

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, SEPTEMBER 23, 2014
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:34 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman Jorge Gutierrez, Councilman Jorge A. Merida and Councilman Elmo L. Urra. Also present were Mayor Yioset 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: September 9, 2014.** Chairman Garcia made a motion to approve the minutes of September 9, 2014 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Request for approval of 2COP alcohol beverage license for Fast Grill of Hialeah Gardens, Inc., DBA/ La Granja Pollos A La Brasa, 11870 Hialeah Gardens Boulevard, Hialeah Gardens, FL: Owner, Mr. Julio Martinez

The applicant Mr. Julio Martinez was present. Robert Lorenzo, License Director came forward and read the recommendation for approval of the 2 C.O.P. license. Councilman Piña inquired if the applicant owned any other of La Granja restaurants, to which Mr. Martinez stated that he also owns the one located in the City of Hialeah. The applicant mentioned that the restaurant has the same menu as the other locations and offers both options to eat in or to take out. Based on staff recommendation Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously.

9. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT FOR CONSTRUCTION OF WATER FACILITIES AND AGREEMENT FOR CONSTRUCTION OF SANITARY SEWER FACILITIES BETWEEN THE CITY OF HIALEAH GARDENS, FLORIDA AND BRIDGE HG TWO, LLC; AUTHORIZING THE EXECUTION OF SUCH AGREEMENTS BY THE MAYOR AND CITY CLERK; RATIFYING THE PROVISIONS OF SUCH AGREEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Citrin stated that this resolution serves to memorialize the action taken at the last Council Meeting. 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, APPROVING A SITE PLAN AND VARIANCE FOR ACO INVESTMENT LLC TO PERMIT CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 5, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27845, PAGE 3507, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THE EAST ½ OF TRACT

6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27845, PAGE 3511, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THE EAST 1/2 OF THE WEST 1/2 OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4355, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THE EAST 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4351, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THE WEST 1/4 OF THE WEST 1/2 OF TRACT 6, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4347, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TRACT 7, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LESS THAT PORTION THEREOF AS DEEDED TO

THE CITY OF HIALEAH GARDENS, A POLITICAL SUBDIVISION FOR ROAD RIGHT-OF-WAY PURPOSES, IN OFFICIAL RECORDS BOOK 27709, PAGE 4359, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 107TH AVENUE AND BETWEEN THEORETICAL NW 147TH STREET AND THEORETICAL NW 150TH STREET, HIALEAH GARDENS, FL FOLIOS: 27-2019-001-0050, 27-2019-001-0063, 27-2019-001-0062, 27-2019-001-0061, 27-2019-001-0060 AND 27-2019-001-0070., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. The applicant Mr. Bryan Lara came forward for 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. He then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**.

11. Second Reading/ Public Hearing for consideration and final adoption 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, 2014 AND ENDING SEPTEMBER 30, 2015, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 3.04% 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 swore in those individuals who would be giving testimony on items for Second Reading / Public Hearing. Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:45 p.m. No comments were offered and the Public Hearing was closed at 7:45 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; 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 7:46 p.m. No comments were offered and the Public Hearing was closed at 7:46 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2014 AND ENDING SEPTEMBER 30, 2015; 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 7:47 p.m. 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. **(5-0)**

- 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, 2014 AND ENDING SEPTEMBER 30, 2015; 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 7:48 p.m. No comments were offered and the Public Hearing was closed at 7:48 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2014 AND ENDING SEPTEMBER 30, 2015; 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 7:48 p.m. No comments were offered and the Public Hearing was closed at 7:48 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2014 AND ENDING SEPTEMBER 30, 2015; 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 7:49 p.m. No comments were offered and the Public Hearing was closed at 7:49 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2014, AND ENDING SEPTEMBER 30, 2015; 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 7:50 p.m. No comments were offered and the Public Hearing was closed at 7:50 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)** Chairman Garcia congratulated Mayor De La Cruz as well as the staff for an excellent job preparing the budget and for the management of the City throughout the year that has put the City in an excellent financial situation. As a result the City is able to provide more services, capital improvement projects, and yet is still able to have twice the capital reserves that most the municipalities have in case of an emergency and not increase taxes.

12. City Attorney's Report: No comments.

13. Mayor's Report – Miscellaneous – Mayor De La Cruz briefly spoke about the highlights for this year's budget. Mayor De La Cruz stated that currently the City has 4.2 million dollars in the bank which is the same amount the City has kept since the year 2000. Revenues have increased and expenses have been trimmed back. The millage rate went down from 5.38 to 5.16 its lowest since 1984. Private investments are estimated this year at about 140 million dollars which is 20 millions dollars more than we had last year and is one of the largest amounts in the history of the City. Mayor De La Cruz thanked Mr. Juan Rivera, O.M.B. Director and staff for all the help and support with the budget and mentioned that the City is in a great financial state and its residents are enjoying one of the lowest millage rates in the history of the City.

- 14. Council Members Concerns / Reports / Board Appointments:**
Water & Sewer Board: Councilman Merida and Councilman Gutierrez
Police Pension Board: Terms Expire September 30, 2014 for Margarita de la Salas and Jorge A. Gutierrez – Chairman Garcia mentioned to please keep in mind that the Board appointments need to be made.
- 15. Adjournment** – The meeting was adjourned at 7:55 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, October 21, 2014, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 20, 2014, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, November 6, 2014, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, October 22, 2014, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 4, 2014, 5:30 P.M.