

## MINUTES

CITY OF HIALEAH GARDENS  
TUESDAY, JANUARY 2, 2007

CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:32 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge A. Merida, Councilman Jorge Gutierrez, and Councilman Rolando Piña. Also present were Mayor Yioiset De La Cruz and City Attorney Charles A. Citrin.
3. **Invocation:** Chairman Garcia led the invocation.
4. **Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Request to approve URS Contract Work Order No. 2 to update City's Peak Flow model was added as Item 8A.
6. **Review of Minutes:** December 19, 2006. Chairman Garcia made a motion to approve the minutes of December 19, 2006, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Recommendation for award of Misty Point Lake Bank Erosion Repair (Bid No. PW-06-100):** Mr. Jose M. Lopez, Public Works Director.

Mr. Marcos Piloto, O.M.B. Director came forward for Mr. Jose M. Lopez, Public Works Director and read his memorandum into the record on the recommendation for the Misty Point Lake bank erosion repair bid PW06-100. The recommendation was to enter into contract with U.S. Bridge and Dredge, Inc., the lowest responsive responsible bidder, for the alternate bid amount of \$790,556.00. Chairman Garcia made a motion to instruct Mr. Citrin to prepare a resolution to this effect, seconded by Councilman Merida. The motion was unanimously approved.

8A. **Request to approve URS Contract Work Order No. 2 to update City's Peak Flow model.** Mr. Albert Nielson, Water and Sewer Director.

Mr. Albert Nielson, Director of the Water and Sewer Department came forward to request approval for a work order in the amount \$79,320.00 waiving competitive bidding and awarding the contract to URS Corp., which already has an existing contract with the City. Mr. Todd Osbourne with the URS Corp. was present. Chairman Garcia made a motion to approve the work order, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR ANGELA AND HECTOR ROSALES LEGAL DESCRIPTION: PARENT TRACT: TRACT 11, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS, OF MIAMI DADE COUNTY FLORIDA. PARCEL "A" (AS PER O.R.B. 24283, PG. 1593) FOLIO NUMBER: 27-2029-001-0124. THE EAST 165, OF THE WEST 330.12 FEET OF TRACT 11, LESS THE NORTH 30 FEET OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NUMBER 1, IN SECTION 29, 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. CONTAINING 49,489 SQUARE FEET OR 1.1 ACRES, MORE OR LESS. APPROXIMATE LOCATION: NORTH OF NW 133 STREET AND EAST OF NW 102 AVENUE PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE ( TRC Vote: 6-0; P & Z n/a)***

Mr. Citrin read the full title of the ordinance into the record. The applicant was not present. 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 Merida. The motion was approved by individualized voice vote (**Vote 4-1** with Councilman Piña voting against).

- B) ***ORDINANCE OF THE MAYOR AND THE CITY COUNCIL CREATING CHAPTER OF THE CODE OF THE CITY OF HIALEAH GARDENS, TO BE ENTITLED "CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY"; ESTABLISHING THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY; FINDING AND DECLARING THE NEED THEREFORE; PROVIDING DEFINITIONS; ESTABLISHING MEMBERSHIP; PROVIDING RESPONSIBILITIES AND POWERS; PROVIDING FOR THE FINANCING AND CONSTRUCTION OF HEALTH FACILITIES; PROVIDING FOR THE***

**ISSUANCE OF REVENUE BONDS AND REFUNDING BONDS; PROVIDING TAX EXEMPTION; PROVIDING SEVERABILITY; AND PROVIDING RELATED MATTERS AND AN EFFECTIVE DATE.**

Mr. Citrin read the full title of the ordinance into the record. This is a City initiated ordinance. 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 Merida. The motion was unanimously approved by individualized voice vote (**Vote 5-0**).

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

Mr. Citrin swore in all those who would be testifying on any of the items for second reading.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR WAH-HEN CHINESE RESTAURANT / JORGE LAU LOCATED AT 9160 NW 122 STREET # 31 AND #32; HIALEAH GARDENS, FLORIDA, 33016, TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES (WINE AND BEER) TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (Location: 9160 N.W. 122 Street #31 & 32) (P&Z Vote: 4-0; TRC Vote: 5-0)**

Chairman Garcia made a motion to table the item, as the applicant was not present, and no one was present to address the item, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 5-0 Tabled**).

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR VICENZA AT HIALEAH GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS 19,20,21,27,28,29,30, AND 31, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF "FLORIDA FRUITS LANDS COMPANY'S SUBDIVISION NO 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, CONTAINING 1,181,930.21 SQUARE FEET AND / OR 27.13 ACRES MORE OR LESS; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 92-97 Avenue Connector and N.W. 122 Street) (TRC Vote: 6-0; P&Z n/a)**

Mr. Citrin read the full title of the ordinance into the record. Mr. Shahin Etessam the applicant was present. Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward and

gave staff recommendation. No changes have been made to the tentative plat other than setting the condition to depict the right of way dedicated by the Miami Dade County School Board. Chairman Garcia opened the public hearing at 7:58 p.m. No one came forward; Chairman Garcia closed the public hearing at 7:58 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote (**Vote 5-0**).

11. **City Attorney's Report:** Mr. Citrin had no comments.
12. **Mayor's Report – Miscellaneous:** Mayor De La Cruz had no comments.
13. **Council Members Concerns/Reports – Board Appointments:**  
The council members had no comments.
14. **Adjournment:** The meeting was adjourned at 7:59 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, February 6, 2007, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, February 12, 2007, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, February 1, 2007, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, January 23, 2007. 7:00 P.M.

**POLICE PENSION BOARD**

Monday, February 12, 2007, 6:00 P.M.