

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, NOVEMBER 17, 2015
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:34 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge A. Merida, Councilman Rolando Piña, Councilman Elmo L. Urra, Mayor Yioiset De La Cruz, City Attorney Charles A. Citrin and Aida Martinez-Ruiz Assistant City Attorney. Councilman Jorge Gutierrez was absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor Yioiset De La Cruz led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes: November 3, 2015.** Chairman Garcia made a motion to approve the minutes of **November 3, 2015** seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Discussion of proposed issuance by City of Hialeah Gardens Health Facilities Authority of Revenue Refunding Bonds, Series 2007 (Catholic Health Service Obligated Group Facilities): Mr. Charles A. Citrin, City Attorney.

Mr. Citrin mentioned that there were several individuals present to speak on the bond. Present were Mr. Ed Stall, Managing Director with First Southwest Company, who serves as financial advisors to the City and to the Health Services Authority, Mr. Joel Tindal, Senior Vice President of the firm. Mr. Citrin noted that the memo in the Council packages was prepared by Mr. Alberto Del Castillo, Bond Counsel, who was also present. Mr. Citrin stated that reappointments had been made to the HFA in February of this year. In 2007 the HFA had issued refunding bonds to Catholic Services Obligated Group in the amount of \$48,640.00. It has now become clear and backed by the financial advisors that advanced refunding would save the Catholic Archdiocese money on the bond in interest. The City acts as a conduit and allows bonds to be issued tax exempt. Two counties and a municipality (Miami-Dade, Broward, and North Miami) are involved because facilities are located within their boundaries. Therefore, Mr. Stall proposes two interlocal agreements, one with Miami-Dade County and one with Broward County and North Miami. Mr. Albert Del Castillo (a Public Finance Shareholder from Greenburg Taurig) came forward with Dave Demico (Vice President of Finance) and Patrick Fitzgerald (General Counselor to the Archdiocese of Miami) from the Catholic Health Services Obligated Group. Chairman Garcia stated that this is a simple refinancing and participation of the City is not going to change, nor the responsibility or liability from what it was previously. Mr. Del Castillo stated the Chair was correct, and that the HFA is the actual conduit. Mr. Del Castillo stated that all documents will be prepared for the next meeting. Chairman Garcia asked if anyone from the public wished to speak on the item and no one came forward.

9. First reading for consideration and final adoption of the following ordinance:

A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CITY CODE CHAPTER 78 (LAND DEVELOPMENT REGULATIONS) (ORDINANCE NO.: 2006-17) BY:

(1) MODIFYING SUBSECTION 78-46 (GENERAL BUSINESS DISTRICT (B-2)) BY ADDING A SPECIAL EXCEPTION USE FOR "CIGAR STORE AND SMOKING LOUNGE";

(2) MODIFYING SUBSECTION 78-47 (COMMERCIAL BUSINESS DISTRICT (B-3)) BY ADDING A SPECIAL EXCEPTION USE FOR "CIGAR STORE AND SMOKING LOUNGE";

(3) MODIFYING SUBSECTION 78-48 (LIGHT INDUSTRIAL DISTRICT (IN-1)) BY ADDING A SPECIAL EXCEPTION USE FOR "CIGAR STORE AND SMOKING LOUNGE";

AMENDING CHAPTER 10 (ALCOHOLIC BEVERAGES) OF THE CITY CODE BY ALLOWING "CIGAR STORE AND SMOKING LOUNGE" WITH CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER AND WINE) AS A SPECIAL EXCEPTION USE;

PROVIDING CONDITIONS OF APPROVAL, PROVIDING FOR INCLUSION IN CODE PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the city initiated ordinance into the record. Chairman Garcia stated that this was a first reading and as such 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. **(5-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR 112 INVESTMENTS, LLC. LEGAL DESCRIPTION: 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. APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH AVENUE AND SOUTH OF THEORETICAL 150TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS: 27-2019-001-0130 AND 27-2019-001-0121. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote n/a)

Mr. Citrin read the full title of the ordinance into the record. Mr. Citrin swore in those giving testimony on the item. Mr. Manny Reus, architect for the project was present and came forward. Mr. Citrin read Mirtha Gonzalez's memo into the record. This is a simple waiver of plat for the parcel, no variance. TRC recommended approval with condition to provide block of signatures. Chairman Garcia opened the Public Hearing at 7:50 p.m. No one came forward and he closed the Public Hearing at 7:50 p.m. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

- 11. City Attorney's Report:** Mr. Citrin thanked Ms. Martinez-Ruiz for her assistance with the bond issue and for filling-in for him at the last meeting.
- 12. Mayor's Report – Miscellaneous –** No Comments
- 13. Council Members Concerns / Reports / Board Appointments:** No Comments
- 14. Adjournment –** The meeting was adjourned at 7:51 p.m.

Respectfully submitted 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, December 15, 2015, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 14, 2015, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, December 3, 2015, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, TBD, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, February 2, 2016, 5:30 P.M.