

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, April 16, 2024
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Councilman Jorge Gutierrez, serving as Chairman, called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Merida, Councilman Jorge Gutierrez, Ms. Aida Martinez-Ruiz, City Attorney and Mayor Yiozet De La Cruz. Councilman Luciano Garcia and Councilman Rolando Piña were absent.
- 3. Invocation:** Chairman Gutierrez 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: April 2, 2024,** Chairman Gutierrez made a motion to approve the minutes of **April 2, 2024**. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

8. Proposed Resolutions:

- A) 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 ACOSTA TRACTORS, INC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the resolution into the record. Mr. Joe Lopez, Public Works Director, came forward to speak on the item. The City received sealed bids for the Okeechobee Road 87 / 79 Utility work under Bid No. WS-24-101 for furnishing all labor, materials and equipment and performing all necessary and incidental work to a complete a utility relocate as shown on the advertised plans and specifications. The bids were opened at the regular Council meeting of April 2, 2024, and the bidders' names and bid amounts were read into the record. Only one bid was received from Acosta Tractors, Inc. in the amount of \$800,642.51. The bid was reviewed for compliance and deemed responsive and responsible and as such Mr. Lopez recommended awarding the contract. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(3-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR DRAINAGE IMPROVEMENTS OF NW 122ND STREET FROM HIALEAH GARDENS BOULEVARD TO 92ND AVE (PW 24-103); AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ACOSTA TRACTORS, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the resolution into the record. Mr. Joe Lopez, Public Works Director once again came forward and spoke on the item. The City received sealed bids for the drainage improvements of NW 122 Street from Hialeah Gardens Boulevard to NW 92 Avenue under Bid No. PW-24-103 furnishing all labor, materials and equipment and performing all necessary and incidental work to a complete a utility relocate as shown on the advertised plans and specifications. The bids were opened at the regular Council meeting of April 2, 2024, and the bidders' names and bid amounts were read into the record. Three bids were received and reviewed for compliance with bid documents and all bidders were deemed responsive and responsible. Mr. Lopez recommended awarding the contract to Acosta Tractors, Inc., who was the lowest responsive responsible bidder in the amount of \$268,979.44. Councilman Merida inquired as to the start date for the work. Mr. Lopez responded that the notice to proceed has been prepared, the contractor is reviewing the contract, and once Council approval is received, the work can begin

within the next thirty days. Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(3-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR NORTH DISTRICT DRAINAGE IMPROVEMENTS OF NW 130th STREET FROM NW 99th AVENUE TO NW 104TH AVENUE (PW 24-104); AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ACOSTA TRACTORS, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the resolution into the record. Mr. Joe Lopez, Public Works Director again came forward and spoke on the item. The City received sealed bids for the North Distract drainage improvements of NW 130 Street from NW 99 Avenue to NW 104 Avenue under Bid No. PW-24-104 furnishing all labor, materials and equipment and performing all necessary and incidental work to a complete a utility relocate as shown on the advertised plans and specifications. The bids were opened at the regular Council meeting of April 2, 2024, and the bidders' names and bid amounts were read into the record. Four bids were received and reviewed for compliance with bid documents and all bidders were deemed responsive and responsible. Mr. Lopez recommended awarding the contract to Acosta Tractors, Inc., who was the lowest responsive responsible bidder in the amount of \$745,544.20. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(3-0)**

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

At this time Ms. Martinez-Ruiz swore in all individuals intending to give testimony on any of the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, CREATING A CHAPTER OF THE CODE OF THE CITY OF HIALEAH GARDENS ENTITLED "SCHOOL ZONE SPEED DETECTION SYSTEM"; PROVIDING FOR PURPOSE, INTENT AND DEFINITIONS; AUTHORIZING THE USE OF AND PROVIDING FOR IMPLEMENTATION OF SCHOOL ZONE SPEED DETECTION SYSTEMS; DESIGNATING A LOCAL HEARING OFFICER; DETERMINING A HEIGHTENED SAFETY RISK AND PROVIDING FOR DESIGNATION OF SCHOOL ZONES; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record and mentioned that this is a City initiated ordinance that goes together with the approval of the speed detection cameras. The State requires that any resident that receives a citation be able to go into the City code and see exactly how the system and procedures work. This ordinance serves to add the required language to the code. The City will collaborate with the Police Department in order to have the Mayor designate a hearing officer and to determine / designate the school zones for purposes of the speed detection system.

- 10. City Attorney's Report:** No comments
- 11. Mayor's Report – Miscellaneous:** No comments
- 12. Council Members Concerns / Reports/ Board Appointments:** No comments
Water & Sewer Board Appointment (J. Merida, E. Urra) - Pending
- 13. Adjournment:** The meeting was adjourned at 7:39 p.m.

Respectfully submitted by:

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 ensure 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, May 21, 2024, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 10, 2024, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, June 6, 2024, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Thursday June 20, 2024, 1:00 P.M.