

MINUTES

CITY COUNCIL MEETING
TUESDAY, JUNE 17, 2003

CITY HALL COUNCIL CHAMBERS
10001 N.W. 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, Councilman Jorge Gutierrez and City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Councilman Gutierrez led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** A recommendation for Uniform Cleaning Services BID #03-05 by Mr. Marcos Piloto, O.M.B. Director was added to the agenda as **Item 6A** by unanimous consent of the Council.
6. **Review of Minutes: June 3, 2003:** Chairman Garcia made a motion to approve the minutes of June 3, 2003, seconded by Councilman Zardon. The motion passed by unanimous consent.
- 6a. **Recommendation for Uniform Cleaning Services BID #03-05:** Mr. Marcos Piloto, Director O.M.B. came forward and made his recommendation to award the uniform contract to Unifirst Uniform which was the lowest responsible bidder on the proposals submitted to the City. Mr. Piloto stated that the price per employee quoted by Unifirst would provide substantial savings to the City. At this time Mr. Citrin read the following resolution authorizing the awarding of the contract:

***RESOLUTION OF THE CITY OF HIALEAH GARDENS,
FLORIDA, AUTHORIZING THE AWARD OF A
CONTRACT FOR THE CITY'S UNIFORMS;
AUTHORIZING THE APPROPRIATE CITY OFFICIALS
TO EXECUTE AN AGREEMENT WITH UNIFIRST
CORPORATION; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.***

A motion to approve was offered by Chairman Garcia, seconded by Councilman Zardon and unanimously approved.

7. **Discussion of citywide landscaping vendor: Grounds Keepers, Inc.:** Pursuant to a request made the Council at their last meeting, Ms. Aida Martinez, Assistant City Attorney, came forward and gave a report concerning Grounds Keepers, Inc., the vendor currently providing landscaping services for City. Ms. Martinez made reference to an informational packet that had been prepared by Mr. Andrew Gonzalez, General Manager of Grounds Keepers, Inc. and submitted to the Council prior to tonight's meeting. The packet served to provide documentation regarding the incorporation of the business, its licensure, change of business name, and mailing address. Ms. Martinez stated that her investigation found that Grounds Keepers, Inc., was in complete compliance with all necessary license requirements and was a vendor in good standing with numerous clients. At this time Mr. Andrew Gonzalez gave a brief history of the company and expressed his appreciation for the opportunity to work for the City.
8. **Presentation by 84-A Holdings, L.L.C., of Vicenza at Hialeah Gardens Community Development District:** Mr. Julio Robaina representing 84A Holdings, LLC addressed the Council and gave a detailed report on the merits for supporting the creation of a Community Development District. Mr. Rod Finer, attorney with Coker and Finer, was also present to provide information and answer questions regarding infrastructure and bond financing. Following the presentation, a motion to table the item was made by Chairman Garcia, seconded by Councilman Merida and approved by unanimous consent.

9. **Proposed Resolutions:**

- A) ***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA; EXPRESSING SUPPORT FOR THE CREATION OF THE VICENZA AT HIALEAH GARDENS COMMUNITY DEVELOPMENT DISTRICT BY THE MIAMI-DADE COUNTY COMMISSION FOR THE LANDS DESCRIBED ON EXHIBIT "A"; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE. (Tabled 4-0)***
- B) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING AN AGREEMENT FOR DENTAL INSURANCE BETWEEN CIGNA HEALTHCARE AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Ms. Martinez stated that this resolution served to memorialize the action taken by the Council at their last meeting. Chairman Garcia made a motion to approve, Councilman Merida offered a second, and the resolution was approved by unanimous consent.

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

- A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AND APPROVING AMENDMENTS 02-02 TO THE COMPREHENSIVE PLAN INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #1-CHANGE FROM BU/MOR TO MER DISTRICT; CONCERNING PROPERTY LEGALLY DESCRIBED AS: PORTION OF TRACT 25 IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 25, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK, 2 AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO # 27-2033-001-0280. PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE. (Location: West of N.W. 94th Avenue, N.E. of Okeechobee Road (S.R. No. 25) and North of N.W. 114 Street) (T.R.C. 5-0; P&Z 3-0))**

Ms. Aida Martinez read the full title of the ordinance into the record. Mr. Julio Robaina came forward on behalf of the applicant, Mr. Michael Osman. Chairman Garcia stated that this was a first reading of the ordinance 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 Merida. The motion was unanimously approved by individualized voice vote. **(Vote 4-0)**

