

MINUTES

CITY OF HIALEAH GARDENS  
TUESDAY, DECEMBER 20, 2005

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:35 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo Urrea, Councilman Jorge Gutierrez and Councilman Jorge A. Merida. Also present were Mayor Yioset De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent.
3. **Invocation:** Chairman Garcia led the invocation.
4. **Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** None were offered.
3. **Review of Minutes:** December 6, 2005. Chairman Garcia made a motion to approve the minutes of December 6, 2005, seconded by Councilman Merida. The motion was unanimously approved.
6. **Public Comments:** None were offered.
7. **Recognition of All Sworn Officers, Communications Officers, and Civilian Employees of the Police Department:** Chief Van Toth.

Chief Van Toth came forward and gave a brief summary of the events of Hurricane Wilma and the response necessary to deal with the aftermath. Chief Toth praised the police officers and staff for giving selflessly of their time and hard work in the recovery effort. He also presented the following with certificates of recognition:

Angela Arango	Manuel J. Carrera	Mirena Diaz	Suhail Guardado
Adolfo Ochoa	Elizabeth Peña	Bertha Pradas	Ivette Socorro
Janette Soto	Vicente Amor	Ramon Ceballos	Alexandria Clayton
Salvador Cuevas	Carlos Fojo	Emilio Francis	John Gilberty
Robert Gomez	Angel Gonzalez	Luis Gonzalez	Nelson Gonzalez

Gianni Hernandez	Rogelio Hernandez	Julio Menendez	Miguel Noguerras
Jose J. Orlando	Lawrence Perez	Roberto Porto	Jorge Rojas
Jorge Romero	Vito Santangelo	Darlin Valdes	Mario Vazquez
Gustavo Villamil	James Woodruff	Carlos Zerbinati	

Mayor De La Cruz and council members proceeded to congratulate the recipients individually. Mayor De La Cruz commended them for their hard work and thanked Chief Toth, Captain Zardon, and Sergeant Fojo for their leadership. Chairman Garcia and Mr. Citrin thanked the family members of the police personnel for their support.

#### 9. Proposed Resolutions:

***A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF PLAYGROUD EQUIPMENT FOR BERNIE WILSON PARK WAIVING COMPETITIVE BIDDING; USING THE EXISTING MIAMI-DADE COUNTY CONTRACT WHICH HAD USED THE COMPETITIVE BIDDING PROCESS; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR 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 the new playground equipment for Bernie Wilson Park. Mr. Piloto commended Mr. Walter Dubon, Parks and Recreation Director for his efforts in researching the Miami-Dade County contract on which the City will be able to piggyback for this purchase. 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, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING MUNICIPAL ISSUES DURING THE 2006 LEGISLATIVE SESSION; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz made comments regarding this resolution, which will serve to support the Florida League of Cities in their efforts with the Florida Legislature to support the autonomy of municipalities and their legislative priorities. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

***C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE HAULING AND DISPOSAL OF DEBRIS FROM HURRICANE WILMA; WAIVING COMPETITIVE BIDDING; RATIFYING THE PAYMENT TO GROUND KEEPERS, INC.; 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 resolution which serves to formalize the actions of the budget amendment approved at the last meeting which included the payment to Groundskeepers, Inc. for the hauling of debris after Hurricane Wilma. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR OFF STREET PARKING LOT UNDER THE POWER LINE EASEMENT FOR MANUEL A. FIGUEIREDO. LEGAL DESCRIPTION: A PORTION OF TRACT 3 OF "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1" IN 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 #: 27-3003-001-0056. APPROXIMATE LOCATION: CORNER OF NW 80 AVENUE AND NW 103 STREET, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Corner of NW 80 and 103 Street) (TRC Vote: 6-0; P&Z Vote: 5-0)***

Mr. Citrin read the full title of the ordinance into the record. Mr. Manuel Figueiredo, the applicant was present. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Garcia opened the public hearing at 7:52 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:52 p.m. A motion to approve was made by Chairman Garcia seconded by Councilman Merida and unanimously approve by individualized voice vote. (4-0).

