

## MINUTES

CITY OF HIALEAH GARDENS  
TUESDAY, JANUARY 16, 2007

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Luciano 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 A. Merida, Councilman Jorge Gutierrez, and City Attorney Charles A. Citrin. Councilman Rolando Piña and Mayor Yioset De La Cruz were absent.
3. **Invocation:** Chairman Garcia led the invocation.
4. **Pledge of Allegiance:** Mr. Citrin led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Request to approve a change order proposal by Horse Power Electric, Inc., for signalization conduit relocation work at the intersection of N.W. 77/79 Avenues and 103 Street was added as Item 9A.
6. **Review of Minutes:** January 2, 2007. . Chairman Garcia made a motion to approve the minutes of January 2, 2006, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Request for approval of 2APS alcohol beverage license for Guilo Grocery Store, Inc., 8196 N.W. 103 Street, Hialeah Gardens, Florida:** Owner: Mr. Angel Sanchez.

The following individuals came forward and gave testimony:

Mr. Angel Sanchez, owner of Guilo Grocery Store, Inc.  
Mr. Arturo L. Ruiz, Director of Administration

Mr. Arturo L. Ruiz came forward and gave staff's recommendation to approve the 2APS license. No one came forward to address this item. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion unanimously approved.

9. **Request for approval of 2APS alcohol beverage license transfer of ownership for Servicios Burguer, Corp., 11951 W. Okeechobee Road, Hialeah Gardens, Florida:** Owner Mr. Manuel J. Sanchez.

The following individuals came forward and gave testimony:

Mr. Manuel J. Sanchez, owner of Servicios Burguer  
Mr. Arturo L. Ruiz, Director of Administration

Mr. Arturo L. Ruiz came forward and gave staff's recommendation to approve the 2APS licenses. No one came forward to address this item. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion unanimously approved.

- 9A. **Request to approve a change order proposal by Horse Power Electric, Inc. for signalization conduit relocation work at the intersection of NW 77/79 Avenues and 103 Street.** Mr. Jose M. Lopez, Director of Public Works.

Mr. Jose M. Lopez came forward and read his memorandum into the record giving details for the need of a change order proposed by the contractor, Horse Power Electric, Inc., for the stabilization of a conduit at the intersection of NW 77/79 Avenue. The change order would be for \$17, 253.00 to relocate an additional buried conduit, which was discovered at the work site. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion unanimously approved.

10. **Report on auditing firm for FY2006-07, FY2007-08:** Mr. Marcos Piloto, O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director came forward and reported that the city will not be using the auditing firm of Rachlin Cohen & Holtz and will be contracting the services of Alberni Caballero & Castellanos which was the second ranked firm by the city's selection committee. Mr. Citrin will provide a resolution to this effect.

11. **Proposed Resolutions:**

- A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA RATIFYING AND AUTHORIZING THE AWARD OF A CONTRACT FOR THE MISTY POINT EROSION PROJECT FOR THE PURPOSE OF REPAIRING THE SHORELINE AND RELIEVING THE HAZARDS CREATED BY NATURAL DISASTERS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH U.S. BRIDGE AND DREDGE, 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. Jose M. Lopez, Public Works Director came forward and offered to answer any questions. This resolution serves to ratify the action taken by the council at the last council meeting to award the contract to U.S. Bridge and Dredge, Inc. for the Misty Point Lake Erosion Project. The deadline to complete the work is March 2007. 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, RATIFYING AND AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH URS CORPORATION FOR THE PURPOSE OF PROVIDING SERVICES FOR HIALEAH GARDENS IN ORDER TO FULFILL REQUIREMENTS SET BY MIAMI-DADE COUNTY; WAIVING COMPETITIVE BIDDING; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. This resolution serves to ratify the action taken by the council at the last council meeting to approve a work order for URS Corporation for the Water and Sewer Department. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

Mr. Citrin swore in all those who would be testifying on any of the items for second reading.

**(Tabled)**

***A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR WAH-HEN CHINESE RESTAURANT / JORGE LAU LOCATED AT 9160 NW 122 STREET # 31 AND #32; HIALEAH GARDENS, FLORIDA, 33016, TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES (WINE AND BEER) TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (Location: 9160 N.W. 122 Street #31 & 32) (P&Z Vote: 4-0; TRC Vote: 5-0)***

Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. The motion was unanimously approved by individualized voice Vote **(4-0)**.

Mr. Citrin read the full title of the ordinance into the record. Mr. Jorge Lau, the applicant was present. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and read staff recommendations for a special exception for the sale of alcohol beverages at the establishment. 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 unanimously approved by individualized voice vote (4-0).

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR ANGELA AND HECTOR ROSALES LEGAL DESCRIPTION: PARENT TRACT: TRACT 11, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS, OF MIAMI DADE COUNTY FLORIDA. PARCEL "A" (AS PER O.R.B. 24283, PG. 1593) FOLIO NUMBER: 27-2029-001-0124; THE EAST 165, OF THE WEST 330.12 FEET OF TRACT 11, LESS THE SOUTH 30 FEET OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NUMBER 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, FLORIDA. CONTAINING 49,489 SQUARE FEET OR 1.1 ACRES, MORE OR LESS. APPROXIMATE LOCATION: SOUTH OF NW 133 STREET AND EAST OF NW 102 AVENUE PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE ( TRC Vote: 6-0; P & Z n/a)**

Mr. Citrin read the full title of the ordinance into the record . Mrs. Gloria Choperena was present with a power of attorney for the applicants. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and read staff recommendations. Chairman Garcia opened the public hearing at 7:49 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:49 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (4-0).

- C) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL CREATING CHAPTER OF THE CODE OF THE CITY OF HIALEAH GARDENS, TO BE ENTITLED "CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY"; ESTABLISHING THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY; FINDING AND DECLARING THE NEED THEREFORE; PROVIDING DEFINITIONS; ESTABLISHING MEMBERSHIP; PROVIDING RESPONSIBILITES AND POWERS; PROVIDING FOR THE FINANCING AND CONSTRUCTION OF HEALTH FACILITIES; PROVIDING FOR THE ISSUANCE OF REVENUE BONDS AND REFUNDING BONDS; PROVIDING TAX EXEMPTION; PROVIDING SEVERABILITY; AND PROVIDING RELATED MATTERS AND AN EFFECTIVE DATE.**

Mr. Citrin read the full title of the ordinance into the record . This is a city-initiated ordinance. Chairman Garcia opened the public hearing at 7:51 p.m. No one came forward;

Chairman Garcia closed the public hearing at 7:51 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (4-0).

13. **City Attorney's Report:** Mr. Citrin had no comments.
14. **Mayor's Report – Miscellaneous:** Mayor De La Cruz was not present.
15. **Council Members Concerns/Reports – Board Appointments:** The council members had no comments.
16. **Adjournment:** The meeting was adjourned at 7:52 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, March 6, 2007, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, March 12, 2007, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, March 1, 2007, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, February 27, 2007. 7:00 P.M.

**POLICE PENSION BOARD**

T.B.A.