

## MINUTES

CITY OF HIALEAH GARDENS  
TUESDAY, SEPTEMBER 19, 2006

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:39 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urrea, Councilman Jorge A. Merida and Councilman Jorge Gutierrez. Also present were Mayor Yioset De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent
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:** September 5, 2006. Chairman Garcia made a motion to approve the minutes of September 5, 2006, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Proposed Resolutions:**

- A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING AN AGREEMENT FOR THE CITY'S LONG AND SHORT TERM DISABILITY AND LIFE INSURANCE BETWEEN JEFFERSON PILOT AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Mrs. Aida Martinez Ruiz, Personnel Director came forward and gave details of the proposals received for the City's long and short term disability and life insurance. Mrs. Martinez Ruiz gave staff's

recommendation to enter into an agreement with Jefferson Pilot. 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, APPROVING AND RATIFYING THE RENEWAL OF AN AGREEMENT FOR THE CITY'S PROPERTY, LIABILITY, AUTOMOBILE AND WORKERS' COMPENSATION INSURANCE BETWEEN THE FLORIDA LEAGUE OF CITIES AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full title of the resolution into the record. Mrs. Aida Martinez Ruiz, Personnel Director came forward and gave details of the proposal received and gave staff's recommendation for renewal of the agreement with the Florida League of Cities as the City's insurance provider. 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, RATIFYING THE EMERGENCY PURCHASE OF TWO (2) TEMPORARY REPLACEMENT PUMPS FOR SANITARY SEWAGE PUMP STATION NO. 4 IN THE AMOUNT OF \$26,000.00, AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE PURCHASE AND RATIFYING PREVIOUS ACTIONS; WAIVING COMPETITIVE BIDDING; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; 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 council meeting. 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 PURCHASE OF OFFICE FURNITURE FOR THE NEW POLICE DEPARTMENT BUILDING; WAIVING COMPETITIVE BIDDING AND USING AN EXISTING MIAMI-DADE COUNTY CONTRACT AS ALLOWED BY ORDINANCE 2002-54; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH OFFICE EXPRESS AND AUTHORIZED DEALER OF GLOBAL INDUSTRIES; 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 council meeting. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

9. **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 public hearing.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING SITE PLAN AND VARIANCE FOR BLUE FACE DEVELOPMENT INC., LEGAL DESCRIPTION: PARCEL 2: A PORTION OF TRACTS M AND N "SHOMA COMMERCIAL", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160, PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: FRONTAGE ROAD AND NW 107 AVE. FOLIO #: 27-2030-001-0130, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Frontage Road and N.W. 107<sup>th</sup> Avenue) (T.R.C. 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. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Garcia opened the public hearing at 7:47 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:47 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(Vote 4-0)**.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA GRANTING A SETBACK SIGN VARIANCE FOR FERRO DEVELOPMENT INC. / KINGS ELECTRICAL CONCERNING PROPERTY LOCATION: 9160 NW 122 STREET, HIALEAH GARDENS. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 9160 N.W. 122 Street) (T.R.C. Vote: 6-0; P&Z Vote: 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Ms. Jacqueline Gomez was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave 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 **(Vote 4-0)**.

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR DUKE SCHOOL PROPERTIES, LLC., LEGALLY DESCRIBED AS: TRACT 1, LESS THE NORTH 130.00 FEET THEREOF, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, OF SECTION 3, TOWNSHIP 53 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. LOCATION: 10505 NW 80 AVE. FOLIO #: 27-3003-001-0010, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 10505 N.W. 80<sup>th</sup> Avenue) (T.R.C. Vote: 5-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Rolando Llanes was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Garcia opened the public hearing at 7:52 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:52 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 4-0**).

***D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007, AT 6.12 MILLS, WHICH IS AN INCREASE OF 21.67% OVER THE ROLL BACK RATE SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. Mayor De La Cruz made comments as to the millage rate remaining the same. Mr. Marcos Piloto, Director of O.M.B. came forward and gave a power point presentation outlining the accomplishments of the 2005-2006 fiscal year and the City's goals for the upcoming 2006-2007 fiscal year. Chairman Garcia opened the public hearing at 8:02 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:02 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 4-0**).

***E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the public hearing at 8:04 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:04 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 4-0**).

***F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PUBLIC SAFETY IMPACT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the public hearing at 8:05 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:05 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 4-0**).

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STREETS AND ROADS FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the public hearing at 8:05 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:05 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (Vote 4-0).

- H) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER UTILITY FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the public hearing at 8:06 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:06 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (Vote 4-0).

- I) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE WATER AND SEWER DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the public hearing at 8:07 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:07 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (Vote 4-0).

- J) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PARK TRUST FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia opened the public hearing at 8:07 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:07 p.m. A motion to approve was made by Chairman Garcia, seconded by

Councilman Merida. The motion was unanimously approved by individualized voice vote **(Vote 4-0)**.

10. **City Attorney's Report:** Mr. Citrin commented that the City has done a great job with the budget.
11. **Mayor's Report – Miscellaneous:** Mayor De La Cruz welcomed Mr. Enrique Pantera to the Parks and Recreation Department. He also thanked Mr. Marcos Piloto, all the department directors and the Council for their hard work.
12. **Council Members Concerns/Reports – Board Appointments:** Councilman Gutierrez congratulated Mayor De La Cruz on the budget and welcomed Mr. Enrique Pantera to the City.
13. **Adjournment:** The meeting was adjourned at 8:10 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, October 3, 2006, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Tuesday, October 10, 2006, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, October 5, 2006, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, September 26, 2006, 7:00 P.M.

**POLICE PENSION BOARD**

Tuesday, November 28, 2006, 6:00 P.M.