

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, APRIL 6, 2010**

**CITY COUNCIL CHAMBERS  
10001 NW 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, 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:** None were offered.
- 6. Review of Minutes:** March 16, 2010. Chairman Garcia made a motion to approve the minutes of March 16, 2010, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

**8. Recommendation for equipment purchase:** Mr. Jose M. Lopez, Public Works Director.

Mr. Jose M. Lopez, Director of Public Works came forward and read his memorandum into the record recommending the purchase of equipment for the purpose of infrastructure construction and improvement projects, waiving competitive bidding and utilizing the Florida Sheriff's Association contract number 09-17-0908. A Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**9. Request for approval of extension of contract (R.F.P. PW-09-020) for improvements to Pump Station 10:** Mr. Jose M. Lopez, Public Works Director.

Mr. Jose M. Lopez, Director of Public Works came forward and read his memorandum into the record recommending the extension of the existing contract with Gonzalez Pavement Equipment, Inc. d/b/a GPE Engineering for renovations to Pump Station 4 to include the proposed work for Pump Station 10. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**10. Request for approval of construction activities for N.W. 122 Street Phase III (between 87<sup>th</sup> Avenue and Hialeah Gardens Boulevard):** Mr. Jose M. Lopez, Public Works Director.

Mr. Jose M. Lopez, Director of Public Works came forward and read his memorandum into the record which provides details of the cost estimates for construction activities per item based on actual quotes provided by vendors and including a 15 % contingency for the total project cost. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**11. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH ROCK POWER PAVING, INC. FOR THE PURPOSE OF AUGMENTING THE PUBLIC WORKS DEPARTMENT WITH FIELD PERSONNEL TO BE USED FOR WATER MAIN EXTENSIONS AND SEWER MAIN EXTENSIONS THROUGHOUT THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH MAYTIN ENGINEERING CORPORATION FOR THE PURPOSE OF AUGMENTING THE PUBLIC WORKS DEPARTMENT WITH FIELD PERSONNEL AND EQUIPMENT FOR SPECIFIC PROJECTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR WEST GARDEN PLAZA, CONCERNING PROPERTY LEGALLY DESCRIBED AS: (O.R.B. 15117 PG. 3295) THE WEST 225 FEET OF THE EAST 515 FEET OF TRACT 61 "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1" OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA LESS: THE NORTH 25 FEET THEREOF, AND LESS THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID TRACT 61 FOR 68.06 FEET, THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD N° 25 FOR 89.91 FEET TO A POINT ON THE WESTERLY LINE

OF THE ABOVE DESCRIBED PARCEL, THENCE SOUTHERLY ALONG THE WEST LINE OF ABOVE DESCRIBED PARCEL FOR 57.09 FEET TO THE POINT OF BEGINNING. AND: (O.R.B. 19304 PG. 3813) THE WEST 20 FEET TO THE EAST 535 OF TRACT 61 LESS THE RIGHT-OF-WAY OF STATE ROAD N° 25 IN SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. BEST DESCRIBED AS FOLLOWS: COMMENCE AT NE CORNER OF TRACT 61 OF "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1" OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S89°39'50" W ALONG THE CENTER LINE OF NW 95 STREET FOR 290.00 FEET; THENCE RUN S01°45'56" E, FOR 25.00 FEET TO A POINT OF BEGINNING (POB) OF THE HEREINAFTER DESCRIBED PARCEL OF LAND, SAID POINT IS LOCATED ON SOUTH RIGHT OF WAY OF NW 95 STREET; THENCE RUN S89°39'50" W ALONG THE SAID SOUTH RIGHT OF WAY FOR 245.07 FEET; THENCE RUN S01°45'56" E, FOR 230.91 FEET TO A POINT LOCATED ON NORTH RIGHT OF WAY OF RIGHT-OF-WAY LINE OF S.R.25 AS SHOWN IN FDOT RIGHT-OF-WAY MAP 87090-2518; THENCE RUN S50°56'14" E ALONG THE NORTH RIGHT OF WAY OF SAID S.R. 25 FOR 116.35 FEET TO A POINT; THENCE RUN N89°39'50" E, FOR 157.01 FEET; THENCE RUN N01°45'56" W, FOR 304.78 FEET TO THE POINT OF BEGINNING. CONTAINING: 71,418 SQ. FT +- 1.64 ACRES. FOLIOS: 27-3003-001-0851 AND 27-3003-001-0852; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 5-0; P&Z Vote: n/a)**

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. Lazaro Prat, the applicant was present. Mr. Jose M. Lopez, Public Works Director came forward and read staff's recommendation as per Mrs. Mirtha S. Gonzalez, Chief Zoning Official's memorandum. Chairman Garcia opened the public hearing at

8:01 p.m. No one came forward; therefore, Chairman Garcia closed the public hearing at 8:01 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)**

- 13. City Attorney's Report:** Mr. Citrin had no comments.
- 14. Mayor's Report – Miscellaneous:** Mayor De La Cruz had no comments.
- 15. Council Members Concerns / Reports / Board Appointments:**  
Councilman Piña commended city staff for a wonderful Easter event.
- 16. Adjournment:** The meeting was adjourned at 8:03 p.m.

Respectfully submitted by:

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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, May 4, 2010, 7:30 P.M.

##### **PLANNING AND ZONING BOARD**

Monday, May 10, 2010, 7:30 P.M.

##### **TECHNICAL REVIEW COMMITTEE**

Thursday, May 6, 2010, 11:30 A.M.

##### **WATER AND SEWER BOARD**

Tuesday, April 27, 2010. 7:00 P.M.

##### **POLICE PENSION BOARD**

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