

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, AUGUST 20, 2013
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:35 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge A. Merida, and City Attorney Charles A. Citrin. Councilman Jorge Gutierrez, Councilman Rolando Piña, and Mayor Yioset De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Citrin led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes: August 6, 2013.** Chairman Garcia made a motion to approve the minutes of August 6, 2013 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Presentation of Audit Report FY11-12: Mr. Nestor Caballero, CPA, Alberni Caballero & Company.

Mr. Nestor Caballero, CPA, came forward to present the audit report and financial statements for FY year ending September 30, 2012.. Mr. Caballero gave a brief summary of the report which included assests, liabilities, statement of activities, and capital projects and noted that the city was once again in good financial standing.

9. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING THE RENEWAL OF THE AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION, STATE OF FLORIDA, AND THE CITY OF HIALEAH GARDENS CONCERNING TURF AND LANDSCAPE MAINTENANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Mr. Citrin read the full title of the resolution into the record. Mr. Citrin stated that this was a renewal of the annual agreement with FDOT for turf and landscape maintain on Frontage Road. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

10. First reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA; ADOPTING A MORATORIUM ON THE SUBMISSION, PROCESSING AND ISSUANCE OF CERTIFICATES OF USE AND BUSINESS TAX RECEIPTS FOR THE OPERATION OF PAIN CLINICS AND PAIN MANAGEMENT CLINICS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR A STUDY(S); PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Mr. Citrin mentioned that there had been a change from 60 days to a 6 month moratorium. Mr Cintrin also stated that at this moment we do not have any clinics in the city. Chairman Garcia stated that this was a first reading and as such an opportunity for public input would be provided on second reading. He then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(3-0)**

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

Tabled 08-06-2013

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR LAS PALMAS, LEGAL DESCRIPTION: A PORTION OF TRACT 24, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", OF SECTION 33, TOWNSHIP 52 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, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE S.E. CORNER OF THE NORTHWEST 1/4 OF SECTION 33-52-40, THENCE RUN SOUTH 89 DEGREES 36 MINUTES 38 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 24 FOR 659.02 FEET; THENCE NORTH 00 DEGREES 23 MINUTES 22 SECONDS WEST FOR 329.51 FEET TO THE NORTH LINE OF SAID TRACT 24; THENCE NORTH 89 DEGREES 36 MINUTES 34 SECONDS EAST ALONG THE NORTH SIDE OF SAID TRACT 24 FOR 649.01 FEET, TO A POINT ON THE EAST LINE OF SAID TRACT 24; THENCE SOUTH 02 DEGREES 39 MINUTES 02 SECONDS EAST FOR 329.78 FEET TO THE POINT OF BEGINNING. FOLIO #: 27-2033-001-0290. APPROXIMATE LOCATION: NW CORNER OF NW 114 STREET AND NW 92nd AVENUE, HIALEAH GARDENS, FL.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Mr. Cintrin swore in those individuals who would be giving testimony on items for Second Reading / Public Hearing. Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(3-0)**. Mr. Citrin then read the full title of the ordinance into the record. The applicant Shahin Etessam came forward. Chairman Garcia stated that this is a final plat application and there are no variances or substantive changes being asked in relation to the plat. Chairman Garcia then opened the Public Hearing at 7:51 p.m. No comments were offered and the Public Hearing was closed at 7:51 p.m. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR TEBA SUBDIVISION, LEGAL DESCRIPTION: THE NORTH ONE HALF (N 1/2) OF TRACT 62 OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-2019-001-0695. APPROXIMATE LOCATION: BETWEEN THEORETICAL NW 109 AVENUE AND NW 112 AVENUE AND SOUTH SIDE OF NW 143RD STREET, HIALEAH GARDENS, FL.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0); P&Z Vote: n/a)

Mr. Cintrin swore in those individuals who would be giving testimony on this item. Mr. Citrin then read the full title of the ordinance into the record. Mr. Jose Cenas, surveyor for the project was present for the applicant and came forward. Chairman Garcia stated that this is a final plat application and there are no variances or substantive changes being asked in relation to the plat. Mr. Citrin stated that there is one condition, which is to remove the wall on NW 109th Avenue. The applicant is aware of that recommendation and will comply. Chairman Garcia then opened the Public Hearing at 7:54 p.m. No comments were offered and the Public Hearing was closed at 7:54 p.m. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(3-0)**

- 12. City Attorney's Report:** No comments.
- 13. Mayor's Report – Miscellaneous –** No comments.
- 14. Council Members Concerns / Reports / Board Appointments:** No comments from Council. Chairman Garcia mentioned that the next meeting will be on a Wednesday instead of Tuesday due to the budget hearing.
- 15. Adjournment -** The meeting was adjourned at 7:55 p.m.

Respectfully submitted by:

Maria L. Joffee
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, September 17, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 9, 2013, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 5, 2013, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, September 25, 2013, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, October 29, 5:30 P.M.