review Board)**

Mayor De La Cruz reminded everyone of the upcoming Festival of Lights event on December 6th at 6:00p.m.

14. **Council Members Concerns / Reports - Board Appointments (Personnel Review Board and Police Pension Board)**

Councilman Gutierrez commented on the first official meeting of the elected board at Samari Lake Condominiums..

15. **Adjournment:** The meeting was adjourned at 8:18 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, December 18, 2008, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 12, 2009, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 9, 2009, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, January 27, 2009, 7:00 P.M.

POLICE PENSION BOARD

Monday, December 15, 2008, 5:30 P.M.