- B) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AND APPROVING AMENDMENTS 02-02 TO THE COMPREHENSIVE PLAN INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #2-CHANGE FROM MOR TO MER AND BU DISTRICT AND RELOCATION OF POS; CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF TRACTS 19, 20, 21, 22, 23, LESS THE EAST 35.00 FEET THEREOF; AND THAT PART OF TRACTS 26, 27, AND 28, LYING NORTHEASTERLY OF THE AREA ZONED AS BUSINESS DISTRICT AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE CENTER OF SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE NORTH 02 39' 03" WEST FOR 329.78 FEET; THENCE ALONG THE SOUTH LINE OF TRACTS 23, 26 SOUTH 89 39' 34" WEST FOR A DISTANCE OF 1598.14 FEET TO ITS INTERSECTION WITH THE LINE DELIMITING THE**

BUSINESS ZONED AREA; THENCE NORTHWESTERLY ALONG SAID BUSINESS ZONE AREA LINE NORTH 51 02' 15" WEST FOR A DISTANCE OF 1,310.07 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERLY LINE OF NW 92ND – 97TH AVENUE CONNECTOR ROAD; ALSO THAT PART OF TRACTS 28, 29, 30 AND 31, LYING SOUTHEASTERLY OF SAID SOUTHEASTERLY LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT LAST DESCRIBED INTERSECTION; THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID NW 92ND – 97TH AVENUE CONNECTOR ROAD, NORTH 39 01' 30" EAST FOR 1,483.63 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF TRACT 31, SAID POINT BEING 271.68 FEET WEST OF THE NORTHEAST CORNER OF SAID TRACT 31 AND THERE TERMINATING. ALL LYING AND BEING IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF 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. FOLIO #'S 27-2033-001-0220, 27-2033-001-0210, 27-2033-001-0230, 27-2033-001-0240, 27-2033-001-0241, 27-2033-001-0250, 27-2033-001-0260, 27-2033-001-0300, 27-2033-001-0310, 27-2033-001-0320, 27-2033-001-0330, 27-2033-001-0340, 27-2033-001-0350; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 92 – 97 Avenue (Connector Road), Okeechobee Road and West of N.W. 92nd Avenue) (T.R.C. 5-0; P&Z 3-0)

Ms. Aida Martinez read the full title of the ordinance into the record. Mr. Julio Robaina was present on behalf of the applicant. Chairman Garcia stated that this was a first reading of the ordinance 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, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AND APPROVING AMENDMENTS 02-02 TO THE COMPREHENSIVE PLAN INCLUSIVE OF CITY INITIATED LAND USE APPLICATION #3-CHANGE FROM CM, FOLIO # 27-2029-001-0300 AND LDR, FOLIO #'S 27-2029-001-0305 AND 27-2029-001-0340 TO POS; CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST _ OF TRACT 29 AND ALL OF TRACTS 30 IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST "FLORIDA 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. PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 104th Avenue and N.W. 107th Avenue, North of N.W. 134th Street) (T.R.C. 5-0; P&Z 3-0)

Ms. Aida Martinez read the full title of the ordinance into the record. Mr. Joe Lopez, Public Works Director came forward on behalf of this City initiated application. Chairman Garcia stated that this was a first reading of the ordinance 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 Merida. The motion was unanimously approved by individualized voice vote. **(Vote 4-0)**

- D) *AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR HIALEAH GARDENS CITY HALL. CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS 29, 30 AND 31, OF "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", 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, LYING NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 25, AS SHOWN IN RIGHT OF WAY MAP SECTION 87090-2518 AND LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF NW 103rd STREET AS RECORDED IN ROAD PLAT BOOK 60, AT PAGE 53, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #27-2033-001-0280. PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE.*** (Location: N.W. 103 Street, N.W. 87 Avenue and Okeechobee Road) (T.R.C. 5-0; P&Z 4-0)

Ms. Aida Martinez read the full title of the ordinance into the record. Mr. Joe Lopez, Public Works Director came forward on behalf of the City. Chairman Garcia stated that this was a first reading of the ordinance 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)**

- E) *AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR JEANNETTE COVE ONE & TWO. CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL I: THE EAST 201.42 FEET OF THE NORTH 150 FEET OF THE WEST 431.42 FEET OF TRACT 64, IN SECTION 3,***

