

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, JUNE 1, 2010**

**CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:33 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:** May 18, 2010. Chairman Garcia made a motion to approve the minutes of May 18, 2010, 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 CONSTRUCTION OF THREE WATER MAIN EXTENSIONS; AUTHORIZING THE PURCHASE OF PIPE MATERIALS IN AN AMOUNT NOT TO EXCEED \$119,161.87; RATIFYING THE AWARDING OF THE CONTRACT TO A & B PIPE; WAIVING OF COMPETITIVE BIDDING 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, APPROVING AND RATIFYING THE AGREEMENT FOR DENTAL INSURANCE BETWEEN GUARDIAN AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Arturo L. Ruiz, Director of Administration came forward on behalf of Aida Martinez Ruiz and read her memorandum into the record recommending approval and ratification of the dental insurance agreement with Guardian. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF ONE (1) 2010 FORD FUSION VEHICLE TO BE UTILIZED BY THE POLICE DEPARTMENT; WAIVING COMPETITIVE BIDDING AND UTILIZING AN EXISTING MUNICIPAL CONTRACT AS ALLOWED BY ORDINANCE 2002-54; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GUS MACHADO FORD; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Van Toth came forward and gave details of the purchase of one 2010 Ford Focus to be used by the police department. In 2009 the city purchased a Ford Fusion for the use of the police department which was involved in a collision and determined to be a total loss by the insurance company. Reimbursement funds received from the Florida League of Cities will be used for the purchase of this replacement vehicle. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, OPPOSING ARIZONA LAW SB 1070 AND URGING ITS IMMEDIATE REPEAL, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Councilman Piña made comments regarding Arizona Law SB 1070 and his opposition of said law which serves to stereotype immigrants in this country. This resolution serves to support all efforts for the repeal of this legislation. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ABANDONMENT OF A DEDICATED ROAD PORTION OF EXISTING RIGHT OF WAY KNOWN AS N.W. 112TH AVE., LEGALLY DESCRIBED AS: A PORTION OF TRACT 57, FLORIDA FRUIT LANDS CO. 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: THE EAST 10.00 FEET OF THE WEST 50.00 FEET OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LYING AND BEING IN THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA; SAID LANDS SITUATED IN THE CITY OF HIALEAH GARDENS, MIAMI-DADE

COUNTY, FLORIDA, AND CONTAINING 3,300 SQUARE FEET, MORE OR LESS; PROVIDING FOR CONDITIONS, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote 5-0; P&Z 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. Carlos Diaz civil engineer for the project was present for the applicant. Mr. Citrin read into the record a memorandum from Jose M. Lopez, Director of Public Works which explains details of the abandonment of the dedicated road portion of an existing right of way known as NW 112 Avenue. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave read the conditions set by the Technical Review Committee. Chairman Garcia opened the public hearing at 7:46 p.m. No one came forward; therefore, Chairman Garcia closed the public hearing at 7:46 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)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR PREFERRED FREEZER HIALEAH GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 57, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT: THE WEST 40.00 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST. AND ALSO LESS AND EXCEPT: THE EAST 35.00 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AND THE EXTERNAL AREA OF A 25.00 FEET RADIUS CIRCULAR CURVE, CONCAVE TO THE NORTHWEST AND TANGENT TO A LINE 35 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION. SAID LANDS SITUATED IN THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, AND

CONTAINING 9.459 ACRES, MORE OR LESS,
PROVIDING FOR CONDITIONS; PROVIDING FOR
EFFECTIVE DATE. (TRC Vote 5-0; P&Z Vote n/a)

Mr. Citrin read the full title of the ordinance into the record. Mr. Carlos Diaz civil engineer for the project was present for the applicant. Mrs. Mirtha S. Gonzalez came forward and gave staff's recommendations for approval of the tentative plat with conditions set by the Technical Review Committee. Chairman Garcia opened the public hearing at 7:50 p.m. No one came forward; therefore, Chairman Garcia closed the public hearing at 7:50 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)**

- 10. City Attorney's Report:** Mr. Citrin made comments regarding the filing of financial disclosure forms and to call him if any questions or assistance is needed. He also made comments regarding the Arizona law SB1070 addressed at tonight's meeting.
- 11. Mayor's Report – Miscellaneous:** Mayor De La Cruz wished a happy birthday to Mr. Robert Lorenzo of the Business License Department.
- 12. Council Members Concerns / Reports / Board Appointments:**

There were no comments from the council members.
- 13. Adjournment:** The meeting was adjourned at 7:51 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

July Recess

PLANNING AND ZONING BOARD

Monday, June 21, 2010, 7:30 P.M.

July Recess

TECHNICAL REVIEW COMMITTEE

July Recess

WATER AND SEWER BOARD

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

POLICE PENSION BOARD

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