

MINUTES

CITY OF HIALEAH GARDENS TUESDAY, NOVEMBER 20, 2007

HOLLINGSWORTH HALL SENIOR CENTER 10003 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:32 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 Yiozet De La Cruz and 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 6, 2007. Chairman Garcia made a motion to approve the minutes of November 6, 2007, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Opening of Sealed Bids:** Mr. Joe Lopez, Public Works Director
 - **PW-07-120: NW 134th Street Sewer Main Extension**
 - **PW-07-130: NW 135th Street Roadway Project – Asphalt**
 - **PW-07-140: NW 135th Street Roadway Project – Fill**
 - **PW-07-150: NW 135th Street Roadway Project – Sod**

Mr. Jose M. Lopez, Public Works Director came forward and said that no bids had been received and requested to extend the bid deadline until the next council meeting. A discussion ensued and the consensus was to re-advertise the bids. Chairman Garcia made a motion to approve an extension of the bid, seconded Councilman Merida. The motion was unanimously approved.

9. **Proposals for telephone system and data wiring for the new Water & Sewer Department Building:** Mr. Marcos Piloto, O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director came forward and explained his memorandum which outlined the needs of the department and the costs of proposals received regarding the telephone system and computer data wiring for the new Water & Sewer Department building. Chairman Garcia made a motion to approve recommendation of staff to accept the proposal from Streamline Voice and Data, seconded by Councilman Merida. The motion was unanimously approved.

10. **Request for approval of electronic audio/visual equipment for new Council Chamber:** Mr. Marcos Piloto, O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director came forward and gave details of the proposals received for this project. Mayor De La Cruz added his comments on the presentation given by BIS Digital. The city would piggyback on an existing bid awarded to this vendor. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

11. **Request for approval to manufacture dais and executive seating for new Council Chamber:** Mr. Marcos Piloto, O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director, and Mayor De La Cruz gave details of the vendors that were contacted and the price negotiations for the custom-made wood dais and seating for the Council Chamber in the new City Hall building. Pradere Office furniture was chosen as the vendor and the city would piggyback on an existing state contract pricing for the executive seating with this vendor as well. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

12. **Request for approval of auditorium seating for new Council Chamber:** Mr. Marcos Piloto O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director gave details of the vendors contacted for quotes for the auditorium seating for the new Council Chamber currently under construction. Office Xpress provided the most cost effective pricing and the city would piggyback on an existing State contract for the Lancaster auditorium seating. Mayor De La Cruz made comments as to the carpeting, which will fall below the \$10,000.00 threshold needed to bring the purchase

before the council for approval, but will be diligent in price negotiations for this purchase as well. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

13. Proposed Resolutions:

- A) 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 GOVERNMENT COMPLEX TO BE LOCATED ALONG NW 107TH AVENUE AND NW 136TH STREET; 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. Chairman Garcia stated that he is an employee of Florida Power and Light Co. therefore; he will abstain from voting on this item and passed the gavel to Vice Chairman Piña at 7:51 p.m. Mr. Jose M. Lopez, Public Works Director came forward and explained the need for the easement. Vice-Chairman Piña made a motion to approve, seconded by Councilman Merida. The motion was approved with Chairman Garcia abstaining from voting on this item. Vice Chairman Piña returned the gavel to Chairman Garcia at 7:53 p.m.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT FOR THE CONSTRUCTION OF THE BUILD-OUT PORTION OF THE CITY HALL BUILDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH E.L.A. IN THE AMOUNT OF \$1,886, 268.32; 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, Public Works Director came forward and read his detailed memorandum into the record. He requested that the Council approve the second phase of the build-out for the construction of the new City Hall building and enter into an agreement with E.L.A. Construction Corporation. 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 AND RATIFYING THE AGREEMENT FOR THE CITY'S HEALTH INSURANCE BETWEEN VISTA HEALTH PLAN AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mrs. Aida Martinez-Ruiz, Director of Personnel came forward and explained the proposals received by the city's insurance broker. After review, it was recommended that the city continue with Vista Healthplans. In order to maintain the same premium costs to employees and the same coverage a recommendation was also made to enter into an agreement for supplemental insurance with Colonial Supplemental Insurance in order to cover increased hospitalization costs. 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, APPROVING AND RATIFYING THE AGREEMENT FOR THE CITY'S SUPPLEMENTAL HEALTH INSURANCE BETWEEN COLONIAL SUPPLEMENTAL INSURANCE AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. This item provides for the agreement with Colonial Supplemental Insurance as previously explained by Mrs. Martinez-Ruiz. Mr. Citrin stated that he has worked with both Vista Healthplans and Colonial Supplemental Insurance. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

