

MINUTES

CITY COUNCIL MEETING

TUESDAY MARCH 2, 2004

CITY COUNCIL CHAMBERS

10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:37 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman Manuel Zardon, Councilman Jorge Merida and Councilman Jorge Gutierrez. Also present was City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Councilman Rolando Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** February 17, 2004
7. **Public Comments:** None were offered.
8. **Request for approval of Water Extension Agreement between 138 Street Business Park, Inc. and the City of Hialeah Gardens for Tract "E" of Okeechobee Corporate Park located on N.W. 138 Street west of N.W. 107 Avenue, Unincorporated:** Mr. Albert Nielson, Director of Water and Sewer Department.

Mr. Albert Neilson, Director of the Water and Sewer Department came forward and gave a presentation on the extension agreement. The agreement had previously been reviewed and approved by the Water and Sewer Board. Chairman Garcia made a motion to approve seconded by Councilman Merida and the motion was unanimously approved.

9. Proposed Resolutions:

- A) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, REPEALING RESOLUTION NO. 1995 DUE TO A SCRIVENERS' ERROR IN THE LEGAL DESCRIPTION PROVIDED THEREIN; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion passed with unanimous consent.

- B) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ABANDONMENT OF A DEDICATED ROAD PORTION OF N.W. 98 STREET LEGALLY DESCRIBED AS THE NORTH 15.00 FEET OF THE WEST 431.42 FEET OF THE SOUTHEAST QUARTER (S.E. _) OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING THE ABANDONMENT OF A DEDICATED ROAD A PORTION OF N.W. 82 AVENUE LEGALLY DESCRIBED AS A PORTION OF THE SOUTHEAST QUARTER (S.E. _) OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST , OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA MORE PARTICULARLY BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE CENTER OF SAID SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND RUN N.88°37'43"E, ALONG THE NORTH LINE OF THE SE _ OF SAID SECTION 3, FOR A DISTANCE OF 35.00 FEET TO A POINT; THENCE RUN S.0°01'22" E ALONG A LINE THAT IS PARALLEL AND 35.00 FEET FROM THE WEST LINE OF THE S.E. _ OF SAID SECTION 3, FOR A DISTANCE OF 69.87 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 48.00 FEET AND A CENTRAL ANGLE OF S.4°18'18" FOR AN ARC DISTANCE OF 45.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHWESTERLY ALONG A COMPOUND CIRCULAR CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 48.00 FEET***

AND A CENTRAL ANGLE OF 19°58'23" FOR ARC DISTANCE OF 16.73 FEET TO A POINT BEING ON THE WEST LINE OF THE S.E. _ OF SAID SECTION 3 ; THENCE RUN S.0°01'22" E, ALONG SAID LINE FOR A DISTANCE OF 33.11 FEET TO A POINT, THENCE RUN N.88°37'43"E, FOR A DISTANCE OF 15.00 FEET TO A POINT; THENCE RUN N 0°01'22" W, ALONG A LINE THAT IS PARALLEL AND 15 FEET OF THE WEST LINE OF THE S.E. _ OF SAID SECTION 3 FOR A DISTANCE OF 40.70 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 545.5 SQUARE FEET MORE OR LESS; PROVIDING FOR AN EFFECTIVE DATE.

Assistant City Attorney Mrs. Aida Martinez-Ruiz read the full title of the resolution into the record. A motion to approve was made by Chairman Garcia, Councilman Merida offered a second and the motion was unanimously approved.

- C) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF SQUASH AND RACQUETBALL COURTS, A CAFETERIA SHELL, ROOF EXTENSION AND EXTERIOR OF EXISTING PARKS AND RECREATION OFFICE BUILDING LOCATED AT WESTLAND GARDENS PARK; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BM CONTRACTING, LLC; 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. Raymond Garcia, Director of Parks and Recreation came forward and gave his recommendation to award the contract to BM Contracting LLC, the only bidder. Mr. Marcos Piloto, Director OMB came forward and confirmed this information. Chairman Garcia made a motion to approve seconded by Councilman Merida and the motion was unanimously approved.

- D) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE LICENSING, PURCHASE AND INSTALLATION OF A HIGHWAY ADVISORY RADIO SYSTEMS FROM HIGHWAY INFORMATION SYSTEMS, INC., A NORTH CAROLINA CORPORATION, IN AN AMOUNT NOT TO EXCEED \$39,792 FOR LOW FREQUENCY RADIO COMMUNICATIONS THAT WILL PROVIDE PUBLIC SERVICE ANNOUNCEMENTS AND TRAFFIC AND OTHER SAFETY INFORMATION; WAIVING**

COMPETITIVE BIDDING DUE TO THE EXISTENCE OF A SOLE PROVIDER AND USING EXISTING STATE AND MUNICIPAL CONTRACTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH HIGHWAY INFORMATION SYSTEMS, INC.; 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. Marcos Piloto came forward and gave a presentation on the project. Mr. Robert Goodman a representative of Highway Information Systems came forward and gave a detailed presentation of the product. Chairman Garcia made a motion to approve seconded by Councilman Merida and the motion was unanimously approved.

E) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING A CHANGE ORDER INCREASE IN THE AMOUNT OF \$2,008.14 TO BM CONTRACTING CORPORATION FOR THE ADDITION CONNECTION TO EXISTING A/C TRUNK LINE TO INSTALL REQUIRED AIR DISTRIBUTION SYSTEM TO INCLUDE GRILLS AND RETURNS AT HOLLINGSWORTH HALL SENIOR CENTER; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Marcos Piloto, Director of OMB came forward and stated the details of the change order. Chairman Garcia made a move to approve seconded by Councilman Merida and the motion was unanimously approved.

10. **City Attorney's Report:** Mr. Citrin reported that the Pablo Alvarez and Gerri Fontanella vs. Department of Community Affairs and the City of Hialeah Gardens appeal had been dismissed with prejudice.
11. **Mayor's Report – Miscellaneous-**The Mayor was not present.
12. **Council Members Concerns/Reports:** No comments.
13. **Adjournment:** The meeting was adjourned at 8:05 p.m.

Respectfully submitted by:

Maria L. Joffee
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 FUTURE MEETINGS:

CITY COUNCIL

Tuesday, April 6, 2004, 7:30 P.M.

PLANNING AND ZONING BOARD

T.B.A.

TECHNICAL REVIEW COMMITTEE

Wednesday, April 7, 2004, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, March 23, 2004, 7:00 P.M.

POLICE PENSION BOARD

Friday, March 12, 2004, 10:00 A.M.