

MINUTES

CITY COUNCIL MEETING
TUESDAY, DECEMBER 16, 2003

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:37 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Rolando Piña, and Councilman Manuel Zardon. Also, present were City Attorney Charles A. Citrin and Mayor Yioiset De La Cruz.
3. **Invocation:** Chairman Luciano Garcia gave the invocation.
4. **Pledge of Allegiance:** Mayor Yioiset De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
6. **Review of Minutes:** December 2, 2003: Chairman Garcia made a motion to approve the minutes of December 2, 2003, seconded by Councilman Zardon. The motion was approved by unanimous consent.
7. **Public Comments:** The following individual came forward to address the Council:

Mr. Jorge Gutierrez, 10090 NW 80 Court #1521, Hialeah Gardens, Florida 33016.
8. **Request for approval of refund for Local Law Enforcement Block Grant to the Office of Justice Programs:** Mr. Marcos Piloto, O.M.B. Director.

Mr. Marcos Piloto, O.M.B. Director and Mr. H. Keith Joy, Chief of Police came forward and explained the particulars regarding the refund for the grant monies expended by the Department of Justice. Chairman Garcia made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved.

9. **Proposed Resolution:**

- A) A RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE PURCHASE OF TWO (2) STERLING DUMP TRUCKS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ATLANTIC TRUCK CENTER, INC; 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. Marcos Piloto, O.M.B. Director came forward and gave a report on the purchase of two dump trucks. A motion to approve was made by Chairman Garcia, seconded by Councilman Zardon, and unanimously approved by voice vote.

- B) A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE MAYOR AND THE CITY COUNCIL, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF HIALEAH FOR ONE YEAR, WITH NEGOTIATED ANNUAL RENEWALS, TO EXTEND THE HIALEAH TRANSIT SYSTEM SERVICE INTO HIALEAH GARDENS WITH ONE OR MORE ROUTES FOR THE SUM OF \$206,644.00 PAYABLE IN EQUAL MONTHLY INSTALLMENTS OF \$17,220.33, IN SUBSTANTIAL FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".**

Mr. Citrin read the full title of the resolution into the record. Mr. Marcos Piloto O.M.B. Director came forward and gave a presentation regarding the benefits of an interlocal agreement with the City of Hialeah transit system service. A motion to approve was made by Chairman Garcia, seconded by Councilman Zardon, and unanimously approved by voice vote.

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

- 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)

Mrs. Martinez-Ruiz read the full title of the ordinance into the record. Mr. Rolando Alonso, Jr. for the applicant was present. Chairman Garcia stated that this was a first reading for the record, and as such, an opportunity for public input would be afforded upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote (4-0).

- 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)

Mrs. Martinez-Ruiz read the full title of the ordinance into the record. Mr. Carlos Duarte for the applicant was present. 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. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez. The motion was unanimously approved by individualized voice vote (4-0).

- 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 6-0)

Mrs. Martinez-Ruiz read the full title of the ordinance into the record. Mr. Michael Osman of BBE Development, the applicant was present. 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. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez. The motion was approved by individualized voice vote (3-0 Councilman Zardon was off the dais).

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)

Mrs. Martinez-Ruiz read the full title of the ordinance into the record. Ms. Sharon Aylward of Aylward Engineering and Surveying 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. Chairman Garcia made a motion to approve, seconded by Councilman Zardon. The motion was unanimously approved by individualized voice vote (4-0).

11. **City Attorney's Report:** Mr. Citrin wished everyone Happy Holidays.
12. **Mayor's Report – Miscellaneous:** The Mayor gave a report on the annexation hearing held today at the County Commission. He mentioned that the gifts from the City's toy drive will be handed out at Samari Lakes and Courtly Manor this coming Saturday. The Mayor also informed that the annual Christmas Party for the seniors will be held on Monday, December 22 and commented on the success of the Christmas Carnival at Golden Eagle Park on December 13, 2003.
13. **Council Members Concerns/Reports – Miscellaneous**

Councilman Gutierrez gave positive comments on the City's Shop with a Cop for Christmas Program this weekend.

Councilman Zardon wished everyone a Merry Christmas and a Happy New Year.

Councilman Piña wished everyone a Good Holiday.

Chairman Garcia wished everyone Happy Holidays.
14. **Adjournment:** The meeting was adjourned at 8:10 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, 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.