

MINUTES

CITY COUNCIL MEETING
WEDNESDAY, MARCH 5, 2003

CITY HALL COUNCIL CHAMBERS
10001 N.W. 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:31 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Council members Miguel Haddad, Rolando Piña, and Manuel Zardon. 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:** Mayor De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** A discussion of the the improvements to N.W. 107th Avenue by Mr. Joe Lopez, Public Works Director was added to the agenda as **Item 12a.**
6. **Review of Minutes: February 4, 2003:** Chairman Garcia offered a motion to approve the minutes of February 4, 2003, seconded by Councilman Haddad. The motion passed unanimously.

7. **Proposed Resolution:**

- A) ***RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS CERTIFYING THE RESULTS OF THE GENERAL ELECTION FOR COUNCIL MEMBERS GROUP III AND GROUP VI, HELD ON MARCH 4, 2003; 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 Zardon. The motion passed with unanimous consent.

8. **Swearing in ceremony for newly elected Council members:** Mr. Citrin administered the oath of office to Councilman Miguel Haddad who was re-elected for a two year

term and to newly elected Councilman Jorge A. Merida who will serve a four year term. At this time Councilman Merida thanked his family, friends and citizens of the community for their support. Councilman Haddad also expressed his appreciation for those who helped in his re-election effort.

Chairman Garcia called for a recess at 7:40 p.m. The meeting was reconvened at 7:49 p.m.

9. **Reorganization of the City Council's hierarchical order:** Mr. Citrin introduced the matter and explained that there is a charter provision which states that after every municipal election the City Council must be reorganized. As such Councilman Piña made a motion to nominate Luciano Garcia for Chairman of the Council, which was seconded by Councilman Zardon and was approved by unanimous consent. Thereafter a motion to nominate Councilman Piña for Vice Chairman was offered by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved. At this time Chairman Garcia motioned to nominate Councilman Zardon to serve as the Finance Director and as such the motion was seconded by Councilman Merida and unanimously approved.
10. **Board Appointments - Planning & Zoning Board:** The following appointments were made to the Board:
- | | |
|------------------------------|-----------------------------|
| Councilman Haddad appointed: | Antonino Maurici |
| Councilman Merida appointed: | Andrew Perez |
| Councilman Zardon: | No appointment at this time |
| Councilman Piña reappointed: | Jorge Gutierrez |
| Chairman Garcia reappointed: | Susie Cordero |
11. **Discussion regarding enacting regulations governing lobbying activities in the City:** Mr. Citrin reported that the County has regulations that are required to be incorporated by municipalities for the administration of lobbying practices, including but not limited to registration fees, definition of a lobbyist, etc. Mr. Citrin stated that he would be preparing an ordinance for first reading and a summary of the issue for consideration at the next council meeting.
- 12a. **Road improvements to N.W. 107th Avenue, Shoma Commerical:** Mr. Joe Lopez, Public Works Director came forward and explained his discussions with the developer regarding improvements to N.W. 107th Avenue. Mr. Lopez stated that he had reviewed the developer's plans and they did not concur with promised road improvements. He went on to explain that a stop order had been issued through the Water and Sewer Department and that continued discussions with the developer had resulted in a mutual agreement of the road improvements to be made and work on the project could resume.
12. **Proposed Resolutions:**

B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) INTERNATIONAL CHASIS MODEL 4400 SBA 4 x 2 WITH

A NON-CONTRACT ROSCO 2000 GALLON TANK; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH INTERNATIONAL TRUCK AND ENGINE CORPORATION; WAIVING COMPETITIVE BIDDING AND UTILIZING AN EXISTING STATE CONTRACT; 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. Joe Lopez, Public Works Director came forward and explained that this resolution would serve to ratify the action taken by the Council at their last meeting. A motion to approve was made by Councilman Haddad, Chairman Garcia offered a second and the motion was unanimously approved.

C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF AND FINANCING OF ONE (1) SCHWARZE MODEL A-700 PNEUMATIC STREET SWEEPER; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH SOUTHERN SEWER EQUIPMENT SALES; WAIVING COMPETITIVE BIDDING AND UTILIZING AN EXISTING MUNICIPAL CONTRACT; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chairman Garcia stated that this resolution served to memorialize the action taken by the Council at their last meeting. Councilman Haddad made a motion to approve, seconded by Chairman Garcia. At this time Marcos Piloto, O.M.B. Director, came forward and provided information regarding the financing for the purchase. The motion was then approved by unanimous consent.

D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED AGREEMENT TO COORDINATE SERVICES OF THE HIALEAH GARDENS POLICE DEPARTMENT AND THAT OF THE DEPARTMENT OF CHILDREN AND FAMILIES FOR THE ADULT PROTECTIVE INVESTIGATIONS PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Police Chief K. Joy came forward and explained that this resolution would serve to execute a general working agreement between the City's Police Department and the Department of Children and

Families. The agreement establishes standard practices and outlines the operational protocol for joint investigations between the departments. Councilman Haddad offered a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE EXECUTION OF THE ATTACHED INTERLOCAL AGREEMENT TO IMPROVE COORDINATION BETWEEN LAND USE AND SCHOOL FACILITIES PLANNING; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. At this time Mirtha Gonzalez, Chief Zoning Official addressed the Council and gave a brief summary of the agreement. Chairman Garcia made a motion to approve, seconded by Councilman Haddad. The motion was unanimously approved.

F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY LANDSCAPING MAINTENANCE TO GROUNDS KEEPERS ENVIRONMENTAL MAINTENANCE & LANDSCAPE DEVELOPMENT FOR ALL CITYWIDE LANDSCAPING MAINTENANCE AND SERVICE; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GROUNDS KEEPERS ENVIRONMENTAL MAINTENANCE & LANDSCAPE DEVELOPMENT; 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 this resolution would serve to ratify the results of the bidding process for citywide landscaping. Chairman Garcia moved to approve the resolution, seconded by Councilman Haddad. The motion was unanimously approved.

G) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) S300 BOBCAT SKID STEER LOADER; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BOBCAT OF METRO DATE; WAIVING COMPETITIVE BIDDING AND UTILIZING AN EXISTING GENERAL SERVICE ADMINISTRATION CONTRACT; 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 this resolution would serve to memorialize the action taken by the Council at the last meeting. Chairman Garcia also pointed out the benefits of the City purchasing its own equipment and doing work in house as opposed to contracting out for services. Councilman Haddad made a motion to approve, seconded by Chairman Garcia. The motion was unanimously approved.

H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF AND THE FINANCING OF SIX (6) FORD CROWN VICTORIA POLICE INTERCEPTOR VEHICLES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUVAL FORD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of resolution into the record. Mr. Manny Carrera, Fleet Manager, came forward and provided information regarding the purchase of the new police vehicles via a state contract. Mr. Marcos Piloto, O.M.B. Director, also came forward and spoke to the financing issue. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

I) RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO SUBMIT AN APPLICATION FOR AN AWARD FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, UNDER THE 2002-2003 LOCAL LAW ENFORCEMENT BLOCK GRANTS PROGRAM, FOR THE TOTAL AMOUNT OF \$11,112.00 FOR THE PROCUREMENT OF POLICE EQUIPMENT, TECHNOLOGY AND OTHER MATERIAL DIRECTLY RELATED TO BASIC LAW ENFORCEMENT FUNCTIONS; AUTHORIZING THE EXPENDITURE OF THE SUM OF \$1,112.00 REPRESENTING MATCHING FUND FROM THE RECIPIENT CITY IN ORDER TO QUALIFY FOR THE AWARD; AND FURTHER AUTHORIZING THE ESTABLISHMENT OF A SEPARATE INTEREST BEARING TRUST ACCOUNT DESIGNATED FOR THIS PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Police Chief K. Joy addressed the issue and provided information regarding the Local Law Enforcement Block Grant. Chairman Garcia made a motion to approve, seconded by Councilman Haddad. The motion was unanimously approved.

Mr. Citrin pointed out that the Public Comments item on the agenda had been inadvertently omitted from the agenda. Chairman Garcia took note and added Public Comments on as Item 14a.

13. First Reading for consideration of the following ordinances:

- A) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO PERMIT A CHARTER SCHOOL (MATER ACADEMY) AND SITE PLAN REVIEW FOR EXPANSION (PHASE II) AND CIVIC CENTER USE, CONCERNING PROPERTY ADDRESS: 7901 NW 103 STREET. FOLIO #27-3003-001-0020; PROVIDING FOR EFFECTIVE DATE.* (Location: 7901 N.W. 103 Street) (T.R.C. Vote 5-0; P&Z Vote 3-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Rolando Llanes, architect for the project and Mr. Ignacio Zulueta, V.P. of Academica, the management company, were present representing the applicant. Chairman Garcia stated that this was a first reading for the record and as such, an opportunity for public input would be provided upon second reading; he therefore made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote.

- B) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION USE AND SITE PLAN FOR KINGDOM HALL COMPLEX FOR JEHOVAH'S WITNESSES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF LAND OF TRACT 57 OF "FLORIDA FRUIT LAND CO. SUBDIVISION" AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA, LYING IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST. FOLIO #: 27-2029-001-0430, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.* (Location: Northeast corner of Frontage Rd. and N.W. 122 Street) (T.R.C. Vote 5-0; P&Z Vote 3-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Rick Ruiz was present for the applicant as well as members of the congregation. Chairman Garcia stated that this was a first reading for the record and as such, an opportunity for public input would be provided upon second reading; he therefore made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote.

- C) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR JAFFARIA GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST _ OF THE EAST***

_ OF THE WEST _ OF THE NORTH _ OF TRACT 26, LESS THE NORTH 30 FEET THEREOF FOR RIGHT-OF-WAY, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION MAP NO. ONE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 107 Avenue and N.W. 104 Avenue, North of 131 Street) (T.R.C. Vote 5-0; P&Z Vote 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. was present for the applicant. Chairman Garcia stated that this was a first reading for the record and as such, an opportunity for public input would be provided upon second reading; he therefore made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote.

- 14a. **Public Comments:** The following individuals addressed the Council:
Mrs. Gerri Fontanella, 13425 N.W. 102 Avenue, Hialeah Gardens, Florida
- 14b. **City Attorney's Report:** Mr. Citrin complimented the City Clerk on her work with County staff during the municipal election.
15. **Mayor's Report – Miscellaneous:** Mayor De La Cruz commented on the acquisition of the new sound system for the Council chambers. He also congratulated Councilman Haddad on his re-election and welcomed newly elected Councilman Merida to the Council.
16. **Council Members Concerns/Reports – Miscellaneous:**
- Councilman Piña** - Congratulated Councilman Haddad and Councilman Merida on their election. He also informed that he would be attending a meeting of the Miami-Dade League of Cities in representation of the City and added that he would not be able to attend the next council meeting.
- Councilman Zardon** - Congratulated Councilman Haddad and Councilman Merida.
- Councilman Merida** - Thanked everyone for their support.
- Councilman Haddad** - Thanked everyone who had helped with his campaign
- Chairman Garcia** – Recognized Mrs. De La Cruz, Mrs. Haddad and Mrs. Merida who were present.
17. **Adjournment:** The meeting was adjourned at 8:26 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 FUTURE MEETINGS:

CITY COUNCIL

Tuesday, April 1, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, April 7, 2003 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, April 2, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday March 25, 2003, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, May 14, 2003, 7:00 P.M.