

## MINUTES

CITY OF HIALEAH GARDENS  
TUESDAY, OCTOBER 18, 2005

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:40 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, and Councilman Jorge A. Merida. Also present were Mayor Yiozet De La Cruz and City Attorney Charles A. Citrin. Council members Manuel Zardon and Rolando Piña were absent.
3. **Invocation:** Chairman Luciano Garcia led the invocation.
4. **Pledge of Allegiance:** Mayor Yiozet De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Item 11I will be placed after Item 10. Motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved.
6. **Review of Minutes:** October 4, 2005. Chairman Garcia made a motion to approve the minutes of October 4, 2005, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Request for approval of 2APS alcohol beverage license transfer of ownership for Meg Enterprises, Inc., 11951 W. Okeechobee Road, Hialeah Gardens, Florida 33016.** Owner: Mr. Joslyn Martinez.

Mr. Joslyn Martinez the applicant was present. Mrs. Aida Martinez-Ruiz, Assistant City Attorney for the License Director, Manace Rodriguez came forward and gave staff recommendations. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. **Request for approval of 2COP alcohol beverage license transfer of ownership for Megano Corporation, Inc., 8725 N.W. 117 Street #12, Hialeah Gardens, Florida 33016.** Owner: Mr. Domingo Antonio Rodriguez.

The applicant was not present. Chairman Garcia made a motion to table the item until the end of the meeting; the motion was seconded by Councilman Merida, and unanimously approved. **(Tabled)**

10. **Opening of sealed bids:**

**PW-05-100 Government Complex Warehouse Building**  
**PW-05-110 Government Water and Sewer Offices**  
**PW-05-120 Hialeah Gardens Police Station**

Mr. Marcos Piloto, O.M.B. Director opened the following bids:

**TGSV Enterprises Inc.:**

PW-05-120 Hialeah Gardens Police Station \$1,954,840.45

**BM Contracting LLC:**

PW-05-110 Government Water and Sewer Offices \$ 759,096.17  
 PW-05-100 Government Complex Warehouse Building \$ 487,276.49

A request was made from staff to review the bids for qualification and make a recommendation at the end of the meeting.

11. **Proposed Resolutions:**

- 1) 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 gave details of the proposals received from Humana and Vista Health Plans. After reviewing the proposals, a recommendation was made to approve Vista Health Plans for the City's health insurance coverage. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

Mr. Citrin read the full title of resolution 11A into the record. Mr. Jose M. Lopez, Director of Public Works was not present. Chairman Garcia made a motion to table Items 11A-11H until Mr. Lopez arrives, the motion was unanimously approved. Chairman Garcia made a motion to change the order of the Agenda and continue with Item 12A.

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

- A) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE #2005-28 TENTATIVE PLAT FOR JANNETTE COVE III, APPROVING A CHANGE OF NAME TO JEANETTE COVE II CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 200 FEET OF TRACT 33 LESS THE NORTH 100 FEET "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1" OF SECTION 3, TOWNSHIP 53 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; LESS THE EAST 27 FEET OF THE NORTH 53.20 FEET THEREOF, SUBJECT TO DEDICATIONS, LIMITATIONS, RESERVATIONS, RESTRICTIONS OR EASEMENTS OF RECORD, IF ANY; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present. 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 (**Vote 3-0**).

- B) *ORDINANCE AMENDING CHAPTER 58 SECTION 58-38(11) OF THE CODE OF ORDINANCES ESTABLISHING A NEW FEE UNDER 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 change. 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 (**Vote 3-0**).

- B) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, RETROACTIVELY REPEALING CITY ORDINANCE NO. 2005-35, WHICH AMENDED ARTICLE 6 OF CHAPTER II, PART III OF ORDINANCE NO. 90-33 TO PROVIDE A SUPPLEMENTAL RETIREMENT BENEFIT OF TWENTY-FIVE DOLLARS PER MONTH (\$25.00) FOR EACH YEAR OF SERVICE NOT TO EXCEED \$250.00 PER MONTH, AND WHICH FURTHER AMENDED ARTICLE 15 OF CHAPTER II, PART V,***

***TO PROVIDE FOR AN INCREASE IN THE PARTICIPANT CONTRIBUTION RATE FROM FIVE PERCENT (5%) TO NINE PERCENT (9%) OF SALARY; AND PROVIDING FOR AN EFFECTIVE***

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 upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 3-0**).

