

MINUTES

CITY COUNCIL MEETING
TUESDAY, MAY 7, 2002

CITY HALL COUNCIL CHAMBERS
10001 N.W. 87 AVENUE

1. **Call to Order:** Chairperson Garcia called the meeting to order at 7:32 p.m.
2. **Roll Call:** Present were Chairperson Garcia, Council members Rolando Piña, Lucy Valdes, Miguel Haddad and Manuel Zardon. Also present were Mayor Yiolet De La Cruz and City Attorney Charles A. Citrin.
3. **Invocation:** Chairperson Garcia gave the invocation.
4. **Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Recommendation from Financial Advisor Selection Committee was added to the agenda as **Item 9a.**
6. **Review of Minutes: April 16, 2002:** Chairperson Garcia made a motion to approve the minutes of April 16, 2002, seconded by Council member Piña and the motion was unanimously approved. Chairperson Garcia also took this opportunity to recognize Judge Jacqueline Scola and Mr. Rolando Lara, legislative assistant to Representative Ralph Arza, who were present at tonight's meeting.
7. **Proposed Resolutions:**

- A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS RECEIVING THE FINANCIAL AUDIT AND REPORT PREPARED BY AVERETT, WARMUS, DURKEE, BAUDER & THOMPSON FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2000, AND ENDING SEPTEMBER 30, 2001; PROVIDING FOR EFFECTIVE DATE.***

Charles A. Citrin, City Attorney, read the full title of the resolution into the record. Mr. Marcos Piloto, O.M.B., came forward and stated that the financial audit of the City had been completed. He further stated that a majority of the recommendations of the findings from the prior year had been implemented. Chairperson Garcia made a motion to approve, seconded by Council member Piña and the motion was unanimously approved. **(Vote 5-0)**

B) A RESOLUTION OF THE CITY OF HIALEAH GARDENS RATIFYING THE PURCHASE OF ONE (1) FORD F-150 EXTENDED CAB TRUCK; WAIVING COMPETITIVE BIDDING; USING THE EXISTING CONTRACTS WITH THE CITY OF MIAMI WHICH HAD USED COMPETITIVE BIDDING; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR EFFECTIVE DATE.

Charles A. Citrin, City Attorney, read the full title of the resolution into the record. Chairperson Garcia stated that this resolution served to ratify action taken by the council at the last meeting where they approved the purchase of a Ford F-150 truck for use by the Auto Theft Task Force. He then made a motion to approve, seconded by Council member Piña and the motion passed unanimously. **(Vote 5-0)**

8. PUBLIC HEARING and Second Reading for consideration and final adoption of the following 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. 77TH COURT, 2ND FLOOR SUITE 313 AND 314. FOLIO #27-3003-001-0012. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 10550 N.W. 77th Ct. 2nd Fl. #313, 314) (P & Z: 5-0, T.R.C. 5-0)

Charles A. Citrin, City Attorney, read the full of the ordinance into the record. Ms. Gaby Reyes, the applicant was present to answer any questions. Mirtha Gonzalez, Chief Zoning Official reported that Ms. Reyes had complied with all zoning requirements and that she had no objections to the application. Chairperson Garcia opened the public hearing at 7:45 and asked if there was anyone present who wished to speak on the item. No one came forward and he proceeded to close the floor for discussion at 7:45. Based on staff and recommendation, Chairperson Garcia made a motion to approve, seconded by Council member Zardon and the motion was unanimously approved by individualized voice vote of the council. **(Vote 5-0)**

- 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)**

Charles A. Citrin, City Attorney, read the full title of the ordinance into the record. A letter written by Mr. Julio Robaina, the applicant, excusing himself from appearing at the hearing, was read into the record. Chairperson Garcia opened the public hearing for discussion on this item at 7:48 p.m. Mrs. Gerri Fontanella, resident of Hialeah Gardens, addressed the council. Chairperson Garcia closed the hearing at 7:49 and made a motion to approve, seconded by Council member Valdes. Council members Haddad and Zardon voted in favor and Council member Piña voted against. **(Vote 4-0)**

