

## MINUTES

CITY COUNCIL MEETING  
TUESDAY, APRIL 16, 2002

CITY HALL COUNCIL CHAMBERS  
10001 N.W. 87 AVENUE

1. **Call to Order:** Chairperson Garcia called the meeting to order at 7:39 p.m.
2. **Roll Call:** Present were Chairperson Luciano Garcia, Council members Manuel Zardon, LucyValdes, Rolando Piña and Miguel Haddad. Also present was City Attorney Charles A. Citrin.
3. **Invocation:** Chairperson Garcia gave the invocation.
4. **Pledge of Allegiance:** Council member Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** There were no additions or deletions made to the agenda.
6. **Review of Minutes: April 16, 2002:** Chairperson Garcia made a motion to approve the minutes of April 16, 2002, seconded by Council member Haddad and the motion was unanimously approved.
7. **Request for approval of alcohol beverage license:** El Pio Pio Restaurant, 11300 N.W. 87 Court #134, Hialeah Gardens, Florida. Mr. Jose M. Almonte owner of the establishment was present. Mr. Arturo Ruiz, speaking for the City stated that the State Division of Alcohol Beverage and Tobacco had already given their approval and the City had no objections to Mr. Almonte's application. Chairperson Garcia reviewed the requirements of holding an alcohol and beverage license with Mr. Almonte who acknowledged his responsibilities. Based on staff recommendation, Chairperson Garcia made a motion to approve, seconded by Council member Haddad and motion passed unanimously.
8. **Expenditure of forfeiture funds for new Police "off road" specialized vehicle:** Marcos Piloto, Director, O.M.B., addressed the council and requested their approval to waive competitive bidding for the purchase of an F-150 Extended Cab truck for use by the Auto Theft Task Force Unit. Mr. Piloto stated that he had reviewed proposals from both the Florida Association of Sheriffs and the City of Miami Bid #99-00-308, and that the latter priced the vehicle for \$2,000.00 less. He added that Gus Machado Ford had offered to honor the price quoted to the City of Miami through their bid

process. Based on this offer Mr. Piloto recommended purchasing the vehicle from Gus Machado Ford contingent on his review of the Miami bid documents. Council member Haddad made a motion to approve, seconded by Council member Piña and the motion was unanimously approved. Mr. Citrin will prepare a resolution ratifying this action for the next council meeting.

**9. Proposed Resolution:**

- A) *A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RECOGNIZING APRIL 28, 2002 AS WORKER'S MEMORIAL DAY; PROVIDING FOR EFFECTIVE DATE.***

A motion was made by Council member Piña to table this item in order to allow time for the sponsors of the resolution to arrive. The motion was seconded by Chairperson Garcia and unanimously approved.

**10. FIRST READING for consideration of the following proposed ordinances:**

- A) *AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR: BITWAY INTERNATIONAL, CONCERNING PROPERTY LEGALLY DESCRIBED AS: 10550 N.W. 77<sup>TH</sup> COURT, 2<sup>ND</sup> FLOOR SUITE 313 AND 314. FOLIO #27-3003-001-0012. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 10550 N.W. 77<sup>th</sup> Ct. 2<sup>nd</sup> Fl. #313, 314) (P & Z: 5-0, T.R.C. 5-0)***

Charles A. Citrin, City Attorney, read the full title of the ordinance into the record. Chairperson Garcia asked if the applicants were present; no one came forward. Mirtha Gonzalez, Chief Zoning Official addressed the council and stated that staff had no objections to this application. As an opportunity for public input would be provided at the second reading of this ordinance, Chairperson Garcia made a motion to approve, seconded by Council member Haddad, Council member Valdes voted in favor with Council members Piña and Zardon voting against. **(Vote 3-2)**

