

## MINUTES

**CITY OF HIALEAH GARDENS  
TUESDAY, SEPTEMBER 6, 2016  
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 and Councilman Elmo L. Urra. Also present were Mayor Yiozet De La Cruz and City Attorney Charles A. Citrin. Councilman Jorge Gutierrez was absent.
- 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: August 16, 2016.** Chairman Garcia made a motion to approve the minutes of August 16, 2016 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

## 8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE SIGNING AND SUBMISSION OF A GRANT APPLICATION AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, THE ACCEPTANCE OF A GRANT AWARD FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE PURCHASE OF A VEHICLE TO BE UTILIZED BY THE HUMAN SERVICES DEPARTMENT PURSUANT TO THE GRANT AWARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the resolution into the record. Mayor De La Cruz informed that this is a grant applied for and awarded to the City to purchase a 36 passenger bus for the City's Senior Center. The grant is for a total of \$190,000.00 of which the City is responsible for 10%. The cost of the bus is \$168,000.00 and the City's would pay \$16,800.00. The Mayor asked that the full amount of the grant be approved in the event that other expenditures are incurred. No one came forward to address the item. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE MEMORANDUM OF AGREEMENT/ INTERLOCAL AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF HIALEAH GARDENS FOR THE RELOCATION OF BERNIE WILSON PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the resolution into the record. Mayor De La Cruz commented on the FDOT project which includes raising Okeechobee Road and allowing NW 87<sup>th</sup> Avenue to pass underneath. This project would require the relocation of Bernie Wilson Park. After years of negotiations with the City, FDOT agreed instead of purchasing the land where the park is located, approximately 1.27 acres, it would place money in escrow so City could look for a suitable land to relocate the park. Mayor De La Cruz added that any money left over after the purchase and any improvements made to the park would be returned to the City. No one came forward to address the item. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**9. First Reading / Public Hearing for consideration of the following Budget ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 9.73% OVER THE ROLL BACK RATE SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin stated that is a Public Hearing on the budget ordinances and proceeded to read the full title of the ordinance into the record. Mayor De La Cruz clarified for the record that this is the third consecutive year that the City maintains the same millage rate is the same as last year's. The Mayor mentioned that the current millage rate is lower than it was in 1984 and was proud to state that this rate is one of the lowest in the City's history. He added that the City is not only doing very well financially, but also well in maintaining a low tax rate for it's residents, which he believes is the reason we have the lowest amount of people moving out of the City than any other City in the County. Chairman Garcia congratuated the Mayor for his work on the budget. He also thanked the Department Heads present at tonight's meeting for their hard work, motivation and leadership throughout the year and working to stay within the budget. He congratuated them all for a job well done. Chairman Garcia proceeded to open the Public Hearing at 7:39 p.m. and asked if anyone wished to speak on the item, they could step forward at this time. No one came forward and the Public Hearing was closed at 7:39 p.m. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the Public Hearing at 7:40 p.m. No comments were offered and the Public Hearing was closed at 7:40 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PUBLIC SAFETY IMPACT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the Public Hearing at 7:40 p.m. No comments were offered and the Public Hearing was closed at 7:40 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER UTILITY FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the Public Hearing at 7:41 p.m. No comments were offered and the Public Hearing was closed at 7:41 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STREETS AND ROADS FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the Public Hearing at 7:41 p.m. No comments were offered and the Public Hearing was closed at 7:41 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE WATER AND SEWER DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the Public Hearing at 7:42 p.m. No comments were offered and the Public Hearing was closed at 7:42 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE CITIZEN'S INDEPENDENT TRANSPORTATION TRUST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the Public Hearing at 7:43 p.m. No comments were offered and the Public Hearing was closed at 7:43 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR CANSICAN 3.72 OWNER: CANSICAN GROUP, INC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 24, SECTION 19-52-40, FLORIDA FRUIT AND LANDS COMPANY'S SUBDIVISION, LYING EAST OF THE FLORIDA EXT., AS RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, PLAT BOOK 2, AT PAGE 17, BEING 4.05 ACRES M/L. BEGINNING SE CORNER OF TRACT 24, WEST 581.36 FEET (LEGAL DESCRIPTION) – S 89029'28" W 581.36' (C & M), NORTH 18 DEGREES EAST 341.30 FEET (LEGAL DESCRIPTION) – N 14024'11" E 341.28' (C), EAST 489.70 FEET (LEGAL DESCRIPTION) – N 89029'33" E 481.70' (C), SOUTH 329.99 FEET (LEGAL DESCRIPTION) – S 02033'57" E 329.99' (C & M) TO THE POINT OF BEGINNING. LESS THE EAST 40 FEET OF TRACT 24 IN RIGHT OF WAY DEED TO CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, RECORDED IN OFFICIAL RECORD BOOK 27592 PAGE 3790. FOLIO: 27-2019-001-0260, APPROXIMATE LOCATION: BETWEEN THEORETICAL N.W 146 STREET AND THEORETICAL N.W. 147 STREET AND WEST SIDE OF N.W. 112TH AVENUE, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 5-0; P&Z Vote: 4-0)**

Mr. Citrin swore in those individuals that would be testifying on the item for Second Reading / Public Hearing. He then read the ordinance into the record. Mr. Jorge Szauer for the applicant came was present. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval with conditions by TRC having been favorably addressed by applicant. There are no variances. Chairman opened the Public Hearing at 7:47. No comments were offered and the Public Hearing was closed at 7:47 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

**11. City Attorney's Report:** Mr. Citrin mentioned that he would be entering his sixteenth year with the City and that it has been a pleasure representing the Council.

**12. Mayor's Report – Miscellaneous –** No comments.

**13. Council Members Concerns / Reports / Board Appointments:**

Planning & Zoning Board: Chairman Garcia

Water & Sewer Board Appointments: Councilman Merida, Councilman Gutierrez

At this time Chairman Garcia appointed Mr. Frank Acosta to serve on the Planning and Zoning Board.

**14. Adjournment –** The meeting was adjourned at 7:50 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, October 6, 2015, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, October 5, 2015, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, October 1, 2015, 11:30 A.M.

**WATER AND SEWER BOARD**

Wednesday, September 23, 2015, 7:00 P.M.

**POLICE PENSION BOARD**

Tuesday, November 3, 2015, 5:30 P.M.