

MINUTES

CITY OF HIALEAH GARDENS
TUESDAY, OCTOBER 4, 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 A. Merida, Councilman Rolando Piña. Also present were Mayor Yioiset De La Cruz and serving as City Attorney, Aida Martinez-Ruiz. Councilman Gutierrez joined the meeting at 7:40 p.m.
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:** September 22, 2005. Chairman Garcia made a motion to approve the minutes of September 22, 2005, seconded by Council Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Second Reading / Public Hearing for consideration and final adoption of the following ordinances:**

Mrs. Martinez-Ruiz 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, APPROVING A SITE PLAN FOR OFF STREET PARKING LOT AND DRAINAGE IMPROVEMENTS FOR LENMART INTERNATIONAL INC. CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 29 OF***

“FORREST FARM” ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20 AT PAGE 67 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-2032-003-0310. APPROXIMATE LOCATION: CORNER LOT NW 122 STREET AND NW 98 AVE. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 122 Street and N.W. 98 Avenue) (P&Z Vote: 4-0; T.R.C. Vote: 6-0)

Mrs. Martinez Ruiz read the full title of the ordinance into the record. Mr. Leo Caraballo, consultant for Leonardo Martinez and Lenmart International, Inc. 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 7:35 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:35 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 3-0**).

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AMENDMENT 05-01.1 TO THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #1: CHANGE FROM MOR (MODERATE SINGLE FAMILY RESIDENTIAL DISTRICT) AND BU (BUSINESS DISTRICT) TO MER (MEDIUM DENSITY RESIDENTIAL DISTRICT). PROPERTY LEGALLY DESCRIBED AS: PORTIONS OF TRACTS 33, 34 AND 35 IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST “FLORIDA FRUIT LANDS COMPANY’S 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: BETWEEN NW 114 STREET AND WEST OKEECHOBEE ROAD. FOLIO #: 27-2033-001-0381; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Martinez Ruiz read the full title of the ordinance into the record. Mr. Simon Ferro, Esq., was representing the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations and recommendations from the Department of Community Affairs (DCA). Mr. Ferro gave details of the project, reiterated the commitment of \$100,000 donation to the City, and will provide a covenant with the land to this effect. Chairman Garcia opened the public hearing at 7:40 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:40 p.m. Councilman Gutierrez joined the meeting at this time. Mr. Ferro repeats the project information for Councilman Gutierrez’s benefit. A motion to approve was

made by Councilman Merida seconded by Councilman Gutierrez. The motion was approved by individualized voice vote (**Vote 3-1** with Chairman Garcia voting against).

- C) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AMENDMENT 05-01.2 TO THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #2: CHANGE FROM MOR (MODERATE SINGLE FAMILY RESIDENTIAL DISTRICT) AND BU (BUSINESS DISTRICT) TO MER (MEDIUM DENSITY RESIDENTIAL DISTRICT). PROPERTY LEGALLY DESCRIBED AS: 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. APPROXIMATE LOCATION: NORTHEAST OF OKEECHOBEE ROAD AND SOUTH OF NW 114 STREET; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.***

Mrs. Martinez Ruiz read the full title of the ordinance into the record. Mr. Michael Osman was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations and a report from the Department of Community Affairs (DCA). Chairman Garcia opened the public hearing at 7:45 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:45 p.m. A motion to approve was made by Councilman Merida seconded by Councilman Gutierrez. The motion was approved by individualized voice vote (**Vote 3-1** with Chairman Garcia voting against).

9. **City Attorney's Report:** Mrs. Martinez-Ruiz had no comments.
10. **Mayor's Report – Miscellaneous:** Mayor De La Cruz had no comments.

11. **Council Members Concerns/Reports – Board Appointments**

There were no comments from council members.

12. **Adjournment:** The meeting was adjourned at 7:45 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, November 1, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

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

TECHNICAL REVIEW COMMITTEE

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

WATER AND SEWER BOARD

Tuesday, October 25, 2005, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 8, 2005, 6:00 P.M.