

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, March 19, 2019
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:33 p.m.
- 2. Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Jorge Merida, Chairman Luciano Garcia, City Attorney Charles Citrin. Councilman Rolando Piña and Mayor Yioset De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** City Attorney Citrin led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** None were offered.
- 6. Review of Minutes: March 05, 2019** Chairman Garcia made a motion to approve the minutes of March 05, 2019, seconded by Councilman Merida. The motion was unanimously approved.
- 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 THE CITY FIREWORKS ENTERTAINMENT TO EXCELLENT ENTERTAINMENT, INC. D/B/A ADD FIRE ("ADD FIRE") FOR THE CITY'S INDEPENDENCE DAY CELEBRATION; RENEWING THE CITY'S CONTRACT WITH ADD FIRE; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AGREEMENT WITH ADD FIRE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Walter Dubon, Parks & Recreation Director, explained that this is for the City's annual 4th of July fireworks show. The City has contracted with this company for 14 years, the scope of the work is the same, and the terms will remain the same. No comments were offered. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT TO BE PLACED AT A CITY PARK LOCATED 102ND AVENUE AND 128TH TERRACE USED BY THE PARKS DEPARTMENT; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MIRACLE RECREATION EQUIPMENT, CO.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Dubon came forward once again and read his memo concerning the item into the record. On August 4, 2018 a vehicle crashed into the City's Tot Lot Park destroying the playground equipment on the property. The Parks Department intends to purchase new equipment to replace the playground. Ms. Aida Martinez-Ruiz, Assistant City Attorney, came forward and explained that the playground equipment had not been insured under the FMIT insurance with the Florida League of Cities. The individual at fault for the crash was arrested, but has the most minimal insurance coverage which will not cover the cost of replacement therefore it was determined that it would not economically feasible for the City to file a claim. The City has now taken an inventory to make sure to

cover *all* types of City equipment and was able to do so at a reasonable rate. No other comments were offered. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) 2019 FORD F-150 PICKUP TRUCK AND ONE (1) 2019 FORD F-250 FORD PICKUP TRUCK FOR THE USE OF THE WATER AND SEWER DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUVAL FORD, LCC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The item was unanimously tabled. **(4-0)**

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR HIALEAH GARDENS BRANCH LIBRARY, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS 29 AND 30 IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF "FLORIDA FRUIT LANDS 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, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE NW 1/4 OF SAID SECTION 29, WITH THE SOUTH LINE OF SAID TRACT 29, ALSO BEING THE INTERSECTION OF NW 107TH AVENUE AND NW 134TH STREET; THENCE N 02°38'07" W ALONG SAID WEST LINE A DISTANCE OF 30.02 FEET; THENCE N 89°41'11" E ALONG A LINE PARALLEL WITH AND 30.00 FEET NORTH OF THE SAID SOUTH LINE OF TRACT 29 FOR 64.04 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING BEING THE POINT OF CUSP OF A CIRCULAR CURVE LEADING TO THE RIGHT HAVING FOR ITS ELEMENTS A CHORD BEARING OF N 46°28'28" W, A CHORD DISTANCE OF 34.63 FEET, A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 87°40'42"; THENCE

NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 38.26 FEET TO THE POINT OF TANGENCY, SAID POINT BEING ON A LINE THAT IS PARALLEL WITH AND 40.00 FEET EAST OF SAID WEST LINE OF THE NW 1/4 OF SECTION 29; THENCE N 02°38'07" W ALONG SAID WEST LINE FOR 528.79 FEET; THENCE N 89°41'22" E FOR 164.72 FEET; THENCE IN A SOUTHERLY DIRECTION WITH A NON TANGENT CURVE LEADING TO THE LEFT HAVING FOR ITS ELEMENTS A CHORD BEARING OF S 09°46'36" W, A CHORD DISTANCE OF 205.20 FEET, A RADIUS OF 199.97 FEET AND A CENTRAL ANGLE OF 61°44'06"; THENCE ALONG THE ARC OF SAID CURVE FOR 215.47 FEET TO A NON TANGENT POINT; THENCE S 88°36'22" E FOR 58.39 FEET; THENCE S 05°21'43" W FOR 163.68 FEET; THENCE S 86°50'51" W FOR 29.80 FEET; THENCE S 41°50'47" W FOR 26.62 FEET; THENCE S 02°41'14" E FOR 47.58 FEET; THENCE S 30°24'13" E FOR 37.45 FEET; THENCE S 02°38'07" E FOR 84.62 FEET, TO A POINT ON A LINE PARALLEL WITH AND 30.00 FEET NORTH OF THE SOUTH LINE OF SAID TRACT 29; THENCE S 89°41'11" W, ALONG SAID LINE, FOR 101.10 FEET TO THE POINT OF BEGINNING, CONTAINING 74281.57 SQUARE FEET OR 1.705 ACRES MORE OR LESS, FOLIO: 27-2029-001-0306, APPROXIMATE LOCATION: NORTHEAST CORNER OF INTERSECTION OF NW 107TH AVENUE AND NW 134TH STREET, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote 6-0; P&Z Vote 4-0)

Mr. Citrin read the item into the record. This is a first reading; an opportunity for public input would be afforded upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR PRETTY PLAZA II, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT "B", OF "B.J'S PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 155, PAGE 58, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOLIO: 27-3003-037-0020, APPROXIMATE LOCATION: NORTHEAST CORNER OF INTERSECTION OF NW 107TH AVENUE AND NW 134TH STREET, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote 6-0; P&Z Vote 4-0)

Mr. Citrin read the item into the record. Mr. Chris Collins came forward representing the property owner, West Gardens Ventures. This is a first reading; an opportunity for public input would be afforded upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

- 10. City Attorney's Report:** Mr. Citrin thanked Ms. Martinez-Ruiz for dealing with the City's property insurance provider, the Florida League of Cities.
- 11. Mayor's Report:** N/A
- 12. Council Members Concerns / Reports:** No comments were offered.
- 13. Adjournment:** The meeting was adjourned at 7:46 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 MEETINGS

CITY COUNCIL

Tuesday, April 16, 2019, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, April 8, 2019, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, April 4, 2019, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, April 24, 2019, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, May 7, 2019, 5:30 P.M.