

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, SEPTEMBER 22, 2015
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:31 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Rolando Piña, Councilman Jorge Gutierrez, Councilman Jorge A. Merida and Councilman Elmo L. Urra. Also present were Mayor Yiozet De La Cruz and Assistant City Attorney Aida Martinez-Ruiz.
- 3. Invocation:** Chairman Garcia gave 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: September 8, 2015.** Chairman Garcia made a motion to approve the minutes of September 8, 2015 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA ENCOURAGING THE FLORIDA LEGISLATURE TO REMOVE BARRIERS TO CUSTOMER-SITED SOLAR POWER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the resolution into the record. At this time Chairman Garcia excused himself from the dais and abstained from voting on this item. He then passed the gavel to Councilman Piña who sponsored the resolution which urges the legislature to remove barriers to customer-sited solar power options. Councilman Piña serving as Chairman made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. Chairman Garcia returned to the dais.

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR TEBA DEVELOPMENT; OWNER: RICARDO URIBE / TEBA DEVELOPMENT, LLC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: : TRACT "A" OF "TEBA SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 170, AT PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. FOLIO: 27-2019-004-0010. APPROXIMATE LOCATION: SE CORNER INTERSECTION OF NW 112TH AVENUE AND NW 144 STREET, AND SW CORNER OF NW 109 AVENUE AND NW 144 STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz 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. He then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR SPECIAL EQUIPMENT SERVICES, LLC.; OWNER: ABRAHAM HERNANDEZ / SPECIAL EQUIPMENT, LLC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE NORTH 1/2 OF TRACT 12, ALL BEING IN THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", OF SECTION 19, TOWNSHIP 52 SOUTH. RANGE 40 EAST AS RECORDED IN

PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS THE WEST 40 FEET, AND LESS THE FOLLOWING DESCRIBED PARCEL OF LAND: COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 12 ALSO BEING THE SOUTHEAST CORNER OF NORTH ONE-HALF (N. 1/2) OF THE NORTH ONE-HALF (N. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE. 1/4) OF SAID SECTION 19; THENCE N02°34'00"W ALONG THE EASTERLY LINE OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE. 1/4) OF SAID SECTION 19 FOR 165.00 FEET TO THE POINT OF BEGINNING; THENCE S89°29'30"W FOR 35.02 FEET TO A POINT ON A LINE PARALLEL WITH AND 35.00 FEET WEST OF THE EASTERLY LINE OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE.1/4) OF SAID SECTION 19; THENCE N02°34'00"W ALONG SAID LINE FOR 36.32 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY 20.51 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°00'51" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 63.00 FEET, A RADIAL LINE THROUGH SAID BEGINNING OF REVERSE CURVE BEARS N40°25'09"E; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY 150.65 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 137°00'51" TO A POINT ON THE EASTERLY LINE OF THE SOUTHWEST ONE-QUARTER (SW. 1/4) OF THE NORTHEAST ONE-QUARTER (NE. 1/4) OF SAID SECTION 19; THENCE S02°34'00"E ALONG SAID LINE FOR 164.95 FEET TO THE POINT OF BEGINNING. FOLIOS: 27-2019-001-0130 AND 27-2019-001-0121, APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH AVENUE AND SOUTH OF THEORETICAL 150TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the full title of the ordinance into the record. Mr. Manny Reus, architect for the project was present. Chairman Garcia stated that this was a first reading and as such an opportunity for public input would be provided upon second reading. He then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(5-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 9.61% OVER THE ROLL BACK RATE SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Mayor De La Cruz commented that the millage rate will remain the same as last year's. The City will be receiving additional revenue due to the County raising its assessment on property values but the City will not be increasing its millage rate. Chairman Garcia opened the Public Hearing at 7:41 p.m. No comments were offered and the Public Hearing was closed at 7:41 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:42 p.m. No comments were offered and the Public Hearing was closed at 7:42 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PUBLIC SAFETY IMPACT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:42 p.m. No comments were offered and the Public Hearing was closed at 7:42 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER UTILITY FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:43 p.m. No comments were offered and the Public Hearing was closed at 7:43 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STREETS AND ROADS FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:44 p.m. No comments were offered and the Public Hearing was closed at 7:44 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE WATER AND SEWER DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:45 p.m. No comments were offered and the Public Hearing was closed at 7:45 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE CITIZEN'S INDEPENDENT TRANSPORTATION TRUST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:41 p.m. No comments were offered and the Public Hearing was closed at 7:41 p.m. Chairman Garcia took this opportunity Chairman to congratulate the Mayor once again for his work during the budget process and for all his hard work throughout the years. Chairman Garcia also thanked the department heads in attendance for their work, dedication and leadership in their respective departments which has contributed to the City's success. He asked that each of them convey the appreciation of the Council to their department employees for the work they do day in and day out which elicits all the positive feedback received from the residents of the City. He then made a motion to approve the final, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(5-0)**

- 11. City Attorney's Report:** No Comments
- 12. Mayor's Report – Miscellaneous –** Mayor De La Cruz thanked the Council for their continued support. He expressed his appreciation to the City's department heads and thanked Mr. Juan Rivera, O.M.B. Director for his work on the budget. The Mayor mentioned that this is his fifteenth budget and every year it gets better and hoped for another successful year.
- 13. Council Members Concerns / Reports / Board Appointments:** Councilman Piña also thanked the Mayor, Council and the department staff for their work.
- 14. Adjournment –** The meeting was adjourned at 7:49 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, October 20, 2015, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 9, 2015, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, November 5, 2015, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, October 28, 2015, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 3, 2015, 5:30 P.M.