- B) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR SAINT CATHERINE'S REHABILITATION HOSPITAL WEST CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST 264 FEET OF TRACT 1, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1, OF SECTION 33, TOWNSHIP 52 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 AND EXCEPTING THEREFORE THE NORTH 80 FEET; AND ALSO LESS RIGHT-OF-WAY DEDICATED TO THE CITY OF HIALEAH GARDENS PER OFFICIAL RECORDS BOOK 20429, PAGE 903 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS #: 27-2033-001-0011, 27-2033-001-0012, AND 27-2033-001-0013. APPROXIMATE LOCATION: BETWEEN NW 121 STREET***

***AND NW 122 STREET, EAST OF NW 89 AVENUE, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between NW 121 Street and NW 122 Street, East of NW 89 Avenue) (TRC Vote: 4-0; P&Z Vote: 5-0)***

Mr. Citrin read the full title of the ordinance into the record. Ms. Fleta Stamen was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. A covenant will be provided to ensure that no mental or drug rehabilitation will be offered at the facility, only physical and occupational therapy will be provided. Chairman Garcia opened the public hearing at 7:59 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:59 p.m. A motion to approve was made by Chairman Garcia seconded by Councilman Merida and unanimously approve by individualized voice vote. (4-0).

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE 2005-27 FINAL PLAT FOR 9880, LLC., APPROVING A CHANGE OF NAME TO COMMANDER AND JACK SUBDIVISION. LEGAL DESCRIPTION: A PORTION OF TRACT 9 AND 10 OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1" OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-3003-001-0142. APPROXIMATE LOCATION: WEST OF NW 80 AVENUE AND NORTH OF NW 98 STREET. PROVIDING FOR CONDITONS; PROVIDING FOR EFFECTIVE DATE. (Location: West of NW 80 Avenue and North of NW 98 Street)***

Mr. Citrin read the full title of the ordinance into the record. Mr. John Nagelis was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations and explained the name change for the final plat. Chairman Garcia opened the public hearing at 8:00 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:00 p.m. A motion to approve was made by Chairman Garcia seconded by Councilman Merida and unanimously approve by individualized voice vote. (4-0).

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR: SUSSET INDUSTRIAL PARK, INC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT J, SHOMA COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160, AT PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: WEST***

***OF NW 107 AVENUE AND NORTHEAST OF OKEECHOBEE ROAD (FRONTAGE ROAD). FOLIO #: 27-2030-014-0100, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: West of N.W. 107 Avenue and N.E. of Okeechobee Road) (TRC Vote: 5-0: P&Z Vote: 3-0) Tabled 12-06-05***

Chairman Garcia made a motion to remove the item from table, seconded by Councilman Merida. The motion was unanimously approved. Mr. Citrin read the full title of the ordinance into the record. Mr. Paul Huizenga was present for the applicant. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and gave staff recommendations. Chairman Garcia opened the public hearing at 8:03 p.m. No one came forward; Chairman Garcia closed the public hearing at 8:03 p.m. A motion to approve was made by Chairman Garcia seconded by Councilman Merida and unanimously approve by individualized voice vote. (4-0).

**11. City Attorney's Report:**

Mr. Citrin complimented Mrs. Gonzalez on the presentation of her zoning items and the thoroughness of her reports. He also wished everyone Happy Holidays.

**12. Mayor's Report – Miscellaneous:**

Mayor De La Cruz thanked Captain Manuel Zardon for his service as a council member and his hard work as a police captain. The Mayor wished everyone Happy Holidays.

**13. Council Members Concerns/Reports:**

14. Councilman Gutierrez thanked Mayor De La Cruz for his efforts in the distribution of toys to the children of Samari Lake Condominium and also thanked Councilman Urrea for his efforts today giving out toys to children at Palmetto Hospital.

15. **Adjournment:** The meeting was adjourned at 8:06 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, January 17, 2006, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, January 9, 2006, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, January 5, 2006, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, February 28, 2006, 7:00 P.M.

**POLICE PENSION BOARD**

Wednesday, February 22, 2006, 6:00 P.M.