

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, JANUARY 6, 2009**

**CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge Gutierrez, Councilman Jorge A. Merida and Councilman Rolando Piña. Also present was City Attorney Charles A. Citrin. Mayor De La Cruz was absent.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Councilman Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** December 16, 2008. Chairman Garcia made a motion to approve the minutes of December 16, 2008, seconded by Councilman. The motion was unanimously approved.
7. **Public Comments:**

Mr. Uri Viera resident of the city came forward and presented an issue regarding building and zoning at Las Mansiones, 8902 NW 112 Street, the residence has been turned into a multiple family structure. Chairman Garcia advised Mr. Viera to follow up with the Code Compliance Department and ask for the status of the violation.

8. **Request for transfer of ownership for 2APS alcohol beverage license for Zila Express Corp., 8314 N.W. 103 Street, Hialeah Gardens, FL:** Mr. Angel Martin, Owner.

The following individuals came forward and gave testimony:

Mr. Angel Martin, owner

Mr. Robert Lorenzo, Chief of Business License Tax Department

Mr. Angel Martin, the applicant was present. Mr. Robert Lorenzo Administrator of the Business License Tax Department came forward and read staff's recommendation for approval of the 2APS alcohol beverage license into the record. No one addressed the item. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. **Presentation of Red Light Traffic Safety program; (Installation and use of traffic control photographic systems):** Police Chief Van Toth.

Chief Van Toth came forward and informed the council that two more vendors for the red light traffic system will be making their presentations. Mr. Dale Woolsey with Nestor Traffic Systems, Inc. and Mr. Daniel Foglton with Traffipax Traffic Safety Systems came forward and made their presentations. Chairman Garcia thanked both vendors and advised that Chief Toth will look into the programs with staff and make a recommendation.

10. **Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH JEM PRINTING & COPYING SERVICES FOR DVD DUPLICATION SERVICES FOR THE CITY OF HIALEAH GARDENS COMMERORATIVE MAGAZINE, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. This resolution serves to memorialize the action taken at the last meeting. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

11. **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 HIALEAH REY PIZZA INC., ROMA HOLDING #4, LLC. LOCATED AT 8790 N.W. 122 STREET, HIALEAH GARDENS, FL 33018, TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES (WINE AND BEER) TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE.  
**(P&Z Vote: 4-0; TRC Vote: 6-0)**

Mr. Citrin swore in all those who would be testifying on the items for second reading and read the full title of the ordinance into the record. Mr. William Gutierrez and Mr. Ramon Rodriguez, the applicant, were present. Mr. Gutierrez serves as Mr. Rodriguez's attorney and interpreter. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and read staff recommendation into the record. No one came forward; therefore Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote **(5-0)**.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR LOS JARDINES ESTATES CORPORATION CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 22, LESS THE WEST 30.00 FEET THEREOF, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIÓN N° 1, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: TRACT 23, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIÓN No. 1, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH: TRACT 24, LESS THE WEST 30.00 FEET, LESS THE SOUTH 30.00 FEET AND LESS THE EAST 30.00 FEET THEREOF, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIÓN No. 1, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST,

ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS: 27-2029-001-0230, 27-2029-001-0245, 27-2029-001-0240 AND 27-2029-001-0250, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(P&Z Vote: n/a; TRC Vote: 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Omar Armenteros, surveyor and Mariano Corral, landscape architect were present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and read staff recommendation for approval with conditions set by the city for buffers and easements as well as a declaration of restrictions which has been recorded. No one came forward; therefore Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote **(5-0)**.

12. **City Attorney's Report:**

Mr. Citrin made favorable comments on how the city conducts business and its professionalism.

13. **Mayor's Report – Miscellaneous Board Appointment (Personnel Review Board)**

Mayor De La Cruz was absent.

14. **Council Members Concerns / Reports - Board Appointments (Personnel Review Board and Police Pension Board)**

There were no comments from the council members.

15. **Adjournment:** The meeting was adjourned at 8:12 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, February 17, 2009, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, March 5, 2009, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, February 5, 2009, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, February 24, 2009, 7:00 P.M.

**POLICE PENSION BOARD**

Wednesday, April 29, 2009, 5:30 P.M.