TOWNSHIP 53 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. TOGETHER WITH A NON-EXCLUSIVE PERPETUAL EASEMENT RUNNING WITH THE LAND OVER AND UPON THE FOLLOWING DESCRIBED REAL PROPERTY, TO WIT: THE NORTH 25 FEET OF THE EAST 201.42 FEET OF THE NORTH 150 FEET OF THE WEST 431 FEET OF TRACT 64, IN SECTION 3, TOWNSHIP 53 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. PARCEL II: THE WEST 230 FEET OF THE NORTH 150 FEET OF THE WEST 431.42 FEET OF TRACT 64, IN SECTION 3, TOWNSHIP 53 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 DADE COUNTY, FLORIDA TOGETHER WITH A PERPETUAL EASEMENT RUNNING WITH THE LAND AND OVER AND UPON THE FOLLOWING DESCRIBED REAL PROPERTY, TO WIT: THE NORTH 25 FEET OF THE EAST 201.42 FEET OF THE NORTH 150 FEET OF THE WEST 431.42 FEET OF TRACT 64, IN SECTION 3, TOWNSHIP 3 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 DADE COUNTY, FLORIDA. LESS: A PARCEL OF LAND LYING IN THE CITY OF HIALEAH GARDENS, DADE COUNTY, FLORIDA BEING A PORTION OF TRACT 64, IN SECTION 3, TOWNSHIP 53 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 DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE CENTER OF SAID SECTION 3; THENCE RUN N89 48' 29"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, FOR 22.00 FEET TO A POINT; THENCE RUN S000 01'22"E, FOR 70.19 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST: THENCE RUN SOUTHWESTERLY

ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 68 11' 46", FOR AN ARC DISTANCE OF 41.66 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE RUN N00 01'22"W, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, FOR 102.2 FEET TO THE POINT OF BEGINNING. FOLIO #'S 27-3003-001-4280, 27-3003-001-0900. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 9894 N.W. 82 Avenue and 9862 N.W. 82 Avenue) (T.R.C. 5-0; P&Z 3-1 A. Perez)

Ms. Aida Martinez read the full title of the ordinance into the record. Mr. Cory Collins on behalf of the applicant Southern Residential Properties was present. Chairman Garcia stated that this was a first reading of the ordinance 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 Merida. The motion was unanimously approved by individualized voice vote. **(Vote 4-0)**

- F) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING THE APPLICATION REQUESTING AN AMENDMENT 02-01.1 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM EU (ESTATE RESIDENTIAL) TO LDR (LOW DENSITY RESIDENTIAL DISTRICT). LEGAL DESCRIPTION: TRACT 22 LESS THE WESTERLY 30.00 FEET, ALL OF TRACT 23, AND TRACT 24 LESS THE EAST 30.00 FEET, THE SOUTH 30.00 FEET AND LESS THE WEST 30.00, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF 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. FOLIO'S #: 27-2029-001-0240, 27-2029-001-0245, 27-2029-001-0230, 27-2029-001-0250. APPROXIMATE LOCATION: BETWEEN NW 130TH & NW 133RD STREETS, BETWEEN NW 102ND & NW 104TH AVENUES; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (Location: Between N.W. 130 Street and N.W. 133 Street, between N.W. 102 Avenue and N.W. 104 Avenue) (T.R.C. 6-0; P&Z 1-3 A. Perez voted to approve, C. Villar, A. Maurici, and S. Cordero voted to deny)**

Ms. Aida Martinez read the full title of the ordinance into the record. Mr. Bill Riley came forward and requested on behalf of the applicant that the item be tabled due to proposed changes to the site plan with regard to density. A discussion ensued concerning the possibility of the applicant withdrawing the item as opposed to tabling

the item. Chairman Garcia stated that if substantial changes were to be made to the site plan the application should go through the complete process anew including T.R.C. and P & Z review. Based on the discussion of the proposed revisions, Chairman Garcia made a motion to table the item, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote. **(Tabled 4-0)**

11. **Public Comments** – The following individuals addressed the Council:

Gerri Fontanella, 13425 N.W. 102 Avenue, Hialeah Gardens, Florida.

12. **City Attorney's Report** – No Comments

13. **Mayor's Report – Miscellaneous** – The Mayor was not present.

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

Councilman Gutierrez – Reported on the Mater Academy Charter School award ceremony which he attended with Chairman Garcia on behalf of the City.

15. **Adjournment** – The meeting was adjourned at 8:40 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, August 5, 2003 P.M.

PLANNING AND ZONING BOARD

Monday, August 11, 2003 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, August 6, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, August 26, 2003, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, August 13, 2003, 7:00 P.M.