

MINUTES

CITY OF HIALEAH GARDENS
TUESDAY, OCTOBER 17, 2006

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 Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman and Jorge A. Merida. Also present were Mayor Yioset De La Cruz and City Attorney Charles A. Citrin. Council members Rolando Piña and Jorge Gutierrez were absent.
3. **Invocation:** Chairman Garcia led 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:** October 3, 2006. Chairman Garcia made a motion to approve the minutes of October 3, 2006, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Proposed Resolutions:**
 - A) ***RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF HIALEAH GARDENS, AUTHORIZING THE CITY MAYOR TO APPLY FOR THE FEDERAL DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM GRANT AVAILABLE THROUGH THE MIAMI-DADE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR, RECEIVE, EXPEND FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF CREATING A "DRUG CONTROL AND SYSTEM IMPROVEMENT" PROGRAM, PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Chief Van Toth came forward and explained the annual grant, which provides funds for the police department. 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 PURCHASE OF ONE (1) 2007 CROWN VICTORIA VEHICLE, THREE (3) 2007 FORD EXPLORER SPORTS UTILITY VEHICLES AND FIVE (5) 2007 FORD F-150 TRUCKS TO BE USED BY POLICE, MAINTENANCE, CODE COMPLIANCE AND PARKS DEPARTMENTS; WAIVING COMPETITIVE BIDDING; 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 GUS MACHADO FORD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full title into the record. Mr. Marcos Piloto, O.M.B. Director came forward and gave details of the vehicle purchases, which were budgeted for the fiscal year 2006-2007. 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 A NORTEL NETWORKS PHONE SYSTEM FOR THE NEW POLICE DEPARTMENT BUILDING BEING CONSTRUCTED; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BELLSOUTH COMMUNICATIONS SYSTEMS, AN AUTHORIZED DEALER OF NORTEL NETWORKS; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full title into the record. Mr. Marcos Piloto, O.M.B. Director came forward and gave details of the purchase of the Nortel Network telephone system for the new police department using an existing government contract. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. **First Reading for consideration of the following ordinances:**

- A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ACCEPTING THE ROADWAY DEDICATION BY MIAMI DADE SCHOOL BOARD TO THE CITY OF HIALEAH GARDENS, MORE PARTICULARLY DESCRIBED AS: A PORTION OF THE WEST 750 FEET OF THE EAST 785 FEET OF TRACT 19 IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. 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 (3-0).

- B) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE COMPREHENSIVE PLAN AS AMENDED BY THE 2006 EVALUATION AND APPRAISAL REPORT-BASED AMENDMENTS; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and stated that this ordinance serves to adopt and request authorization to transmit the E.A.R. to review agencies for comments before second reading. Chairman Garcia also 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 (3-0).

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

Mr. Citrin swore in all those who would be testifying on any of the items for public hearing.

- A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR GLAMOUR BANQUET HALL / PEDRO SANCHEZ LOCATED AT 8302 NW 103 STREET SUITE 301 HIALEAH GARDENS, FL. 33016, TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING***

FOR EFFECTIVE DATE. (Location: 8302 N.W. 103 Street #301) (T.R.C. Vote: 5-0; P&Z Vote: 3-1 O. Eijan)

Mr. Citrin read the full title of the ordinance into the record. Mr. Pedro Sanchez, the applicant was present. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. The applicant was advised that the sale of alcohol would only be allowed at the banquet hall during events held at the facility. Chairman Garcia reminded the applicant that he must also have an alcohol license from the State before any sale of alcohol is allowed. Mr. Julio Lopez, president of the Misty Point Villas Condominium Association came forward, made comments regarding his concerns with the banquet hall, and stated that after conversations with the applicant he is now amicable to the approval of the banquet hall. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 3-0**).

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR HIALEAH GARDENS BUSINESS CENTER INC. LEGAL DESCRIPTION: TRACTS G AND H SUBDIVISION SHOMA COMMERCIAL ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 160, AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIOS #: 27-2030-014-0070 AND 27-2030-014-0080. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Southwest corner of NW 107th Avenue and NW 138th Street) (T.R.C. Vote: 5-0; P&Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Paul Huizenga was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations and details of the conditions as set by the Technical Review Committee and the Planning and Zoning Board. The applicant addressed all conditions. Chairman Garcia opened the public hearing at 7:50 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:50 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 3-0**).

11. **City Attorney's Report:** Mr. Citrin had no comments.
12. **Mayor's Report – Miscellaneous:** Mayor De La Cruz had no comments.
13. **Council Members Concerns/Reports – Board Appointments:** There were no comments from the council members.
14. **Adjournment:** The meeting was adjourned at 7:51 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, November 21, 2006, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 13, 2006, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, December 7, 2006, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, November 28, 2006, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 28, 2006, 6:00 P.M.