

MINUTES

CITY COUNCIL MEETING
TUESDAY, FEBRUARY 15, 2005

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:38 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Jorge A. Merida, Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent. Councilman Manuel Zardon joined the meeting at 7:55 p.m.
3. **Invocation:** Chairman Garcia led the invocation.
4. **Pledge of Allegiance:** Mayor Yioiset De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Baseball League Uniforms was added as Item 14A.
6. **Review of Minutes:** February 1, 2005. Chairman Garcia made a motion to approve the minutes of February 1, 2005, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **State Attorney's Office – Community Outreach Division – Presentation of programs:** Mr. Ulises Martinez, Ms. Gisela Hidalgo, Mr. Luis Martinez.

Mr. Luis Martinez of the State Attorney's Office came forward and gave a presentation on various Outreach Programs offered by his office.
9. **Report on equipment rental and material expenditures for government complex site:** Mr. Marcos Piloto, O.M.B. Director

Mr. Marcos Piloto, O.M.B. Director came forward and requested that the Council waive the competitive bid process for the purchase of materials and rental

equipment to be used on the government complex project, memos were provided to this effect with details of the cost. Chairman Garcia made a motion to approve the drafting of a resolution for the rental equipment, seconded by Councilman Merida. The motion was approved unanimously. A resolution will be prepared to memorialize this action at the next council meeting.

Chairman Garcia made a motion to ratify staff's action for the purchase of materials from Atocha Trucking, Inc. The motion was unanimously approved. A resolution to this effect will be also be prepared for the next Council meeting.

10. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005; RECOGNIZING THE INCREASE IN REVENUE THROUGH A DADE COUNTY GRANT AND WASTE MANAGEMENT CONTRIBUTION FOR VARIOUS PROJECTS AND INCREASING CORRESPONDING LINE ITEMS IN THE SAME AMOUNT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of resolution into the record. Mr. Marcos Piloto, O.M.B. Director came forward and gave a report on the need to amend the annual budget for the General Fund to reflect increases in revenue through a Miami Dade County Grant and a Waste Management contribution. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approve.

11. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR: TRIPLE ASSETS DEVELOPMENT INC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT F SHOMA COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160, AT PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: SOUTH OF NW 138 STREET, WEST ON NW 107 AVENUE. FOLIO #: 27-2030-014-0060, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: South of NW 138 Street, West on NW 107 Avenue) (P&Z Vote: 3-0; T.R.C. Vote: 6-0)***

Mr. Citrin read the full title of the ordinance into the record. Mr. Paul Huizenga, for the applicant was present. 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 (**Vote 3-0**).

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR GARDEN GATE VILLAS/LAKELAND HOMES LLC. LEGAL DESCRIPTION: THAT PORTION OF LOTS 4, 5, AND 6, LYING NORTHEASTERLY OF THE RIGHT-OF-WAY LINE OF STATE ROAD 25, AND THAT PORTION OF LOT 13, LYING NORTHWESTERLY OF CANAL C-7, LESS THE NORTH 25.00 FEET THEREOF “NINA GARDENS”, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, AT PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. AND THE SOUTHEAST OF LOT 2 AND ALL OF LOT 3, BEING NORTHEASTERLY ON STATE ROAD 27, LESS RIGHT-OF-WAY PER STATE ROAD DEPARTMENT SECTION 87090-2510, “NINA GARDENS”, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 29 AT PAGE 15 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA. FOLIO’S # 27-3004-004-0040, 27-3004-004-0050, 27-3004-004-0020. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Northeast of Frontage Road, Northwest of Canal, South of NW 106 Street) (P&Z Vote: 3-0; T.R.C. Vote 6-0)**

Mr. Citrin read the full title of the ordinance into the record. Ms. Amy Khamissian, for the applicant was present. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input would be provided upon second reading. Let the record reflect that Councilman Manuel Zardon joined the council meeting at this time (7:55p.m.). Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 4-0**).

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

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR: JPD USA CORP., CONCERNING PROPERTY LEGALLY DESCRIBED AS: SHOMA COMMERCIAL SUBDIVISION, TRACT I, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160, AT**

PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. APPROXIMATE LOCATION: NW 107 AVENUE, SOUTH OF NW 138 STREET. FOLIO #: 27-2030-014-0090, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: NW 107 Avenue, South of NW 138 Street) (P&Z Vote: 4-0; T.R.C. 5-0) (Tabled Item 2-01-05)

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present therefore; the item remained tabled.

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CITY CODE CHAPTER 46 SECTION 60 (SCHEDULE OF FEES); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Mrs. Aida Martinez Ruiz came forward and gave staff recommendations. Chairman Garcia opened the public hearing at 7:56 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:56 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida, and unanimously approved by individualized voice (4-0).

C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CITY CODE CHAPTER 78 SECTION 308 (WALLS, FENCES AND HEDGES); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia gave details for the need to make changes to the City's Code regarding the requirements for fences, walls and hedges. Chairman Garcia opened the public hearing at 8:00 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:00 p.m. A motion to approve the ordinance as amended was made by Chairman Garcia, seconded by Councilman Merida, and unanimously approved by individualized voice (4-0).

- 13 **City Attorney's Report:** Wished well to Councilman Zardon's mother who is in the hospital.
14. **Mayor's Report – Miscellaneous:** There were no comments from the Mayor.
- 14A. **Baseball League Uniforms:** Mr. Arturo Ruiz, Director of Administration/Acting Parks Director.

Mr. Arturo L. Ruiz, Director of Administration came forward and gave a report regarding the need to solicit additional quotes from other providers of athletic uniforms. Chairman Garcia made a motion to waive competitive bidding and return with a resolution to formalize this action, seconded by Councilman Merida. The motion was unanimously approved.

15. **Council Members Concerns/Reports – Miscellaneous:** There were no comments from the Council members.
16. **Adjournment:** The meeting was adjourned at 8:05 p.m.

Respectfully submitted by:

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 1, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, March 7, 2005, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, March 2, 2005, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, February 22, 2005, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, February 23, 2005, 7:00 P.M.