

MINUTES

CITY OF HIALEAH GARDENS
TUESDAY, NOVEMBER 7, 2006

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Vice Chairman Rolando Piña called the meeting to order at 7:31 p.m.
2. **Roll Call:** Present were Vice Chairman Rolando Piña serving as Chairman, Councilman Elmo Urra, Councilman Jorge Gutierrez. Also present were Councilman Jorge A. Merida and City Attorney Charles A. Citrin. Chairman Luciano Garcia and Mayor Yioiset De La Cruz were absent.
3. **Invocation:** Councilman Jorge Gutierrez led the invocation.
4. **Pledge of Allegiance:** Vice Chairman Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** October 17, 2006. Councilman Gutierrez made a motion to approve the minutes of October 17, 2006, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Request for approval of 2COP alcohol beverage license transfer of ownership for Artistas Restaurant, Inc., 9550 N.W. 79 Avenue Bay #3, Hialeah Gardens, Florida:**
Mr. Armando Fraga, Owner.

Mrs. Maribel Fraga, the applicant was present. Mr. Arturo L. Ruiz, Director of Administration came forward and gave staff recommendation for the approval of the transfer of the alcohol beverage license. The applicant agreed with the conditions of the licensure. A motion to approve based on staff recommendation was made by Vice Chairman Piña, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR HOME DEPOT HIALEAH GARDENS: LEGAL DESCRIPTION: ALL OF TRACTS R, S, T, U, V, W, X & Y OF "SHOMA COMMERCIAL REPLAT" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161 AT PAGE 100 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACT "Y" OF SAID PLAT. TOGETHER WITH A PORTION OF NORTHWEST 112TH COURT DEPICTED ON SAID PLAT. TOGETHER WITH ALL OF TRACT "Q" (LAKE MAINTENANCE / ACCESS TRACT) OF "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. FOLIOS #: 27-2030-015-0010, 27-2030-015-0020, 27-2030-015-0030, 27-2030-015-0040, 27-2030-015-0050, 27-2030-015-0060, 27-2030-015-0070, AND 27-2030-015-0080. APPROXIMATE LOCATION: OKEECHOBEE ROAD AND NW 138 STREET; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Okeechobee Road and NW 138 Street) (T.R.C. Vote: 5-0; P&Z Vote: n/a)***

Mr. Citrin read the full title of the ordinance into the record. Ms. Melissa Tapanes Llahues was present for the applicant. Vice Chairman Piña stated that this was a first reading and as such, an opportunity for public input would be provided upon second reading. Vice Chairman Piña made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (4-0).

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, 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. Mr. Thomas Ball was present for the applicant. Mr. Jose M. Lopez, Public Works Director came forward and gave staff recommendations on behalf of Mrs. Mirtha S. Gonzalez, Chief Zoning Official. Vice Chairman Piña opened the public hearing at 7:38 p.m. No one came forward; Vice Chairman Piña closed the public hearing at 7:38 p.m. A motion to approve was made by Vice Chairman Piña, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(Vote 4-0)**.

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. Jerry Bell came forward and asked that this item be tabled as the City is awaiting the comments from the D.C.A., which were requested after first reading of the ordinance. A motion to table the item was made by Vice Chairman Piña, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(Tabled Vote 4-0)**.

11. **City Attorney's Report:** Mr. Citrin had no comments.
12. **Mayor's Report – Miscellaneous:** The Mayor was not present.
13. **Council Members Concerns/Reports – Board Appointments:** There were no comments from the council members.
14. **Adjournment:** The meeting was adjourned at 7:41 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, December 5, 2006, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 11, 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.