

## MINUTES

CITY COUNCIL MEETING  
TUESDAY, APRIL 6, 2004

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:32 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Manuel Zardon, Councilman Jorge Merida, and Councilman Jorge Gutierrez. Also present were Assistant City Attorney Aida C. Martinez Ruiz and Mayor Yiozet De La Cruz. Councilman Rolando Piña joined the meeting at 7:34 p.m.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** March 16, 2004: Chairman Garcia made a motion to approve the minutes of March 16, 2004, seconded by Councilman Merida. The motion was approved by unanimous consent.
7. **Public Comments:** None were offered.
8. **Request for approval of 2COP alcohol beverage license transfer of ownership for Latin America Tropical Restaurant, 8108 N.W. 103 Street, Hialeah Gardens, FL:** Mr. Elvis Rafael Perez.

Mr. Elvis Rafael Perez, the applicant was present. At this time, Mayor De La Cruz addressed the council and asked that this item be tabled to allow time for Arturo L. Ruiz, Director of Administration to arrive and address the issue. Chairman Garcia offered a motion to table the item seconded by Councilman Merida. The motion was unanimously approved (**Tabled**)

9. **Recognition of “Officer of the Year”, Officer Vicente Amor, and “Officers of the Month” for December 2003, Carlos Zerbinati, Manuel Valdes, and Vicente Amor:** H. Keith Joy, Chief of Police.

Chief H. Keith Joy, Lieutenant Van Toth, and Mayor Yioset De La Cruz presented plaques to Carlos Zerbinati, Manuel Valdes and Vicente Amor for “Officers of the Month” for the month of December 2003, and to Vicente Amor for “Officer of the Year”, and offered their congratulations for the officers’ outstanding service.

At this time, Chairman Garcia made a motion to remove Item 8 from the table, seconded by Councilman Merida. Mr. Arturo L. Ruiz, Director of Administration came forward and gave favorable staff recommendations. Chairman Garcia made a motion to approve seconded by Councilman Merida and the item was approved unanimously.

10. **First Reading for consideration of the following ordinance:**

***A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AND APPROVING AMENDMENTS 04-01 TO THE COMPREHENSIVE PLAN INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #1:CHANGE FROM BU (BUSINESS) TO MER (MEDIUM RESIDENTIAL DENSITY); CONCERNING PROPERTY LEGALLY DESCRIBED AS: 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 THE 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. APPROXIMATE LOCATION: NORTHEAST OF OKEECHOBEE FRONTAGE ROAD (SR 25), NORTHWEST OF CANAL, SOUTH OF NW 106 STREET. FOLIO’S # 27-3004-004-0040, 27-3004-004-0050, 27-3004-004-0020; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE.***

Mrs. Aida Martinez Ruiz read the full ordinance into the record. Ms. Amy Khamissian was present. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input will be provided upon second reading. He then made a

motion to approve, seconded by Councilman Merida. The motion was approved by individualized voice vote (5-0).

#### 11. Proposed Resolutions:

- A) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CONTRACTING OF AN ELECTRICAL INSPECTOR FOR THE CITY'S BUILDING DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH EDWARD WOODWARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mrs. Aida Martinez Ruiz read the full resolution into the record. Mrs. Martinez Ruiz explained that these resolutions were renewal contracts for the City's inspectors. The duration of the contracts will be for one year and will renew every year unless either party wishes to terminate the contract with thirty days notice. Chairman Garcia made a motion to approve seconded by Councilman Merida and motion was unanimously approved.

- B) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CONTRACTING OF A MECHANICAL INSPECTOR FOR THE CITY'S BUILDING DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MANUEL JURADO; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mrs. Aida Martinez Ruiz read the full resolution into the record. Chairman Garcia made a motion to approve seconded by Councilman Merida and the motion unanimously approved.

- C) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CONTRACTING OF A PLUMBING INSPECTOR FOR THE CITY'S BUILDING DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AND AGREEMENT WITH JOSE PALACIO; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mrs. Aida Martinez Ruiz read the full resolution into the record. Chairman Garcia made a motion to approve seconded by Councilman Merida and the motion was unanimously approved.

#### 12. City Attorney's Report- No comments.

13. **Mayor's Report – Miscellaneous-** Commented that the Marlins had won a great game.

14. **Council Members Concerns/Reports – Miscellaneous**

**Jorge Gutierrez** - Councilman Gutierrez reported on the trip made with the Mayor and Arturo Ruiz to Tallahassee for Miami Dade Days. They met with Representative Julio Robaina concerning a bill he is introducing for homeowners' associations to include some changes regarding receivership. The Mayor also commented on their meeting with Representatives Ralph Arza, Rene Garcia, and David Rivera regarding two grants, one for the Senior Center and one for the Parks and Recreation Department.

**Jorge Merida**- No comments.

**Manuel Zardon**-No comments.

**Rolando Piña**-No comments.

**Chairman Garcia**-No comments.

15. **Adjournment:** The meeting was adjourned at 7:54p.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, May 4, 7:30 P.M.

PLANNING AND ZONING BOARD

T.B.A

TECHNICAL REVIEW COMMITTEE

Wednesday, May 5, 2004, 11:30 A.M.

WATER AND SEWER BOARD

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

POLICE PENSION BOARD

**Monday, May 10, 2004, 7:00 P.M.**