Recess was called at 7:55 p.m.

The meeting reconvened at 8:14 p.m.

**11. Proposed Resolutions:**

Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. The motion was unanimously approved.

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE PURCHASING OF COMPACTABLE MATERIAL FROM JUNER TRUCKING; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH JUNER TRUCKING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the resolution regarding the purchase of compactable materials for the construction of the parking area for the police station, waiving competitive bidding for several vendors. 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 CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE PURCHASING OF COMPACTABLE MATERIAL FROM MAYTIN ENGINEERING; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH MAYTIN ENGINEERING; PROVIDING FOR CONFLICTS;***

***PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the resolution regarding the purchase of compactable materials for the construction of the parking area for the police station, waiving competitive bidding for several vendors. 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, AUTHORIZING THE CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE PURCHASING OF COMPACTABLE MATERIAL FROM OVERLAND CARRIERS; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH OVERLAND CARRIERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the resolution regarding the purchase of compactable materials for the construction of the parking area for the police station, waiving competitive bidding for several vendors. 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 THE CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE ENTERING INTO A CONTRACT WITH JUNER TRUCKING FOR DISPOSAL OF MATERIALS; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH JUNER TRUCKING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the resolution regarding the disposal of unsuitable materials for the construction of the parking area for the police station, waiving competitive bidding for several vendors. 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 THE CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE ENTERING INTO A CONTRACT WITH OVERLAND CARRIERS FOR DISPOSAL OF MATERIALS;**

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the resolution regarding the disposal of unsuitable materials for the construction of the parking area for the police station, waiving competitive bidding for several vendors. 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 THE CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE ENTERING INTO A CONTRACT WITH MAYTIN ENGINEERING FOR DISPOSAL OF MATERIALS; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH MAYTIN ENGINEERING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the resolution regarding the disposal of unsuitable materials for the construction of the parking area for the police station, waiving competitive bidding for several vendors. 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 CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE ENTERING INTO A CONTRACT WITH HERTZ EQUIPMENT RENTAL FOR A FRONT-END LOADER AND A BULLDOZER; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH HERTZ EQUIPMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the equipment rental. The vendors were chosen by equipment availability. 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 CONSTRUCTION OF A PARKING AREA FOR THE PROPOSED POLICE HEADQUARTERS AND BERNIE WILSON PARK; AUTHORIZING THE ENTERING INTO A CONTRACT WITH BRIGGS EQUIPMENT RENTAL FOR AN EXCAVATOR; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH BRIGGS EQUIPMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Jose M. Lopez, Public Works Director came forward and gave details of the equipment rental. The vendors were chosen by equipment availability. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**Item 10. Bids**

Mr. Jose M. Lopez, Public Works Director recommended to approve the bid for the police station submitted by TGSV Enterprises, Inc. subject to negotiations with the contractor and the bid being in compliance. The bids for the Water and Sewer Department offices and the Government Complex were found to be non-conforming, as performance bonds were not provided. A recommendation for extending the bid process for the offices and government complex until November 1, 2005 was made by staff. Chairman Garcia made a motion to extend the bidding for the warehouse, seconded by Councilman Merida. The motion was unanimously approved. Chairman Garcia made a motion to extend the bidding for the Water and Sewer offices, seconded by Councilman Merida. The motion was unanimously approved. A motion to prepare a resolution to approve the bid for the construction of the police station for the next meeting, seconded by Councilman Merida. The motion was unanimously approved.

13. **City Attorney's Report:** Mr. Citrin thanked Aida Martinez-Ruiz for all her work on behalf of the City and commented that she may not be here for the next meeting due to maternity leave.
14. **Mayor's Report – Miscellaneous:** Mayor De La Cruz reminded the Council members of the Halloween Event on October 28<sup>th</sup>, 29<sup>th</sup> and 31<sup>st</sup>
15. **Council Members Concerns/Reports – Board Appointments**  

Council members had no comments.
16. **Adjournment:** The meeting was adjourned at 8:27 p.m.

Respectfully submitted by:

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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, November 15, 2005, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, November 14, 2005, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Wednesday, November 2, 2005, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, November 22, 2005, 7:00 P.M.

**POLICE PENSION BOARD**

T.B.A.