

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, DECEMBER 03, 2013
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:33 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman Jorge A. Merida, Councilman Elmo L. Urra and Councilman Jorge Gutierrez. Also present were Mr. Charles A. Citrin, City Attorney, and Mayor Yioset De La Cruz.
- 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: November 19, 2013.** Chairman Garcia made a motion to approve the minutes of November 19, 2013 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

- 8. Request for approval of transfer of 2APS alcohol beverage license for HNN Enterprises, Inc., 8700 N.W. 122 Street, Hialeah Gardens, Florida:** Mr. Hector A. Alvarez, Owner.

Chairman Garcia read item eight (8) into the record. The applicant Hector A. Alvarez was present and came forward. Robert Lorenzo, Business Tax Receipt Director came forward and gave staff recommendation for approval. At this time no one came forward to comment on the item. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- 9. Request for approval of 2COP alcohol beverage license for Las 5 Hermanas Cafeteria, Inc., 10119 W. Okeechobee Road, Hialeah Gardens, Florida:** Ms. Luz Del Alba Goldman, Owner.

Chairman Garcia read item nine (9) into the record. The applicant Luz Del Alba Goldman was present and came forward. Robert Lorenzo, Business Tax Receipt Director came forward and gave staff recommendation for approval. At this time no one came forward to address the item. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR DON MATIAS CAFÉ RESTAURANT, LOCATED AT 8012 – 8014 NW 103RD STREET, HIALEAH GARDENS, FL. TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES 2COP (WINE AND BEER) TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote 4-0)

Mr. Citrin swore in those individuals who would be giving testimony on items for Second Reading / Public Hearing. Mr. Citrin then read the full title of the ordinance into the record. The applicant Angela Florez was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval of a special exception to permit the sale of alcoholic beverages on the premises where the structure or place of business is located less than 2,500 feet from a church or school. On October 3, 2013 TRC recommended the approval with a special condition that the alcohol only be consumed inside the establishment and with a full course meal. Also, at any moment the Police department has the right to go into the establishment in order to check and make sure that it is complying with the City's ordinances. On November 4, 2013 Planning & Zoning recommended the approval (4-0). Chairman Garcia then asked if any of the surrounding entities have contacted the City with any complaints. Mrs. Gonzalez stated that all the property owners were notified and that no one has

had a complaint. Chairman Garcia then opened the Public Hearing at 7:42 p.m. No comments were offered and the Public Hearing was closed at 7:42 p.m. Based on staff recommendations Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR THE SHOPPES AT VICENZA PLAZA, TRACT "C", CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT "C", OF VICENZA AT HIALEAH GARDENS ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, AT PAGE 13, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA CONTAINING 165,436.01 SQUARE FEET OR 3.80 ACRES MORE OR LESS; FOLIO: 27-2033-067-0030, APPROXIMATE LOCATION: NORTH EAST CORNER OF HIALEAH GARDENS BOULEVARD AND NW 120 STREET, HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 6-0; P&Z Vote 4-0)

Mr. Citrin read the full title of the ordinance into the record. The applicant Shahin Etesam was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval with all prior conditions having been addressed. Chairman Garcia then opened the Public Hearing at 7:45 p.m. No comments were offered and the Public Hearing was closed at 7:45 p.m. Based on staff recommendations Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(5-0)**

11. **City Attorney's Report:** Mr. Citrin stated that sometime earlier this week a memo, from Mr. Joe Centorino with the Miami-Dade Commission on Ethics and Public Trust regarding the "cone of silence", had been distributed to the Mayor and Council. Mr. Citrin stated that the County Ordinance provides for a "cone of silence" which applies whenever there is an RFP, RFQ or bid by the City. He offered to answer any questions the Council may have regarding this issue but confirmed that it is the City's practice to follow the County Cone.
12. **Mayor's Report – Miscellaneous** – Mayor De La Cruz wished everyone Happy Holidays and Happy Hanukah, and also reminded everyone about the Festival of Lights event this Saturday coming up December, 7 at 6:30 pm.
13. **Council Members Concerns / Reports / Board Appointments** – All council members wished everyone Happy Holidays.
14. **Adjournment** - The meeting was adjourned at 7:47 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, February 18, 2014, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, February 10, 2014, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, February 5, 2014, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, February 26, 2014 7:00 P.M.

POLICE PENSION BOARD

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