

MINUTES

CITY COUNCIL MEETING
TUESDAY, JUNE 21, 2005

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:36 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Jorge A. Merida and Councilman Manuel Zardon. Also present were Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent.
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:** June 7, 2005. Chairman Garcia made a motion to approve the minutes of June 7, 2005, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** No one came forward.
8. **Presentation and discussion regarding new City Seal, Adkins and Associates:** Mr. Stan Adkins and Ms. Joellen Phillips.

Mayor De La Cruz presented to the council members the new City seal. Chairman Garcia made a motion to move forward to implement the seal, seconded by Councilman Merida. The motion was unanimously approved.

9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RECEIVING THE FINANCIAL AUDIT AND REPORT PREPARED BY AVERETT, WARMUS, DURKEE, BAUDER & THOMPSON FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2003, AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR EFFECTIVE DATE.**

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz made comments on the audit for the 2003-2004 fiscal year and stated that in the auditor's opinion the City was in the best financial position it has been since the City retained their services. Mayor De La Cruz also congratulated Marcos Piloto for the good work done. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING RESOLUTION 2049 BY INCREASING THE PURCHASE AND INSTALLMENT COST OF POLICE EQUIPMENT FOR FIVE (5) NEW CROWN VICTORIA POLICE VEHICLES AND ONE (1) FORD EXPLORER; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH PUBLIC SAFETY EQUIPMENT AND INSTALLATIONS, INC.; 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. Mr. H. Keith Joy, Chief of Police came forward and gave details of the increase in the purchase and installment cost of equipment for the five new police vehicles and one sport utility vehicle. 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, 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 LOAN PROCEEDS, PUBLIC SAFETY GRANTS AND A LOW INCOME ASSISTANCE PROGRAM REIMBURSEMENT FOR THE PURPOSES OF POLICE VEHICLE PURCHASES, ONE STERLING DUMP TRUCK WITH GRAPPLER, POLICE LAP TOP PROGRAM/SUPPORT AND THE LOW INCOME**

ASSISTANCE PROGRAM 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 the resolution into the record. Mr. Marcos Piloto, O.M.B. Director came forward and explained the need for the amendment to the general fund to reflect the increase in revenue through loan proceeds, public safety grants and a low income assistance program reimbursement for the purchases of police vehicles, one dump truck with grapppler, the police lap top program/support and the low income assistance program. 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, AMENDING THE ANNUAL STORM WATER UTILITY BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004; RECOGNIZING THE INCREASE IN REVENUE THROUGH INSURANCE REIMBURSEMENT PROCEEDS TO REPLACE A STOLEN DUMP TRUCK 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 the resolution into the record. Mr. Marcos Piloto, O.M.B. Director came forward and explained the need to amend the Storm Water Utility Budget to reflect the increase in revenue through insurance reimbursement proceeds to replace a stolen dump truck. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

10. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR JANNETTE COVE III, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 200 FEET OF TRACT 33 LESS THE NORTH 100 FEET "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; LESS THE EAST 27 FEET OF THE NORTH 53.20 FEET THEREOF, SUBJECT TO DEDICATIONS,***

LIMITATIONS, RESERVATIONS, RESTRICTIONS OR EASEMENTS OF RECORD, IF ANY; LOCATION: SOUTHEAST CORNER OF FRONTAGE ROAD AND N.W. 98TH STREET; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Southeast corner of Frontage Road and NW 98th 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. Frank Suarez 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 (**Vote 4-0**).

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR JANNETTE COVE III CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 200 FEET OF TRACT 33 LESS THE NORTH 100 FEET "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; LESS THE EAST 27 FEET OF THE NORTH 53.20 FEET THEREOF; LOCATION: SOUTHEAST CORNER OF FRONTAGE ROAD AND N.W. 98TH STREET; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Southeast corner of Frontage Road and NW 98th Street) (P&Z Vote: 2-2 Villar, Maurici in favor, Perez, Eijan against); T.R.C. Vote: 5-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Frank Suarez 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 (**Vote 4-0**).

C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE VACATION OF A PORTION OF NW 82ND AVENUE RIGHT OF WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE EAST 15 FEET OF THE FOLLOWING DESCRIBED PARCEL: TRACT 33 LESS THE NORTH 155.44 FEET OF FLORIDA FRUIT LANDS 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."

CONTAINING 2,615 SQ. FT. MORE OR LESS; PROVIDING FOR CONDITIONS, PROVIDING FOR AN EFFECTIVE DATE. (P&Z Vote: 4-0; T.R.C. 5-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Frank Suarez 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 (**Vote 4-0**).

D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR PREMIER AMERICAN BANK, CONCERNING PROPERTY LEGALLY DESCRIBED: TRACT B OF SANTA NAVILA SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 154, AT PAGE 97, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. LOCATION: 8404 NW 103 STREET; PROVIDING FOR CONDITONS; PROVIDING FOR EFFECTIVE DATE. (Location: 8404 N.W. 103 Street) (P&Z Vote: 4-0; T.R.C. 5-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Tony Jimenez 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 (**Vote 4-0**).

E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR: HAFIF LAND DEVELOPMENT INC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A-A OF SHOMA COMMERCIAL REPLAT SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161, AT PAGE 100, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: EAST AND SOUTHEAST OF NW 138 STREET, NORTH OF NW 112 COURT. FOLIO #: 27-2030-015-0100, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: East and Southeast of NW 138th Street, North of NW 112 Court) (P&Z Vote: 4-0; T.R.C. 6-0)

Mr. Citrin read the full title of the ordinance into the record. 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 4-0**).

11. **City Attorney's Report:** Mr. Citrin made no comments.
12. **Mayor's Report – Miscellaneous:** Mayor De La Cruz made no comments.
13. **Council Members Concerns/Reports – Board Appointments**
 Councilman Gutierrez commented on the successful audit and the City's new seal.
 Councilman Merida appointed Mr. Eduardo del Toro to the Water and Sewer Board.
14. **Adjournment:** The meeting was adjourned at 7:56 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, August 16, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, August 8, 2005, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, August 3, 2005, 11:30 A.M.

WATER AND SEWER BOARD

T.B.A.

POLICE PENSION BOARD

Monday, August 1, 2005, 7:00 P.M.