

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, MARCH 2, 2010**

**CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:32 p.m.
 - 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman Jorge A. Merida, Councilman Jorge Gutierrez, and Councilman Elmo L. Urra. 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 resolution certifying the election results was added as Item 7B.
 - 6. Review of Minutes:** February 16, 2010. Chairman Garcia made a motion to approve the minutes of February 16, seconded by Councilman Merida. The motion was unanimously approved.
 - 7. Public Comments:** None were offered.
- 7B. Proposed Resolution:**

RESOLUTION OF THE CITY OF HIALEAH GARDENS,
CERTIFYING THE RESULTS OF THE SCHEDULED
GENERAL ELECTION ON MARCH 2, 2010; PROVIDING
FOR EFFECTIVE DATE

Mr. Citrin read the full title of the resolution into the record. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

8. Swearing in ceremony for Councilmen Luciano "Lucky" Garcia and Elmo L. Urra: Mr. Charles A. Citrin, City Attorney.

Councilman Luciano Garcia and Councilman Elmo L. Urra were sworn in by City Attorney Charles A. Citrin. Both Councilmen were unopposed in this election and therefore won four year terms each. A photo opportunity was allowed at this time.

9. Reorganization of the City Council's hierarchical order: Mr. Charles A. Citrin, City Attorney.

Mr. Citrin asked for a motion to select a Council chairman. Councilman Piña offered a motion for Luciano Garcia to remain serving as Chairman of the Council, seconded by Councilman Merida. The motion was unanimously approved. Mr. Citrin asked for a motion to select a Vice Chairman, which was made by Chairman Garcia to select Councilman Piña, seconded by Councilman Merida. The motion was unanimously approved. Chairman Garcia made a motion to select Councilman Merida as Finance Chairman seconded by Councilman Gutierrez. The motion was unanimously approved.

10. Board Appointments: Planning and Zoning Board, Water and Sewer Board.

Chairman Garcia announced that his Board appointments will remain the same. Council members Piña, Merida, Gutierrez and Urra will announce their Board appointments at the next council meeting.

11. Swearing in ceremony for new Police Officer Ariam Romero: Chief Van Toth.

Chief Van Toth came forward and swore in new police officer Ariam Romero. A photo opportunity was allowed at this time.

12. Opening of sealed proposals: Public Works Department (R.F.P. No. PW 10-200 and R.F.P. No. PW10-210): Mr. Joe Lopez, Director.

Mr. Jose M. Lopez, Director of Public Works came forward and opened the sealed bids received:

C & W Pipe Line, Inc. PW-10-200

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Foreman or Superintendent	\$47.25		\$1,890.00	\$8,190.00
Pipe Layer	\$28.50		\$1,140.00	\$4,940.00
Excavator Operator	\$31.10		\$1,244.00	\$5,390.00
Pipe Layer's Helper (Tail Man)	\$19.10		\$764.00	\$3,310.67

Rock Power Paving PW-10-200

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Foreman or Superintendent	\$36.00	\$288.00	\$1,440.00	\$5,700.00
Pipe Layer	\$18.00	\$144.00	\$720.00	\$2,800.00
Excavator Operator	\$25.00	\$200.00	\$1,000.00	\$4,000.00
Pipe Layer's Helper (Tail Man)	\$15.00	\$120.00	\$600.00	\$2,400.00

Downrite Engineering Corp. PW-10-200

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Foreman or Superintendent	\$100.00	\$800.00	\$4,000.00	\$17,333.33
Pipe Layer	\$65.00	\$520.00	\$2,600.00	\$11,266.67
Excavator Operator	\$75.00	\$600.00	\$3,000.00	\$13,000.00
Pipe Layer's Helper (Tail Man)	\$60.00	\$480.00	\$2,400.00	\$10,400.00

CMTS Florida LLC PW-10-200

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Foreman or Superintendent	\$53.50	\$428.00	\$2,140.00	\$8,560.00
Pipe Layer	\$37.80	\$302.40	\$1,512.00	\$6,048.00
Excavator Operator	\$42.00	\$336.00	\$1,680.00	\$6,720.00
Pipe Layer's Helper (Tail Man)	\$25.20	\$201.60	\$1008.00	\$4,032.00

Horizon Contractors, Inc. PW-10-200

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Foreman or Superintendent	\$70.00	\$560.00	\$2,800.00	\$12,150.00
Pipe Layer	\$30.00	\$240.00	\$1,200.00	\$ 5,200.00
Excavator Operator	\$39.00	\$312.00	\$1,560.00	\$ 6,760.00
Pipe Layer's Helper (Tail Man)	\$22.00	\$176.00	\$880.00	\$ 3,825.00

Williams Paving Co., Inc. PW-10-200

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Foreman or Superintendent	\$40.00	\$320.00	\$1,600.00	\$6,400.00
Pipe Layer	\$30.00	\$240.00	\$1,200.00	\$4,800.00
Excavator Operator	\$36.00	\$288.00	\$1,400.00	\$5,760.00
Pipe Layer's Helper (Tail Man)	\$22.00	\$176.00	\$880.00	\$3,520.00

