

MINUTES

CITY COUNCIL MEETING
TUESDAY, MAY 18, 2004

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:34p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Jorge A. Merida, and Councilman Manuel Zardon. Also present were Mayor Yiozet De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Item 12 was deleted from the Agenda.
6. **Review of Minutes:** May 4, 2004: Chairman Garcia made a motion to approve the minutes of May 4, 2004, seconded by Councilman Merida. The motion was approved by unanimous consent.
7. **Public Comments:** Mr. Jorge A. Gutierrez who is a member of the Police Pension Fund Board came forward and informed the Council of an issue which was discussed at the last board meeting. The issue concerned the loss of revenue to the City due to the wrong address (Hialeah as opposed to Hialeah Gardens) being used by residents when filing their casualty insurance policies. Mr. Gutierrez stressed the importance of having this matter brought to the public's attention. At this time, Mayor De La Cruz mentioned that he would like to see the Pension Board use requests for proposal (R.F.P.) procedures whenever possible in order to assure that the City is getting the most feasible price available for services being provided to the board.
8. **Request for reinstatement of alcohol beverage license for:** Berto Cafeteria, Inc., 9900 N.W. 80 Avenue #4-A/B, Hialeah Gardens: Owner Mr. Eriberto Valdes.

Mr. Eriberto Valdes was present. Mr. Arturo L. Ruiz, Director of Administration came forward for staff and stated that no incidents had occurred at this establishment during their probationary period and that they had been in compliance with all of the City's requirements. Mr. Ruiz also provided a police report to this effect. Chairman Garcia

made a motion to approve the request for the reinstatement of the alcohol beverage license seconded by Councilman Merida. The motion was unanimously approved.

9. **Request for reinstatement of alcohol beverage license for:** Café Tropical Restaurant: Alice Corporation, 12533-12533 West Okeechobee Road, Hialeah Gardens: Owner Mr. Miguel Castaño.

Mr. Miguel Castaño was present. Mr. Arturo L. Ruiz, Director of Administration came forward for staff and stated that no incidents had occurred at this establishment during their probationary period and that they had been in compliance with all of the City's requirements. Mr. Ruiz also provided a police report to this effect. Chairman Garcia made a motion to approve the request for the reinstatement of the alcohol beverage license seconded by Councilman Merida. The motion was unanimously approved.

10. **Request for reinstatement of alcohol beverage license for:** Megano Corporation D/B/A Megano Cafeteria, 8725 N.W. 117 Street #12, Hialeah Gardens: Owner Mr. Raul Sanchez.

Mr. Raul Sanchez was present. Mr. Arturo L. Ruiz, Director of Administration came forward for staff and stated that no incidents had occurred at this establishment during their probationary period and that they had been in compliance with all of the City's requirements. Mr. Ruiz also provided a police report to this effect. Chairman Garcia made a motion to approve the request for the reinstatement of the alcohol beverage license seconded by Councilman Merida. The motion was unanimously approved.

11. **Presentation by Florida Department of Transportation (FDOT) concerning safety improvement projects at the intersection of 95th Street and Okeechobee Road and the intersection of 116th Way and Okeechobee Road:** Mr. Jose Barrera, Project Manager FDOT.

Mr. Jose Barrera, Project Manager, Mr. Charles Hart, Traffic Specialist, Mr. Israel Magrisso, Engineer and Mrs. Glenda McQueen, Information Manager came forward. Mr. Barrera proceeded to give a presentation and gave details of safety concerns brought to light from a traffic analysis that had been done at the intersections of Okeechobee Road and NW 95th Street and Okeechobee Road and NW 116 Way. These intersections have experienced a high number of traffic accidents, and as a result, the Florida Department of Transportation is designing a comprehensive safety improvement project for both intersections. The combined cost of the projects will be \$1,200,000.00 provided by federal funding. Bids for the projects will go out in 2005 and construction will begin 2005-2006. Mr. Hart came forward and gave further information on the structural nature of the construction.

12. **Discussion of intent and vision for the development of the new annexation area (Land Use Designation):** Mrs. Mirtha Gonzalez, Chief Zoning Official and Mr. Rey Regalado, Building Official. **(This Item was Deleted from the Agenda.)**

13. **Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, REPEALING RESOLUTION 2001 THAT RATIFIED AND APPROVED A PROPOSED INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND MIAMI-DADE COUNTY, FLORIDA DUE TO AN AMENDMENT IN EXHIBIT "1" AT SECTION D(5) PROVIDED THEREIN, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

Mr. Citrin read the full resolution into the record and explained that 13A and 13B were coordinated. This resolution repeals resolution number 2001 because of an amendment included at the request of Miami-Dade County regarding the Interlocal Agreement concerning the annexation of municipal boundaries. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA RATIFYING AND APPROVING THE PROPOSED INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND MIAMI-DADE COUNTY, FLORIDA IN SUBSTANTIALLY THE FORM AS ATTACHED HEREOF AS EXHIBIT "1", RELATION TO ANNEXATION OF MUNICIPAL BOUNDARIES; AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO THE INTERLOCAL AGREEMENT AND TAKE ANY OTHER ACTION IN FURTHERANCE THEREOF; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full resolution into the record. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR JULIAN'S ESTATE. APPROXIMATE LOCATION: BETWEEN NW 121 STREET AND NW 122 STREET, WEST OF NW 87 AVE. AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FOLIO #: 27-2033-001-0011 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**

Mr. Citrin read the full ordinance into the record. Mr. Charles Jones was present for the applicant. 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 (4-0).

15. **City Attorney's Report:** Will be reporting on several issues at the next meeting.

16. **Mayor's Report – Miscellaneous:** No comments.

17. **Council Members Concerns/Reports – Miscellaneous:**

Councilman Zardon congratulated Mayor De La Cruz on his graduation from law school.

Chairman Garcia congratulated Chief H. Keith Joy for his work on recent cases.

There were no further comments.

18. **Adjournment:** The meeting was adjourned at 8:00 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 FUTURE MEETINGS:

CITY COUNCIL

Tuesday, June 15, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 7, 2004, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, June 2, 2004, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, June 22, 2004, 7:00 P.M.

POLICE PENSION BOARD

Thursday, August 26, 2004, 7:00 P.M.