- B) *AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR MACO COMMERCE CENTER, MDT., LLC. CONCERNING PROPERTY LEGALLY DESCRIBED AS: W \_ OF TRACT 25 LESS WEST 40 FEET FOR A ROAD RIGHT-OF-WAY AND W \_ OF THE S \_ OF TRACT 26, LESS THE WEST 40 FEET THEREOF FOR A ROAD RIGHT-OF-WAY, BOTH OF THE FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 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; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.***  
 (Location: N.E. Corner of Okeechobee Rd. & N.W. 107 Ave.) (P & Z 5-0, T.R.C. 5-0)

Aida Martinez, Assistant City Attorney, read the full title of the ordinance into the record. Mr. Julio Robaina, the applicant was present. Mirtha Gonzalez, Chief Zoning Official stated that staff had no objections to the application. Chairperson Garcia made a motion to approve, as an opportunity for public input would be provided at the second reading. The motion was seconded by Council member Zardon and unanimously approved by individualized voice vote of the council. **(Vote 5-0)**

11. **Request for extension on R.F.P. for financial advisor services:** Ms. Aida Martinez, Assistant City Attorney, came forward and stated that an extension would not be needed at this time as two proposals had been received before the noticed deadline. The proposals will be reviewed and recommendations will be made to the council at a future date.
12. **Municipal Code update:** Mari Joffee, City Clerk, informed the council that a review of the City's codebook of ordinances had been completed and supplements to the code had been prepared to bring the book up to date. Mr. Citrin advised that a clean up ordinance would be drafted to correct some discrepancies found during the review process and a resolution to adopt the new codebook would be prepared as well.
13. **City Attorney's Report** – Reported that there was a need for the Personnel Review Board to schedule a hearing and that he believed there was currently a vacancy on the board that needed to be filled. Mr. Citrin advised that he would look into the matter and report back.
14. **Mayor's Report – Miscellaneous** – Mayor De La Cruz was not present.
15. **Council Members Concerns/Reports – Miscellaneous** –

**Council member Valdes** – Informed of a proposed development of 800 units west of I-75. She urged the public to attend a meeting scheduled for Thursday April 18, at 7:00 p.m. at American High School, as this project will have a direct impact on student enrollment in area schools.

**Council member Haddad** – Thanked the City's administration for sending a flower arrangement for his mother's funeral and also thanked Mayor De La Cruz and Council member Zardon for attending the services.

**Council member Zardon** – No comments

**Council member Piña** – Thanked the Clerk for her work on the update of the City's codebook.

**Chairperson Garcia – No Comments**

**16. Public Comments –**

Mr. Pablo Alvarez, came forward and expressed his concern regarding the review process and adoption of a new codebook of ordinances.

Mrs. Gerri Fontanella came forward and expressed her views regarding her service on the Planning and Zoning Board.

Mr. Sergio Menendez came forward and voiced his concern over various issues that he believed were in violation of City code. He also made reference to a letter he had received from D.E.R.M. pertaining to the vacant lot behind his home.

Mr. Frank De La Paz came forward and asked the council to look into proper lighting for the outside lobby area in front of City Hall sighting it as a safety issue.

**17. Item 9. Proposed Resolution:**

***A) A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RECOGNIZING APRIL 28, 2002 AS WORKER'S MEMORIAL DAY; PROVIDING FOR EFFECTIVE DATE.***

Chairperson Garcia made a motion to remove Item 9 from the table, seconded by Council member Piña and the motion passed unanimously. Charles A. Citrin, City Attorney, proceeded to read the full title of the resolution into the record. Ms. Teresa Gavalda, Executive Director of the South Florida AFL-CIO was present and thanked the council for the resolution and spoke of the importance of commemorating the memory of those who have been injured or killed in work related incidents. Chairperson Garcia then made a motion to approve the resolution, which was seconded by Council member Piña and unanimously approved.

**18. Adjournment:** The meeting was adjourned at 8:20 p.m.

Respectfully submitted by:

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Maria L. Joffee  
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 21, 2002, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 10, 2002, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, June 5, 2002, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, May 28, 2002, 7:30 P.M.