

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, MAY 6, 2008**

**HOLLINGSWORTH HALL SENIOR CENTER
10003 NW 87 AVENUE**

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:32 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 were Mayor Yiozet 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:** April 15, 2008. . Chairman Garcia made a motion to approve the minutes of April 15, 2008, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Approval of Water and Sewer Extension Agreement between the City of Hialeah Gardens and Castellon and Associates Corporation to serve Castellon Estates Subdivision located at N.W. 130 Street between N.W. 97th and 99th Avenues:** Mr. Albert Nielson, Director Water and Sewer Department.

Mr. Albert Nielsen, Director of the Water and Sewer Department came forward and gave details on the water main extension agreement between the City and

Castellon and Associates Corporation. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved (5-0).

9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY FIREWORKS ENTERTAINMENT TO ADD FIRE, INC. FOR THE CITY'S INDEPENDENCE DAY CELEBRATION; UTILIZING AN EXISTING MUNICIPAL CONTRACT FROM THE CITY OF NORTH BAY VILLAGE AS ALLOWED BY ORDINANCE 2002-54; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AGREEMENT WITH ADD FIRE, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Walter Dubon Parks and Recreation Director came forward and read his memorandum into the record, which gave details of the fireworks display. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH AGC ELECTRIC, INC., FOR ELECTRICAL SERVICES FOR A SCOREBOARD TO BE USED FOR THE WESTLAND GARDENS EL DUQUE BASEBALL FIELD AND TWO GAZEBOS LOCATED AT WESTLAND GARDENS PARK; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING MIAMI-DADE COUNTY PUBLIC SCHOOLS CONTRACT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH AGC ELECTRICAL, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Walter Dubon Parks and Recreation Director came forward and read his memorandum into the record, which gave details of the electrical services to be provided by AGC Electric, Inc. 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, GRANTING A VARIANCE SETBACKS FOR A NEW POOL IN ANTONIO TRIMARCHI'S RESIDENCE AS FOLLOWS: REAR SETBACK PROPOSED: 5' 8" INSTEAD OF 10' 00", SIDE SETBACK PROPOSED: 8' 00" INSTEAD OF 10' 00" – REAR POOL DECK PROPOSED: 3' 7" INSTEAD OF 5' 00". LOCATION: 10830 N. W. 87 COURT, HIALEAH GARDENS, FLORIDA 33018. FOLIO #: 27-2033-013-0590; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 5-0; P&Z Vote 4-0)**

Mr. Citrin swore in all those who would be testifying on items 10 B. and 10 C. for second reading and read the full title of the ordinance into the record. Mr. Antonio Trimarchi, the applicant was present. Mr. Jose M. Lopez, Director of Public Works came forward representing Mrs. Mirtha S. Gonzalez, and read her memorandum into the record. Chairman Garcia opened the public hearing at 7:43 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:43 p.m. 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 SPECIAL EXCEPTION USE, AND SITE PLAN FOR A LITTLE MOMENTS PRE-SCHOOL AND DAYCARE. APPLICANT: LAGEVILLE PLAZA LLC, ANGEL LAGE. FOLIO #: 27-2029-007-0040. LOCATION: 12975 WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA 33016, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 5-0; P&Z Vote 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Angel Lage, the applicant was present. Mr. Jose M. Lopez, Director of Public Works came forward representing Mrs. Mirtha S. Gonzalez, and read her memorandum into the record. Chairman Garcia opened the public hearing at 7:46 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:46 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote **(5-0)**.

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR LOS JARDINES ESTATES CORPORATION, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 22, LESS THE WEST 30.00 FEET THEREOF, OF "FLORIDA

FRUITS LANDS COMPANY'S SUBDIVISION NO. 1", IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FL. TOGETHER WITH: TRACT 23 OF "FLORIDA FRUITS LANDS COMPANY'S SUBDIVISION NO. 1", IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FL. TOGETHER WITH: TRACT 24, LESS THE WEST 30.00 FEET, LESS THE SOUTH 30.00 FEET AND LESS THE EAST 30.00 FEET THEREOF "FLORIDA FRUITS LANDS COMPANY'S SUBDIVISION NO. 1", IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FL. APPROXIMATE LOCATION: SOUTH OF NW 133 STREET AND NORTH OF 130 STREET, BETWEEN 104 AVENUE & NW 102 AVENUE, HIALEAH GARDENS FLORIDA 33018. FOLIOS #: 27-2029-001-0230, 27-2029-001-0245, 27-2029-001-0240, 27-2029-001-0250. PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE.
(TRC Vote 5-0; P&Z Vote: n/a)

Mr. Citrin read the full title of the ordinance into the record. Mr. Omar Armenteros was present for the applicant. Mr. Jose M. Lopez, Director of Public Works came forward representing Mrs. Mirtha S. Gonzalez, and read her memorandum into the record. Mayor De La Cruz recommended that the developer deed the 20-foot heavily landscaped buffer facing 130 Street to the city in order for the city to maintain it. Chairman Garcia opened the public hearing at 7:46 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:46 p.m. Chairman Garcia made a motion to approve, with conditions outlined by the City Attorney, seconded by Councilman Merida. The motion was approved by individualized voice vote (**5-0**).

11. **City Attorney's Report:** Mr. Citrin had no comments.
12. **Mayor's Report – Miscellaneous:** Mayor De La Cruz announced that we should be in the new building by the end June and the recreation center should be finished by January or February 2009, the Water and Sewer Department should be ready by July. State Representative Eduardo Gonzalez came forward and gave a review of the accomplishments during the last legislative session in Tallahassee.

13. **Council Members Concerns / Reports:** There were no comments from the council members.
14. **Adjournment:** The meeting was adjourned at 8:15 p.m.

Respectfully submitted by:

Maria L. Joffee
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, June 3, 2008, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 9, 2008, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, June 5, 2008, 4:00 P.M.

WATER AND SEWER BOARD

Tuesday, May 27, 2008, 7:00 P.M.

POLICE PENSION BOARD

Monday, June 2, 2008, 5:30 P.M.