

## MINUTES

CITY COUNCIL MEETING  
TUESDAY, MAY 6, 2003

CITY HALL COUNCIL CHAMBERS  
10001 N.W. 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 Rolando Piña, and Councilman Manuel Zardon. Also present were Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin.
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: April 15, 2003:** Chairman Garcia made a motion to approve the minutes of April 15, 2003, seconded by Councilman Zardon. The motion passed unanimously.
7. **Temporary council member appointment by the Mayor pursuant to Section 15 (b) of the City Charter:** Mayor Yioiset De La Cruz recommended Mr. Jorge Gutierrez to serve as a temporary appointment on the Council. He commended Mr. Gutierrez on his hard work and service to the City as a member of the Planning and Zoning Board and was confident he would continue to serve the community well as a Councilman. Pursuant to the requirements of City Charter Section 15, Chairman Garcia made a motion to approve the appointment of Mr. Gutierrez, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote. **(Vote 3-0)**
8. **Presentation of Proclamation: “International Support for the Cuban Opposition Day”:** Councilman Rolando Piña presented a proclamation on behalf of the City to Mr. Miguel Garrote for his organization’s involvement in working for freedom in Cuba. Councilman Piña offered his comments on the state of affairs in Cuba, as did Mr. Garrote.

9. **Recommendation of bid for the construction of an addition to the Human Services Recreational Building (Senior Center):** Mr. Rey Regalado, Building Official, came forward and offered his recommendation to award the contract for the construction of an addition to the Senior Center to BM Construction at a cost of \$81,875.00. Mr. Regalado made reference to his memo which noted BM Construction as the lowest responsible bidder. Mr. Citrin noted a memo provided to the Council by Mr. Arturo Ruiz, Director of Administration, which gave the chronological details of the bidding process for this project. A motion to instruct Mr. Citrin to draft a resolution awarding the contract was made by Chairman Garcia, seconded by Councilman Zardon. The motion passed unanimously.
10. **Request of expenditures for road construction project N.W. 92 Avenue at N.W. 114 Street:** Mr. Joe Lopez, Public Works Director, addressed the Council and offered a description of the proposed project which will include drainage and the construction of 330 linear feet of roadway from N.W. 92 Avenue between N.W. 114 Street and “Vincenza PUD” to the North. The project costs are estimated to be \$ 35,082.00 and will be done by Department forces excluding paving. Chairman made a motion to approve the expenditures, seconded by Councilman Zardon. The motion passed unanimously.
11. **Approval of 3PS retail alcohol beverage license for Old Parr Corporation/Palmetto Liquors, 7916 N.W. 103 Street Hialeah Gardens, FL:** Mr. Morton Goodice, receiver for Old Parr Corporation and Mr. Antonio Guzman the applicant came forward. Mr. Goodice explained that as a result of a dispute between the corporate partners, the Circuit Court had appointed him to serve as receiver for the liquor store. He went on to explain that Mr. Guzman, who is one of the partners, has properly renewed the alcohol beverage license with the State. Mr. Guzman is presently seeking to obtain an occupational license from the City in order to reopen the business. After review of the City’s requirements for this type of licensure and a favorable recommendation from staff, Chairman Garcia offered a motion to approve, seconded by Councilman Zardon. The motion passed unanimously.
12. **Proposed Resolutions:**
  - A) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE ENTERING INTO AMENDMENT NUMBER ONE TO THE CONTRACT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF HIALEAH GARDENS PROVIDING FOR THE UTILIZATION OF FUNDS GRANTED AFTER THE EXPIRATION OF THE C.D.B.G. FY 1999 CONTRACT FOR THE HYDRA SAMARI EMERGENCY ACCESS ROAD PROJECT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Maria Joffee, City Clerk offered a brief explanation of the need for this resolution which would serve to extend the 1999 O.C.E.D. contract with the City has with Miami-Dade County. Chairman Garcia made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved.

***B) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF TWO (2) TORO Z255 RADIUS LAWNMOWERS AND ONE (1) TORO WORKMAN 1100 UTILITY VEHICLE; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH TESCO SOUTH D/B/A HECTOR TURF; UTILIZING EXISTING STATE AND MUNICIPAL CONTRACTS; 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. Raymond Garcia, Park's Director came forward and gave his recommendation for purchasing the equipment via state contracts which would afford the City the best pricing available. Chairman Garcia made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved.

**13. First Reading for consideration of the following ordinances:**

***A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE 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 DADE COUNTY, FLORIDA FOLIO #27-3003-001-0139 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 98 Street and N.W. 82 Avenue) (T.R.C. Vote 5-0) (P & Z Vote 3-1 A. Perez)***

Mr. Citrin read the full title of the ordinance into the record. Ms. Sharon Aylward, surveyor for the project was present for the applicant. Chairman Garcia stated that this was a first reading for the record, and as such an opportunity for public input would be provided upon second reading. He then made a motion to approve, seconded by Councilman Guttierrez. The motion was unanimously approved by individualized voice vote. **(Vote 4-0)**

- B) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR CONSENSUS CORP. LEGAL DESCRIPTION: THAT PORTION OF TRACT 25, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF DADE-COUNTY, FLORIDA, LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD N°25, AND SUBJECT TO DEDICATIONS, LIMITATIONS, RESERVATIONS, EASEMENTS, OR RESTRICTIONS OF RECORD, IF ANY. FOLIO #27-2033-001-0280 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Okeechobee Road, West of N.W. 94 Avenue and North of N.W. 114 Street) (T.R.C. Vote 4-0) (P & Z Vote 4-0)**

Mr. Citrin read the full title of the ordinance into the record. Ms. Sharon Aylward, surveyor for the project was present for the applicant. Chairman Garcia stated that this was a first reading for the record, and as such an opportunity for public input would be provided upon second reading. He then made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote. **(Vote 4-0)**

- C) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR OLIVA BRICK INC. LEGAL DESCRIPTION: A PORTION OF TRACT 7, OF FOREST FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 6, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO # 27-2032-002-0070 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 99 Avenue and Frontage Road) (T.R.C. Vote 5-0) (P & Z Vote 4-0)**

Mr. Citrin read the full title of the ordinance into the record. No one came forward for the applicant. Chairman Garcia stated that this was a first reading for the record, and as such an opportunity for public input would be provided upon second reading. He then made a motion to approve, seconded by Councilman Zardon with Councilman Gutierrez voting in favor and Councilman Piña against. The motion was approved by individualized voice vote. **(Vote 3-1)**

14. **Public Comments** – No one came forward.
15. **City Attorney's Report** – Mr. Citrin made reference to the new lobbyist registration disclosure which was noticed on tonight's agenda and will be noticed on all future Council meeting agendas.

16. **Mayor's Report** – Mayor De La Cruz commended the work done on the drainage and paving project on N.W. 80<sup>th</sup> Avenue. He offered his appreciation to State Representative Ralph Arza for his efforts in securing the State funding which provided the means for the project. Mayor De La Cruz also commented on the new County bus route which would be providing service to areas in the City and the new landscaping project the City had undertaken to beautify numerous thoroughfares and parks. He concluded by inviting everyone to the Mother's Day celebration on Friday May 9, at the Senior Center.
17. **Council Members Concerns/Reports – Miscellaneous**  
**Chairman Garcia** – No comments  
**Councilman Piña** – No comments  
**Councilman Zardon** – No comments  
**Councilman Gutierrez** – Thanked everyone once again for their support and confidence in his ability to serve the community.
18. **Adjournment:** The meeting was adjourned at 8:10 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, June 3, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 9, 2003 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, June 4, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, May 27, 2003, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.