

MINUTES

CITY COUNCIL MEETING
TUESDAY, MAY 3, 2005

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:43 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Jorge A. Merida, Councilman Manuel Zardon, and Councilman Rolando Piña. Also present were Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Luciano Garcia led the invocation.
4. **Pledge of Allegiance:** Mayor Yioiset De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** April 19, 2005. Chairman Garcia made a motion to approve the minutes of April 19, 2005, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** No one came forward.
8. **Proposed Resolution:**
 - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH FOR FIVE (5) 2005 CROWN VICTORIA POLICE VEHICLES, ONE (1) 2005 FORD EXPLORER AND ONE (1) FORD STERLING DUMP TRUCK WITH GRAPPLER; REAFFIRMING RESOLUTIONS 2049 AND 2056; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AND AGREEMENT WITH SUNTRUST LEASING CORPORATION; 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. Marcos Piloto, Director of O.M.B. came forward and gave details of the finance agreement of a master lease agreement for purchases. 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:

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, AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES; ADOPTING THE STANDARD INDUSTRIAL CLASSIFICATION MANUAL NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) FOR THE PURPOSE OF CLASSIFYING ALL OCUPATIONS AND ECONOMIC ACTIVITIES IN THE NEWLY ANNEXED AREA; PROVIDING FOR OCCUPATIONAL LICENSE REQUIRED; PROVIDING FOR SCHEDULE OF FEES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the ordinance into the record. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave details for the need to adopt a fee schedule for the new annexed area. Chairman Garcia opened the public hearing at 7:50 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:50 p.m. A motion to approve was made by Chairman Garcia seconded by Councilman Merida and unanimously approve by individualized voice vote (5-0).

- B) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR CASTELLON ESTATES SUBDIVISION, LEGAL DESCRIPTION: THE EAST _ OF THE WEST _ OF TRACT 8; THE EAST _ OF THE WEST _ OF THE WEST _ OF TRACT 8 AND THE EAST _ OF THE WEST _ OF TRACT 8, FLORIDA FRUIT LANDS COMPANY 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; THE EAST _ OF TRACT 8, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO.1, IN SECTION 29-52-40, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE EAST 50 FEET FOR CANAL RIGHT OF WAY; AND THE WEST _ OF THE WEST _ OF THE WEST _ OF TRACT 8, FLORIDA FRUIT LANDS COMPANY 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. APPROXIMATE LOCATION: NORTH OF NW 130 STREET, BETWEEN NW 97 & NW 99 AVENUES. FOLIOS #: 27-2029-001-0080, 27-2029-001-0090, 27-2029-001-0092, 27-2029-001-0091, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
 (Location: North of NW 130 Street, Between NW 97 A NW 99 Avenues)
 (P & Z Vote: 2-2 Perez, Maurici in favor, Villar, Eijan against) (T.R.C. Vote: 1-5 Denied, Al Nielson in favor.

Mr. Citrin read the full title of the ordinance into the record. Mr. Giraldo Castellon and Mr. Mark Maycock, the applicants were present. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations from the Technical Review Committee and the Planning and Zoning Board expressing the concerns of the Police Department and the Public Works Department regarding traffic and parking issues. Mr. Castellon came forward and gave a brief presentation of the project. Chairman Garcia expressed his concerns with the project and asked staff about alternatives to the site plan. Councilman Zardon also made comments regarding the parking issue. Councilman Merida added his concerns regarding the project. 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 and unanimously approve by individualized voice vote (5-0).

- C) **ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR KALLIOPE SUBDIVISION. LEGAL DESCRIPTION: FOLIO #: 27-2033-001-0593: A PORTION OF TRACT 48 OF SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA; FOLIO #: 27-2033-001-0370 A PORTION OF TRACTS 33 AND 34 OF SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA; FOLIO #: 27-2033-001-0596: A PORTION OF TRACT 48, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF THE SW 1/4 OF SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA. LOCATION NORTHEAST OF OKEECHOBEE ROAD AND SOUTH OF NW 114 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**
 (Location: Northeast of Okeechobee Road and South of NW 114 Street)
 (P & Z Vote: 4-0; T.R.C. Vote 6-0)

Mr. Citrin read the full title of the ordinance into the record. Chairman Garcia made a motion to table the item, as the applicant was not present, seconded by Councilman Merida. The motion was unanimously approved (**Tabled 5-0**).

D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE NO. 2002-24 AND APPROVING A MODIFICATION ON THE SITE PLAN FOR MATER ACADEMY CHARTER SCHOOL, CONCERNING PROPERTY ADDRESS: 7901 NW 103 STREET. FOLIO #27-3003-001-0020; PROVIDING FOR EFFECTIVE DATE. (Location: 7901 NW 103 Street) (P & Z Vote: 4-0; T.R.C. Vote: 5-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Rolando Llanes, architect and Ms. Judith Marty, the school administrator were present. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Mr. Llanes gave a presentation of the schools' modified traffic flow. Chairman Garcia opened the public hearing at 8:17 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:17 p.m. A motion to approve was made by Chairman Garcia seconded by Councilman Merida and unanimously approve by individualized voice vote (**5-0**).

10. **City Attorney's Report-** Mr. Citrin had no comments.
11. **Mayor's Report – Miscellaneous-** Mayor De La Cruz discussed the Urban Development Boundary Lines application by the City of Hialeah, and its impact on Hialeah Gardens. The budget report was also discussed.
12. **Council Members Concerns/Reports – Board Appointments-** Councilman Piña addressed the issue of council meeting dates. It was agreed that the council meeting dates remain as they are on the first and third Tuesdays of the month.
13. **Adjournment:** The meeting was adjourned at 8:23 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, June 7, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 13, 2005, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, June 1, 2005, 11:30 A.M.

WATER AND SEWER BOARD

T.B.A.

POLICE PENSION BOARD

T.B.A.