Rock Power Paving PW-10-210

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Power Screen Titan 1800 (or approved equal) rental and operator	\$80.00	\$640.00	\$3,200.00	\$12,800.00
Komatsu PC300 Excavator (or approved equal) rental and operator	\$100.00	\$800.00	\$4,000.00	\$16,000.00
CAT 938 Loader (or approved equal) rental and operator	\$90.00	\$720.00	\$3,600.00	\$1,440.00
20 Ton Capacity Dump Truck (or approved equal) rental and operator	\$50.00	\$400.00	\$2,000.00	\$8,000.00
Bomag 177 Compaction Roller (or approved equal) rental and operator	\$75.00	\$600.00	\$3,000.00	\$12,000.00

Horizon Contractors, Inc. PW-10-210

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Power Screen Titan 1800 (or approved equal) rental and operator	\$350.00	\$2,800.00	\$14,000.00	\$61,000.00
Komatsu PC300 Excavator (or approved equal) rental and operator	\$220.00	\$1,760.00	\$8,800.00	\$38,200.00
CAT 938 Loader (or approved equal) rental and operator	\$115.00	\$920.00	\$7360.00	\$31,800.00
20 Ton Capacity Dump Truck (or approved equal) rental and operator	\$55.00	\$440.00	\$3,520.00	\$15,300.00
Bomag 177 Compaction Roller (or approved equal) rental and operator	\$81.00	\$648.00	\$5,184.00	\$22,500.00

Maytin Engineering PW-10-210

Description	Hourly Rate	Daily Rate	Weekly Rate	Monthly Rate
Power Screen Titan 1800 (or approved equal) rental and operator	\$150.00	\$900.00	\$4,000.00	\$15,000.00
Komatsu PC300 Excavator (or approved equal) rental and operator	\$70.00	\$700.00	\$3,000.00	\$10,000.00

CAT 938 Loader (or approved equal) rental and operator	\$50.00	\$500.00	\$2,000.00	\$7,000.00
20 Ton Capacity Dump Truck (or approved equal) rental and operator	\$40.00	\$400.00	\$1,500.00	\$5,400.00
Bomag 177 Compaction Roller (or approved equal) rental and operator	\$50.00	\$500.00	\$1,800.00	\$5,400.00

Mr. Lopez will review the proposals received and make a recommendation to the Council at a later date.

13. Recommendation to accept financing proposal submitted by Sun Trust Bank:
Mr. Marcos Piloto, O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director came forward and read his memorandum into the record recommending the acceptance of the second financing option provided by Sun Trust Bank. Ms. Lakshmi McGrath the city's financial advisor was present for any questions. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

14. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING A RENEWED AGREEMENT WITH FIRST SOUTHWEST COMPANY AS THE CITY'S FINANCIAL ADVISOR; AUTHORIZING A CONTRACT BETWEEN THE CITY AND FIRST SOUTHWEST COMPANY FOR FINANCIAL ADVISOR SERVICES; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record and asked that the word "purchases" be changed to "services" in the short title of the resolution. This resolution serves to memorialize action taken at the last council meeting. Chairman Garcia made a motion to approve providing for the correction, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A STORMWATER UTILITY FEE INCREASE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. This resolution serves to memorialize action taken at the last council meeting. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

15. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,550,000 OF TRANSPORTATION TAX REVENUE BONDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID BONDS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. This is a city-initiated request. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input would be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(5-0)**.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR DON CAMARON SEAFOOD GRILLE & MARKET RESTAURANT, LOCATED AT 9491 NW 77 COURT, HIALEAH GARDENS, FL. TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES 2COP (WINE AND BEER) TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin swore in all of those who will be giving testimony on the item for second reading and read the full title of the ordinance into the record. Mr. Miguel Alvarez was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and read staff's recommendation into the record. Chairman Garcia opened the public hearing at 8:10 p.m. No one came forward; therefore, Chairman Garcia closed the public hearing at 8:10 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was approved by individualized voice vote. **(5-0)**

17. City Attorney's Report: Mr. Citrin wished Mayor De La Cruz a belated happy birthday, also congratulating him for being awarded the FIU Torch Award.

18. Mayor's Report – Miscellaneous: Mayor De La Cruz had no comments

19. Council Members Concerns / Reports / Board Appointments:

Council member Piña and Gutierrez congratulated Chairman Garcia and Councilman Urra on their re-election without opposition to the Council.

20. Adjournment: The meeting was adjourned at 8:12 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, March 16, 2010, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, March 8, 2010, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, March 4, 2010, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, March 23, 2010. 7:00 P.M.

POLICE PENSION BOARD

Wednesday, April 28, 2010, 5:30 P.M.