

CITY OF HIALEAH GARDENS
TUESDAY, FEBRUARY 20, 2007

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:33 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge A. Merida, and Councilman Jorge Gutierrez. Also present were Mayor Yioiset 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.
6. **Review of Minutes:** January 16, 2006. Chairman Garcia made a motion to approve the minutes of January 16, 2006, seconded by Councilman Merida. The motion was unanimously approved.
7. **Public Comments:** None were offered.
8. **Presentation of Scholarship for Millennia Atlantic University:** Ms. Jane Miskell, Vice President of Operations and Ms. Orianna Maza, Chief Financial Officer.

Ms. Jane Miskell and Ms. Orianna Maza from Millennia Atlantic University came forward to present a scholarship from their educational institution. Mayor De La Cruz thanked the university on his behalf, the Council and residents of the City.

9. **Check presentation for Bernie Wilson Park project:** Mr. Jose A. Galan, Chief of Program Legislation, Miami-Dade County Office of Capital Improvements.

Mr. Jose Galan from the Miami-Dade County Office of Capital Improvements came forward and presented a ceremonial check to the city for \$80,000 for the Bernie Wilson Park Project, which will serve to reimburse the playground equipment that was bought for the park last year.

Mr. Galan also touched upon future funding for City projects including \$400,000 for the Water and Sewer Department and \$800,000 for a Mobile Command Center. Mayor De La Cruz thanked Mr. Galan on behalf of the residents of the City.

10. **Request for approval of 2COP alcohol beverage license transfer of ownership for Gujor Inc. / DBA El Rincon Criollo, 9605 N.W. 79th Avenue #17, Hialeah Gardens, Florida:** Owner, Ms. Lisete B. Carnicer.

Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward on behalf of Mr. Arturo L. Ruiz, Director of Administration and read the applicant's memorandum into the record, which stated that the business had been sold. Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The motion was unanimously approved (**Tabled**). Mr. Citrin commented that any new applicant that purchases the business and wants to apply for licensure would need to begin the application process anew.

11. **Request for approval of 2APS alcohol beverage license transfer of ownership for AAL Enterprises, Inc., 7750 N.W. 103rd Street, Hialeah Gardens, Florida:** Owner, Mr. Andres Lorenzo.

The following individuals came forward and gave testimony:

Mr. Andres Lorenzo, owner

Mrs. Mirtha Gonzalez, Chief Zoning Official

Mrs. Mirtha S. Gonzalez, Chief Zoning Official came forward on behalf of Mr. Arturo L. Ruiz, Director of Administration and read staff's recommendation for approval of transfer for the 2APS alcohol beverage license into the record. No one addressed the item. Chairman Garcia made a motion to approve, seconded by Councilman Merida and the motion was unanimously approved.

12. **Approval of water and sewer extension agreements between the City of Hialeah Gardens and:**
- a. Impact Development of South Florida, LLC – Track “A-A” Shoma Commercial Park**

Mr. Albert Neilson, Director of the Water and Sewer Department came forward, gave details of the water and sewer extension between the City and Impact Development of South Florida, LLC, and stated that the Water Board's attorney and the Board had reviewed and approved the agreement. Chairman Garcia made a motion to approve, seconded by Councilman Merida and the motion was unanimously approved.

- b. 84-A Holdings, LLC – Vicenza of Hialeah Gardens**

Mr. Albert Neilson, Director of the Water and Sewer Department came forward, gave details of the water and sewer extension between the City and Vicenza of Hialeah Gardens, and stated that the Water Board's attorney and the Board had reviewed and approved the agreement. Chairman Garcia made a motion to approve, seconded by Councilman Merida and the motion was unanimously approved.

13. **Approval of water main extension agreement between the City of Hialeah Gardens and Susset Industrial Park, Inc., Tract “J” Shoma Commercial Park.**

Mr. Albert Neilson, Director of the Water and Sewer Department came forward, gave details of the water main extension between the City and Susset Industrial Park, and stated that the Water Board's attorney and the Board had reviewed and approved the agreement. Chairman Garcia made a motion to approve, seconded by Councilman Merida and the motion was unanimously approved.

14. **Request for approval of expenditures from Police Department forfeiture funds:** Chief Van Toth.

Chief Van Toth came forward and asked for approval of the expenditure of forfeiture funds to be used to start up the K-9 unit in the City once again. Forfeiture funds may be used at this time because it was not a budgeted item. The funds are for the training, food, and medical care of the canine. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

15. **Proposed Resolutions:**

- A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE SELECTION OF ALBERNI, CABALLERO AND CASTELLANOS LLP AS THE CITY AUDITORS; AUTHORIZING A CONTRACT BETWEEN THE CITY OF HIALEAH GARDENS AND ALBERNI, CABALLERO AND CASTELLANOS LLP; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.***

Chairman Garcia read the full title of the resolution into the record. This resolution serves to memorialize the action taken at the last council meeting to approve auditors Alberni, Caballero, and Castellanos LLP to provide auditing services to the City. 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, AUTHORIZING AND RATIFYING SIGNALIZATION CONDUIT RELOCATION WORK FOR THE INTERSECTION OF NW 79TH AVENUE AND 103RD STREET; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH HORSEPOWER ELECTRIC, INC., IN AN AMOUNT NOT TO EXCEED \$17,253.00; WAIVING COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full title of the resolution into the record. This resolution serves to memorialize the action taken at the last council meeting for additional work by Horse Power

Electric for the signalization conduit relocation. 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, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING ISSUES DURING THE 2007 LEGISLATIVE SESSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz commented that the resolution was requested by the Florida League of Cities to urge the Florida Legislature to support issues of importance to municipalities during the 2007 legislative session. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF A GAZEBO FOR BERNIE WILSON PARK; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING CITY OF JACKSONVILLE; AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH CONTRACT CONNECTION, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Citrin read the full title of the resolution into the record. Mr. Rick Pantera, representing the Parks and Recreation Department came forward and gave details of the installation of a new gazebo at Bernie Wilson Park waiving competitive bidding and using an existing City of Jacksonville contract. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

16. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR BARON ENTERPRISES LLC. / SHOPPING CENTER. LEGAL DESCRIPTION: A PORTION OF TRACT N "SHOMA COMMERCIAL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO # 27-2030-014-0140. APPROXIMATE LOCATION: FRONTAGE ROAD AND NW 138TH STREET, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(P&Z Vote: 3-0; TRC Vote: 5-0)**

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 unanimously approved by individualized voice vote (4-0).

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN REVIEW FOR MATER ACADEMY MIDDLE / HIGH SCHOOL TWO STORY PAVILION. FOLIO # 27-3003-001-0020. LOCATION: 7901 NW 103 STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (P&Z Vote: 3-0; TRC Vote 6-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Rolando Llanes 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 Merida. The motion was unanimously approved by individualized voice vote **(4-0)**.

17. **City Attorney's Report:** Mr. Citrin had no comments.
18. **Mayor's Report – Miscellaneous:** Mayor De La Cruz reminded everyone of the opening ceremony for the new police station which will be on February 22 at 11:00 a.m.
19. **Council Members Concerns/Reports – Board Appointments (Police Pension Board)**
- The council members had no comments.
20. **Adjournment:** The meeting was adjourned at 7:59 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 MEETINGS

CITY COUNCIL

Tuesday, March 20, 2007, 7:30 P.M.

PLANNING AND ZONING BOARD

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

TECHNICAL REVIEW COMMITTEE

Thursday, April 5, 2007, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, April 27, 2007. 7:00 P.M.

POLICE PENSION BOARD

T.B.A.