

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, JUNE 15, 2010**

**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 Rolando Piña, Councilman Jorge A. Merida, Councilman Jorge Gutierrez, and Councilman Elmo L. Urra. 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:** Chairman Garcia made a motion to table Item 8 to the end of the meeting, seconded by Councilman Merida. The motion was unanimously approved.
- 6. Review of Minutes:** June 1, 2010. Chairman Garcia made a motion to approve the minutes of June 1, 2010, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.
- 8. Presentation of Audit Report FY 08-09:** Mr. Nestor Caballero, CPA, Alberni Caballero & Company. **(Tabled to the end of the meeting)**

## 9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING A GIFT OF \$60,000 TO FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION, 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. Chairman Garcia made comments on the awarding of a donation of \$60,000.00 to the Florida International University Foundation to be used for scholarships. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE RENEWAL OF THE AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION, STATE OF FLORIDA, AND THE CITY OF HIALEAH GARDENS CONCERNING TURF AND LANDSCAPE MAINTENANCE; 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 details of the renewal agreement with the Florida Department of Transportation for turf and landscape maintenance. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR THE GRAND AT DORAL TWO, LTD THREE STORY HOTEL CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PORTION OF TRACT 33 LYING NORTHEASTERLY OF STATE ROAD S.R. 25 (U.S. 27) LESS THE NORTH 100.00 FEET THEREOF, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION" No. 1 OF 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; LESS THE EAST 200.06 FEET. CONTAINING + / - 56,957

SQUARE FEET, + / - 1.31 ACRES. FOLIO # 27-3003-001-0431. LOCATION: 9801 WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FL, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.  
**(TRC Vote: 5-0; P&Z Vote: 0-4 Denied)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Frank Suarez was present for the applicant. Chairman Garcia stated that this was a first reading 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 **(4-0 with Councilman Merida abstaining from voting)**.

**11. Second Reading / Public Hearing for consideration and final adoption of the following ordinances:**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS COUNCIL, AMENDING SECTION 78-84 OF THE LAND DEVELOPMENT REGULATIONS CONTAINED IN THE CODE OF ORDINANCES OF THE CITY OF HIALEAH GARDENS, FLORIDA, CONDITIONALLY PROVIDING TO ADD METAL, AS ACCEPTABLE RESIDENTIAL ROOFING MATERIAL, EXCEPT IN THE ESTATE RESIDENTIAL DISTRICT, SETTING FORTH THOSE CONDITIONS, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin swore himself in to testify on the item as it is a city-initiated request. Mr. Citrin read staff's recommendation into the record. Chairman Garcia opened the public hearing at 7:46 p.m. No one came forward; therefore, Chairman Garcia closed the public hearing at 7:46 p.m. A motion to approve was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

**8. Presentation of Audit Report FY 08-09:** Mr. Nestor Caballero, CPA, Alberni Caballero & Company

Chairman Garcia made a motion to remove Item 8 from table, seconded by Councilman Merida. The motion was unanimously approved. Mr. Nestor Caballero came forward and gave an overview of the city's financial status which has improved from the previous year. He also commented on the increases and decreases in the different revenue funds. Deficits in the water and sewer and storm water funds have also been addressed to correct and balance those budgets. No findings were found. The recommendation of the adoption of an accounting manual has been addressed and a manual will be in effect for the next

fiscal year. The auditors concluded that the city in very good financial state. Mr. August Torres, the city's accountant concurred with the auditor's report. Mayor De La Cruz thanked the auditors and particularly Mr. Marcos Piloto the O.M.B. Director for his hard work on this and all previous budgets. He also spoke on the forecasted loss of revenue for next year from property taxes due to lower property values, but the city is prepared to handle this situation with surplus funds. Chairman Garcia thanked the Mayor De La Cruz and commented that it was because of his hard work and administration that the city is in such good shape. Councilman Gutierrez also concurred.

- 12. City Attorney's Report:** The July recess was addressed and a motion was made to this effect by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved. Also in July the city celebrates Mayor De La Cruz's 10 year anniversary as mayor and Mr. Citrin commended him on his many accomplishments. Chairman Garcia hopes for another 10 years.
- 13. Mayor's Report – Miscellaneous:** Reminded all of the upcoming 4<sup>th</sup> of July event.

**14. Council Members Concerns / Reports / Board Appointments**

Chairman Garcia congratulated Ethan Citrin on his graduation from high school.

- 15. Adjournment:** The meeting was adjourned at 8:03 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 MEETINGS****CITY COUNCIL**

Tuesday, August 17, 2010, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, August 9, 2010, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, August 5, 2010, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, August 24, 2010. 7:00 P.M.

**POLICE PENSION BOARD**

Wednesday, October 27, 2010, 5:30 P.M.