14. First Reading for consideration of the following ordinances:

- A) ORDINANCE AMENDING CHAPTER 58 SECTION 58-38(11) OF THE CODE OF ORDINANCES ESTABLISHING A NEW FEE SCHEDULE OF PERMIT FEES; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. This is a city-initiated request. 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 unanimously approved by individualized voice vote **(5-0)**.

15. Second Reading / Public Hearing for consideration and final adoption of the following ordinances:

Mr. Citrin swore in all those who would be testifying on the item for second reading.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A VARIANCE FOR A MONUMENT SIGN WITH 12 FEET OF HEIGHT WHERE 6 FEET IS PERMITTED AND VARIANCE OF AREA OF 96 SQ. FT. WHERE 32 SQ. FT. IS PERMITTED FOR MINISTERIO INTERNACIONAL EL REY JESUS-HIALEAH INC. CONCERNING LEGALLY DESCRIBED AS: A PORTION OF TRACT 55 TOGETHER WITH THE SOUTH ONE-HALF OF TRACT 58-LYING NORTH AND EAST OF U.S. HIGHWAY NO. 27 (STATE ROAD NO. 25), FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FOLIO #: 27-2033-001-0691. LOCATION: 8833 NW 107 STREET HIALEAH GARDENS, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 4-0; P&Z Vote: 4-0)**

M. Citrin read the full title of the ordinance into the record. Mr. Hector Ordoñez was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Garcia opened the public hearing at 8:06 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:06 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote **(5-0)**.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE 2006-38 FOR HIALEAH GARDENS BUSINESS CENTER INC., FOR A NEW SITE PLAN. LEGAL DESCRIPTION: TRACTS G

AND H SUBDIVISION SHOMA COMMERCIAL ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 160, AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIOS #: 27-2030-014-0070 AND 27-2030-014-0080; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Paul Huizenga was present for the applicant. Councilman Gutierrez stated that he would be abstaining from voting on this item due to professional conflict of interest. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Mrs. Gonzalez requested a sketch of the semi circle before the certificate of occupancy is issued. Chairman Garcia opened the public hearing at 8:10 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:10 p.m. Mayor De La Cruz stated that he was pleased with the new site plan and commended the applicant for the changes. 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).

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR HIALEAH GARDENS GOVERNMENT HUB. LEGAL DESCRIPTION: ALL OF TRACT 31 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 104 AVE AND NW 107 AVE, SOUTH OF NW 137 STREET. FOLIO #: 27-2029-001-0310. TOTAL GROSS AREA: 9.995 ACRES. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote 5-0)**

M. Citrin read the full title of the ordinance into the record. This is a city-initiated request. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and requested approval of the final plat for the Hialeah Gardens Government Hub. Chairman Garcia opened the public hearing at 8:13 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:13 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote **(5-0)**.

16. City Attorney's Report:

Mr. Citrin made comments on his response to the auditors regarding litigation involving the city. The city does not have any pending litigation at this time. He also commended Mr. Piloto on his work in resolving issues with the city's previous pension plan.

17. Mayor's Report – Miscellaneous

Mayor De La Cruz commended Mr. Lopez, Mrs. Gonzalez, Mr. Piloto, and Mr. Ruiz on the work being done on the construction of the new city hall building and for staying on schedule. He also reminded the council members that the Thanksgiving Luncheon at the senior center will be held tomorrow and that five hundred thirty four baskets had been given out to city's needy residents this year.

18. Council Members Concerns/Reports – Board Appointments (Police Pension Board)

Councilman Gutierrez commented on the Thanksgiving baskets given out to appreciative residents and also made comments regarding the Samari Lake case.

19. Adjournment: The meeting was adjourned at 8:21.

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 4, 2007, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 10, 2007, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, December 6, 2007, 4:00 P.M.

WATER AND SEWER BOARD

T.B.A.

POLICE PENSION BOARD

T.B.A.