

MINUTES

CITY COUNCIL MEETING  
TUESDAY, JANUARY 6, 2004

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, and Councilman Rolando Piña. Also present was City Attorney Charles A. Citrin. Councilman Jorge Merida and Councilman Manuel Zardon were absent.
3. **Invocation:** Chairman Luciano Garcia gave the invocation.
4. **Pledge of Allegiance:** Councilman Rolando Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** December 16, 2003. Chairman Garcia made a motion to approve the minutes of December 16, 2003, seconded by Councilman Gutierrez. The motion was approved by unanimous consent.
7. **Public Comments:** The following individual came forward to address the Council:

Jorge Gutierrez, 10090 NW 80 Court #1521, Hialeah Gardens, FL

8. **Request for approval of 2COP alcohol beverage license transfer of ownership: Xtreme Car Care Group, Corp., 11601 W. Okeechobee Road, Hialeah Gardens:** Mr. Zamir E. Gloria, Owner.

Mr. Zamir E. Gloria, the applicant came forward and gave details of the license application. Manace Rodriguez, Occupational License Director came forward and gave staff recommendations. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez. The motion was unanimously approved.

8. **Request for approval of Water and Sewer Extension Agreements between J.J. Investments International, Inc., and the City of Hialeah Gardens for Subdivision known as Villas De Valencia located at N.W. 82<sup>nd</sup> Avenue and 99 Lane:** Mr. Albert Nielson, Director of Water and Sewer Department came forward and gave a presentation on

the extension agreement; the Water Board has approved this agreement. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez. The motion was approved unanimously.

**10. Proposed Resolution:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING MUNICIPAL ISSUES DURING THE 2004 LEGISLATIVE SESSION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full title of the resolution into the record and gave a brief summary of issues addressed in the resolution, which was supported by the Leagues of Cities. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez and unanimously approved.

**11. Second Reading/Public Hearing for consideration and final adoption of the following ordinances:** At this time City Attorney, Charles A. Citrin swore in those individuals who would be offering testimony on the items for the public hearing.

- A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING RESOLUTION # 1860 AND APPROVING MODIFICATIONS OF THE PREVIOUSLY APPROVED SITE PLAN FOR AMERICAN EQUITY FOR AN ADDITION OF DIESEL DISPENSER AND NEW DRIVEWAY ON NW 87 AVE. CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT "A", AMERICAN EQUITY PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 158, PAGE 42 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO # 27-3004-017-0010 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 10302 N.W. 87 Avenue) (T.R.C. Vote 5-1, K. Joy, P & Z Vote: 3-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Stanley Price came forward for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave department recommendations. Mr. Haim Wiener, the applicant, and project architect, Mr. Orlando Alonso were also present. Mr. Price proceeded to give details of the project, as did Mr. Alonso. Chairman Garcia opened the public hearing at 7:46 p.m. for discussion on the item. No testimony was offered; therefore, Chairman Garcia closed the public hearing at 7:46 p.m. Councilman Piña had questions for Chief H. Keith Joy regarding his negative vote on this project at the T.R.C. meeting. The Chief's concern was stacking during traffic hours. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez and unanimously approved by individualized voice vote (**Vote 3-0**).

- B) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA GRANTING A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW FOR CUZ CAR WASH, CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 1, BLOCK 1, OF LONDON ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 130, PAGE 75, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO # 27-2033-006-0010. LOCATION: 11300 NW 87 COURT. BILTMORE PLAZA PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 11300 N.W. Court) (T.R.C. Vote: 5-0; P & Z Vote: 3-0)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Ralph Caballero was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward with department recommendations on the application. Mr. Caballero came forward and gave a brief description of the project for the hand car wash. Chairman Garcia opened the public hearing at 7:54 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:54 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez and unanimously approved by individualized voice vote (Vote 3-0).

- C) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR KALLIOPE FIRST ADDITION, BBE DEVELOPMENT CORP. LEGAL DESCRIPTION: THE WEST \_ OF TRACT 7, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO.1, OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS THE WEST \_ OF THE WEST \_ OF THE WEST \_ OF TRACT 7, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO.1, OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO # 27-2029-001-0072 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: between NW 97 Avenue and NW 99 Avenue, North of NW 131 Street) (T.R.C. 5-0; P & Z Vote 3-0)**

Mr. Citrin 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 department recommendations. Mr. Osman came forward and gave a summary of the application which he stated met all City requirements. Chairman Garcia opened the public hearing at 7:57. No one came forward; Chairman Garcia closed the public hearing at 7:57 p.m. Chairman Garcia made a motion to approved, seconded by Councilman Gutierrez, and unanimously approved by individualized voice vote (Vote 3-0).

- D) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR VILLAS DE VALENCIA LEGAL DESCRIPTION: A PORTION OF TRACTS 10 AND 23, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. ONE, 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. FOLIO #27-3003-001-0139 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: NW 98 Street and NW 82 Avenue) (T.R.C. Vote: 5-0; P & Z Vote: 3-0)**

Mr. Citrin read the full title of the ordinance into the record. Ms. Sharon Aylward, surveyor for the project was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave department recommendations. Chairman Garcia opened the public hearing at 7:59 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:50 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez and unanimously approved by individualized voice vote (**Vote 3-0**).

12. **City Attorney's Report:** Reported on the appeal to the City's Land Use Amendment Application regarding 84 Holdings, LLC., and commended Mr. J. Frost Walker III for this work on the issue.
13. **Mayor's Report – Miscellaneous:** The Mayor was not present.
14. **Council Members Concerns/Reports – Miscellaneous:** Councilman Piña informed the Council that he would not be present for the next meeting.
15. **Adjournment:** The meeting was adjourned at 8:08 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 FUTURE MEETINGS:**CITY COUNCIL

Tuesday, January 20, 2004, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 12, 2004, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, January 7, 2004, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, January 27, 2004, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, February 11, 2004, 10:00 A.M.