

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, NOVEMBER 6, 2007**

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

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:37 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 Yioset De La Cruz and City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Garcia led 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:** October 16, 2007. Chairman Garcia made a motion to approve the minutes of October 16, 2007, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Proposed Resolutions:**

**(Tabled 10-16-07)**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF ONE (1) 2008 FLHP HARLEY DAVIDSON MOTORCYCLE TO BE USED BY THE POLICE DEPARTMENT; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-

119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH FT. LAUDERDALE HARLEY DAVIDSON, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. The motion was unanimously approved. Chief Van Toth came forward and spoke on the resolution to purchase the motorcycle for the police department. The dealer, Fort Lauderdale Harley-Davidson has agreed to the negotiated price. 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 ENTERING INTO AN AGREEMENT WITH BELLSOUTH TELECOMMUNICATIONS D/B/A AT&T FLORIDA GRANTING AN EASEMENT FOR THE PURPOSE OF CONSTRUCTING & SERVICING A COMMUNICATION SYSTEM FACILITY TO BE PLACED BEHIND THE NORTHEAST CORNER OF THE HIALEAH GARDENS CITY HALL; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz spoke briefly on the agreement with BellSouth Communications d/b/a AT&T Florida. Chairman Garcia made a motion to table the item until Mr. Jose M. Lopez, Director of Public Works returns to speak further on the item, seconded by Councilman Merida. The motion was unanimously approved (**Tabled**). Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. Mr. Lopez came forward and gave details of the easement agreement. The easement will be located behind the new city hall building. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO AN AGREEMENT FOR CONSTRUCTION AND MAINTENANCE OF CASTELLON SUBDIVISION IMPROVEMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Garcia made a motion to table the item until Mr. Jose M. Lopez, Director of Public Works returns to speak on the item, seconded by Councilman Merida. The motion was unanimously approved (**Tabled**). Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. The motion was

unanimously approved. Mr. Citrin read the full title of the resolution into the record. Mr. Lopez came forward and spoke on the item and the request to enter into an agreement for the construction and maintenance of Castellon Subdivision improvements. Miami-Dade County requires a bond agreement as per Chapter 28 of the county code. All subdivisions to be developed in the City will follow this procedure. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH SPIRAL MEDIA CORPORATION TO CREATE A PROMOTIONAL AND DOCUMENTARY VIDEO OF THE CITY OF HIALEAH GARDENS IN ORDER TO COMMEMORATE THE CITY'S SIXTIETH ANNIVERSARY; WAIVING COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz spoke on the service agreement with Spiral Media to provide a promotional and documentary video to memorialize the city's 60th anniversary. The video will also serve to promote the annexation area to potential developers. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

**9. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A VARIANCE FOR A MONUMENT SIGN WITH 12 FEET OF HEIGHT WHERE 6 FEET IS PERMITTED AND VARIANCE OF AREA OF 96 SQ. FT. WHERE 32 SQ. FT. IS PERMITTED FOR MINISTERIO INTERNACIONAL EL REY JESUS-HIALEAH INC. CONCERNING LEGALLY DESCRIBED AS: A PORTION OF TRACT 55 TOGETHER WITH THE SOUTH ONE-HALF OF TRACT 58 LYING NORTH AND EAST OF U.S. HIGHWAY NO. 27 (STATE ROAD NO. 25), FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FOLIO #: 27-2033-001-0691. LOCATION: 8833 NW 107 STREET HIALEAH GARDENS, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 4-0; P&Z Vote: 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Pastor Edgar Ordoñez was present for the applicant. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input would be provided upon second reading.

Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(5-0)**.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE 2006-38 FOR HIALEAH GARDENS BUSINESS CENTER INC., FOR A NEW SITE PLAN. LEGAL DESCRIPTION: TRACTS G AND H SUBDIVISION SHOMA COMMERCIAL ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 160, AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIOS #: 27-2030-014-0070 AND 27-2030-014-0080; 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. Mr. Paul Huizenga was present for the applicant. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input would be provided upon second reading. Councilman Gutierrez stated that he would be abstaining from voting on this item due to professional conflict of interest. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote **(4-0** with Councilman Gutierrez abstaining from voting).

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR HIALEAH GARDENS GOVERNMENT HUB. LEGAL DESCRIPTION: ALL OF TRACT 31 OF "FLORIDA FRUIT 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, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 104 AVE AND NW 107 AVE, SOUTH OF NW 137 STREET. FOLIO #: 27-2029-001-0310. TOTAL GROSS AREA: 9.995 ACRES. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote 5-0)**

M. Citrin read the full title of the ordinance into the record. This is a city-initiated application. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input would be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(5-0)**.

10. **City Attorney's Report:** Mr. Citrin commented that it continues to be a pleasure to see the city grow.
11. **Mayor's Report – Miscellaneous:** Mayor De La Cruz had no comments.

12. **Council Members Concerns/Reports – Board Appointments (Police Pension Board)**

Councilman Piña reported on the growth management law seminar that he attended in Tampa on behalf of the City. It was very informative and worthwhile and encouraged those who can attend these workshops to do so. Chairman Garcia commented on the great success of the Halloween Event and thanked all involved for their hard work.

13. **Adjournment:** The meeting was adjourned at 7:57 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, December 4, 2007, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, December 10, 2007, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, December 6, 2007, 4:00 P.M.

**WATER AND SEWER BOARD**

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

**POLICE PENSION BOARD**

T.B.A.