

Mayor

Yioiset De La Cruz

City Council Members

Chairman Luciano "Lucky" García

Vice Chairman Rolando "Roly" Piña

Council member Jorge A. Merida

Council member Jorge Gutierrez

Council member Elmo L. Urrea

PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL.

**AGENDA: CITY COUNCIL MEETING
COUNCIL CHAMBERS
TUESDAY, October 16, 2018– 7:30 P.M.**

NOTE: In compliance with Robert's Rules of Order, all speakers will be heard only on items which are on the agenda and opened by the Chairperson for discussion by the public. Speakers will be limited to five minutes, unless the Chairperson allows more time for presentation.

ATTENTION ALL LOBBYISTS: Chapter 2, Section 2-308 of the City Code of Hialeah Gardens entitled "Lobbying" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyist's laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

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- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Deletions/Emergency Additions**
- 6. Review of Minutes:** October 2, 2018
- 7. Public Comments**
- 8. Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF PROPERTY EVIDENCE SOFTWARE THAT WILL UPGRADE THE POLICE DEPARTMENT'S CURRENT SYSTEM; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH USA SOFTWARE, INC.; AUTHORIZING THE USE OF FORFEITURE FUNDS FOR THIS PURPOSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
 - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE ENTERING INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND MIAMI-DADE COUNTY, FLORIDA IN SUBSTANTIALLY THE FORM AS ATTACHED HERETO AS EXHIBIT "A", RELATING TO THE COUNTY'S PROCUREMENT PROCEDURES WHEN IMPLEMENTING THE BUILDING BETTER COMMUNITIES BOND PROGRAM AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO THE INTERLOCAL AGREEMENT AND TAKE ANY OTHER ACTION IN FURTHERANCE THEREOF; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF MIAMI BEACH, FLORIDA REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CITY CODE CHAPTER 40 "HIALEAH GARDENS POLICE PENSION TRUST FUND," ARTICLE II "PENSION PLAN," DIVISION III "PENSION BENEFITS" TO COMPLY WITH CHAPTER 185, FLORIDA STATUTES; CREATING SECTION 40-217 ESTABLISHING A DEFINED CONTRIBUTION SHARE PLAN TO ALLOCATE INSURANCE PREMIUM TAXES UNDER CHAPTER 185, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR WAWA FLORIDA, LLC CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A OF HOME DEPOT – HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 166, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOLIO: 27-2030-024-0010, APPROXIMATE LOCATION: N. E. CORNER INTERSECTION OF N.W 138TH STREET AND W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR ALCOHOL LICENSE (2 APS) FOR WAWA FLORIDA, LLC. LIQUOR PACKAGE STORE, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A OF HOME DEPOT –

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HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 166, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOLIO: 27-2030-024-0010, APPROXIMATE LOCATION: N. E. CORNER INTERSECTION OF N.W 138TH STREET AND W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HIALEAH GARDENS APPROVING THE REZONING OF 2.163 ACRES (94,217 S.F.), APPROXIMATE LOCATED AT SOUTH OF THEORETICAL NW 108TH STREET BETWEEN NW 89TH AVENUE AND W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, FROM GENERAL BUSINESS (B-2) TO COMMERCIAL BUSINESS (B-3). FOLIO #: 27-2033-001-0760; DECLARING THIS ZONING MAP AMENDED TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF HIALEAH GARDENS PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND PARKING VARIANCE FOR HIALEAH STORAGE BUILDERS, LLC. CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE NORTH 1/2 OF TRACT 58, LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 25, AS PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION 87090-2518, SHEETS 4 AND 5 OF 15, 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, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. CONTAINING 2.163 ACRES (94,217 S.F.); PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)

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- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ABANDONMENT OF A DEDICATED ROAD PORTION OF EXISTING RIGHT OF WAY BETWEEN THEORETICAL N.W. 105TH AV. AND THEORETICAL NW 106 AV. AND N.W. 133RD STREET, HIALEAH GARDENS, FLORIDA, LEGALLY DESCRIBED AS: A PARCEL OF LAND OF TRACT 27 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, LYING IN THE NORTHWEST QUARTER($\frac{1}{4}$) OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF ($\frac{1}{2}$) OF TRACT 27 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S $89^{\circ}41'39''$ W ALONG THE NORTH LINE OF SAID TRACT 27, FOR A DISTANCE OF 330.06 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF ($\frac{1}{2}$) OF THE WEST HALF ($\frac{1}{2}$) OF TRACT 27, THENCE RUN S $02^{\circ}37'27''$ E FOR A DISTANCE OF 30.02 FEET TO A POINT ON A LINE PARALLEL WITH AND 30 FEET SOUTH OF THE NORTH LINE SAID TRACT 27, THENCE RUN N $89^{\circ}41'39''$ E ALONG SAID PARALLEL LINE FOR A DISTANCE OF 330.06 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF ($\frac{1}{2}$) OF TRACT 27; THENCE RUN N $02^{\circ}37'22''$ W ALONG THE EAST LINE OF THE WEST HALF ($\frac{1}{2}$) OF TRACT 27, FOR A DISTANCE OF 30.02 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING AND BEING IN THE CITY OF HIALEAH GARDENS, FLORIDA AND CONTAINING 9,902 SQUARE FEET, MORE OR LESS, BY CALCULATIONS; FOLIO #: 27-2029-001-0287; PROVIDING FOR CONDITIONS, PROVIDING FOR AN EFFECTIVE DATE.
(TRC Vote: 4-0; P&Z Vote: n/a)

10. City Attorney's Report**11. Mayor's Report – Miscellaneous**

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12. Council Members Concerns / Reports / Board Appointments:

Water & Sewer Board Appointments:

Councilman Rolando Piña

Councilman Jorge Merida

Police Pension Board Trustees Appointments: City Council

Trustee Jorge A. Gutierrez Term Expired 9/30/2018

Trustee Margarita de las Salas Term Expired 9/30/2018

13. Adjournment

Agenda certified by:

Maria L. Joffee
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, November 6, 2018, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 19, 2018, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, November 1, 2018, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, October 24, 2018, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 6, 2018, 5:30 P.M.