

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, February 15, 2022  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Jorge Merida, City Attorney Charles Citrin, and Mayor Yiozet De La Cruz. Councilman Rolando Piña was absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: February 1, 2022** Chairman Garcia made a motion to approve the minutes for February 1; the minutes were approved unanimously.
- 7. Public Comments:** None were offered.

## 8. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HIALEAH GARDENS AND THE POLICE BENEVOLENT ASSOCIATION BEGINNING FEBRUARY 1, 2022 UNTIL SEPTEMBER 30, 2022; PROVIDING FOR IMPLEMENTATION OF SUCH CONTRACT; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mayor De La Cruz explained that the City is granting its police officers a 10% raise in an effort to match their pay rate to that of other cities in the County. The City has lost about 20 police officers over the last two years; the Mayor wants to be able to retain our current officers and continue to hire more in the near future. No further comments or questions. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The motion was approved unanimously. **(4-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE POLICE BENEVOLENT ASSOCIATION BEGINNING OCTOBER 1, 2022 UNTIL SEPTEMBER 30, 2025; PROVIDING FOR IMPLEMENTATION OF SUCH CONTRACT; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mayor De La Cruz explained that this resolution goes hand in hand with the previous one. This serves to ratify the contract on October 1. Same terms...10% raise in year 1, 5% raise in year 2 and year 3. The raise will be given this October, but retroactive to February 2022. No further comments or questions. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The motion was approved unanimously. **(4-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING AN AGREEMENT FOR THE DESIGN BUILD OF THE SENIOR CENTER BUILDING; RATIFYING AN AGREEMENT WITH TADEOS ENGINEERING, LLC. IN THE AMOUNT OF \$1,350,000; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Joe Lopez, Public Works Director, came forward and explained that this contract was previously before the Council a while back; the Council had previously approved it, and now he is asking them to ratify it. Mayor De La Cruz added that \$800,000 of the appointed cost is coming from State funding. The City has budgeted for the rest, and has requested an additional \$500,000 from the State. Chairman Garcia asked about the timeline; Mr. Lopez explained that projected schedule is 18 months, and the City is currently two months

into that schedule. The plans are currently in the Building Department being reviewed and materials are being purchased. No further comments or questions. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The motion was approved unanimously. **(4-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR RELOCATING CITY OWNED FACILITIES IN CONFLICT WITH PROPOSED FLORIDA DEPARTMENT OF TRANSPORTATION IMPROVEMENTS AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MARCDAN, INC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Joe Lopez, Public Works Director, came forward and explained that only one sealed bid had previously been received and opened at the Council meeting on February 1, 2022 for the Utility Relocates Okeechobee Road project WS-21-101. Project funding source is the City's Water & Sewer Department construction operating account; the department recommends that the Council award the project to Marcdan, Inc. for a contract amount of \$1,350,000 as the lowest responsive, responsible bidder. Since this is FDOT right-of-way, none of this is reimbursable. Mr. Lopez, the Mayor and the Council discussed the other FDOT projects in the works and the possibility of going with a JPA (Joint Participation Agreement) which may result in higher costs but the city has 17 FDOT projects and is a bit overwhelmed. The Mayor added that funding for this item has been set aside in the W&S budget as will be funds for the third segment in 2025. Mr. Citrin asked Mr. Lopez to make sure the contract is run by legal.

No further comments or questions. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The motion was approved unanimously. **(4-0)**

**9. Second Reading/Public Hearing for consideration and final adoption of the following ordinance:**

Mr. Citrin swore in those intending to give testimony on any of the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING RESOLUTION #1697 FROM SPECIAL EXCEPTION USE FOR DAY CARE FACILITY TO SCHOOL FACILITY LOCATED AT: 8318 NW 103RD STREET, HIALEAH GARDENS, FLORIDA, UNDER GROWING TREASURES LEARNING CENTER #2, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. Mr. Cesar Mestre came forward representing the applicant and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, read her recommendation for approval into the record. Chairman Garcia opened a public hearing at 7:41 p.m.; no one came forward. Public hearing closed at 7:41 p.m. Mr. Citrin asked a question about the history of the facility; Mrs. Gonzalez confirmed that they had previously done improvements to the school without permits...he asked the applicant to explain this. Mr. Mestre explained that the facility, like many others, started out as a daycare center and grew to include elementary grades. During this process, the school got their licenses and approvals from the State and DCF, but they were not aware they had to get a special exception from the City to allow for the growth. The applicant is trying to correct the situation. No further comments or questions. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

**10. City Attorney's Report:** N/A

**11. Mayor's Report – Miscellaneous:** N/A

**12. Council Members Concerns / Reports / Board Appointments:**

Chairman Garcia announced that the next Council Meeting will be held on March 8<sup>th</sup>. Chair made a motion to hold the required organizational meeting at the next meeting; the motion was approved unanimously. **(4-0)**

Police Pension Board Appointment – Pending

Water & Sewer Board Appointment (L. Garcia, J. Merida, E. Urra) – Pending

**13. Adjournment :** The meeting was adjourned at 7:44 p.m.

Respectfully submitted by:

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Maria L. Joffe, City Clerk

**In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office no later than four days prior to the proceeding. For assistance, the City's telephone number is (305) 558-4114; if hearing impaired the telephone for the Florida Relay Service is (800) 955-8771 (TDD) or (800) 955-8770 (VOICE).**

**Pursuant to Section 286.0105 Florida Statutes, 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, March 8, 2022, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, April 11, 2022, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, April 7, 2022, 11:00 A.M.

**WATER AND SEWER BOARD**

T.B.D.

**POLICE PENSION BOARD**

Tuesday, May 3, 2022, 5:30 P.M.