- C) ORDINANCE 2002-04**

ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO PERMIT A GARDENS ACADEMY OF EXCELLENCE CHARTER SCHOOL AND SITE PLAN REVIEW FOR GARDENS ACADEMY OF EXCELLENCE CHARTER SCHOOL; SANTA NAVILA SUBDIVISION PB 154-97T-20340 TRACT A LOT SIZE 2.107 ACRES M/L FAU 27-3003-001-0118 OR 17998-3141 0298 2(3); PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 103 St. between Santa Navila and Hialeah Gardens City Hall) (P & Z 3-0, T.R.C. 6-0)

Charles A. Citrin, City Attorney, read the full title of the ordinance into the record. Mr. Felix Lazarte, attorney for the applicant, addressed the council. After discussion amongst Mr. Citrin, Mr. Lazarte and the council members regarding the Omnipoint Holdings vs Miami Dade County case, it was agreed that the item would be continued until the next meeting on May 21, 2002. A motion was therefore made by Chairperson

Garcia, seconded by Council member Zardon and unanimously approved by individualized voice vote. **(Tabled 5-0)**

9. **Request to solicit bids for website development and document imaging services:** Mari Joffe, City Clerk addressed the council regarding this request. A motion was made by Chairperson Garcia authorizing the Clerk to go forward with the bid process. The motion was seconded by Council member Piña and unanimously approved by voice vote.

9a. **Recommendation by Financial Advisor Selection Committee:** Mr. Citrin reported that the selection committee would be recommending First Southwest Company to serve as financial advisors for the City's proposed bond project. A motion was made by Chairperson Garcia instructing Mr. Citrin to go forward with the recommendation, seconded by Council member Piña and unanimously approved by voice vote.

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

11. **Mayor's Report – Miscellaneous** – Mayor De La Cruz announced plans to hire two new police officers.

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

Council member Haddad – Appointed Mr. Raul Lozano to the Planning and Zoning Board to fill the vacancy resulting from Ms. Sonia Bances' resignation. He also requested that his signature be removed from a petition regarding the 1_-acre per lot proposal.

Council member Valdes – Appointed Mr. Sergio Menendez to the Planning and Zoning Board to fill the vacancy resulting from Mr. Guillermo Arguelles' resignation. She stated that she would name her appointment to the Personnel Review Board at the next council meeting.

Council member Zardon – Re-appointed Mr. Carlos Garcia to the Personnel Review Board.

Council member Piña – Thanked everyone present for attending the meeting.

Chairperson Garcia – No Comments

13. **Public Comments** – The following residents addressed the council:

Mr. Pablo Alvarez, 10010 N.W. 135 Street, Hialeah Gardens
 Mrs. Gerri Fontanella, 13425 N.W. 102 Avenue, Hialeah Gardens
 Mrs. Susan Menendez 9900 N.W. 137 Street, Hialeah Gardens
 Mrs. Walkiria Alvarez 10010 N.W. 135 Street, Hialeah Gardens
 Ms. Ada Tapia, 10144 N.W. 137 Street, Hialeah Gardens
 Ms. Lois Joseph, 9950 N.W. 137 Street, Hialeah Gardens
 Ms. Marina Calenteras 10440 N.W. 133 Street, Hialeah Gardens

Ms. Priscilla Menendez 9900 N.W. 137 Street, Hialeah Gardens
 Ms. Ivon Rodriguez, 10050 N.W. 135 Street, Hialeah Gardens
 Mr. Andres Marquez, 13498 N.W. 102 Avenue, Hialeah Gardens
 Mr. Clemente Dieguez, 13340 N.W. 104 Avenue, Hialeah Gardens
 Mr. Angel Lage, 10478 N.W. 135 Street, Hialeah Gardens
 Mr. Gilberto Farinas 10488 N.W. 130 Street, Hialeah Gardens

14. **Adjournment:** The meeting was adjourned at 9:55 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 4, 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.

POLICE PENSION BOARD

Monday, August 5, 2002, 10:00 A.M.