

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, January 22, 2019
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo Urrea, Councilman Jorge Gutierrez, Councilman Jorge Merida, Mayor Yiozet De La Cruz and City Attorney Charles Citrin. Councilman Rolando Piña was absent.
- 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: January 8, 2019** Chairman Garcia made a motion to approve the minutes of December 18, 2018, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, CONDEMNING AIRBNB, INC.'S DECISION TO REMOVE LISTING OF RENTALS IN ISRAELI SETTLEMENTS IN THE WEST BANK; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DESIGNATED OFFICIALS STATED HEREIN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. He briefed the Council on the background of the item and explained that it is intended as a show of support for the state of Israel despite being boycotted by the Airbnb rental company. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR WAWA HIALEAH GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED: A PORTION OF TRACTS 3, 4, AND 5, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF THE LANDS DESCRIBED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 30408, PAGE 874, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THENCE RUN SOUTH 01°47'11" EAST, ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 593.13 FEET TO A POINT ON THE NORTH LINE OF PARCEL 19 AS DESCRIBED IN OFFICIAL RECORDS BOOK 28960, PAGE 4044, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°46'52" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 187.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 79th AVENUE (A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 5346, PAGE 288, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA); THENCE DEPARTING SAID NORTH

LINE, RUN NORTH 01°45'34" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 675.36 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTHWEST 103rd STREET (STATE ROAD NO. 932, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87260-2589), SAID POINT BEING A POINT ON A 1945.08 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 26°15'17" EAST; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°05'39" AN ARC DISTANCE OF 206.88 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 2.723 ACRES, MORE OR LESS. FOLIOS #: 27-3003-001-0046 and 27-3003-001-0031. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. Ms. Amanda Naldjieff, of Holland & Knight, came forward representing 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. No comments were offered by the Council. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE #2018-11 APPROVING MODIFICATIONS OF THE PREVIOUSLY APPROVED SPECIAL EXCEPTION USE TO A NEW CORPORATION OCOLLE, INC.; TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES TO BE CONSUMED OFF THE PREMISES LIQUOR PACKAGE STORE, TO BE LOCATED AT: 12547-12549 W. OKEECHOBEE ROAD, HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (TRC Vote: n/a; P&Z Vote: n/a)

Mr. Citrin read the item into the record. This is an amendment modifying an existing special exception/liquor license. Mr. Ramon Diaz, the owner of Ocolle, Inc., was present came forward. Chairman Garcia stated that this was a first reading and as such an opportunity for public input would be provided upon second reading. No comments were offered by the Council. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(4-0)**

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 TENTATIVE PLAT FOR HIALEAH STORAGE BUILDERS, LLC., (CUBESMART HIALEAH GARDENS), CONCERNING PROPERTY LEGALLY DESCRIBED: 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. FOLIO #: 27-2033-001-0760. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin swore in the applicants intending to provide testimony on the item. Mr. Citrin proceeded to read the item into the record. Ms. Amanda Naldjieff, of Holland & Knight, came forward representing the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official, read her recommendation for approval into the record. Chairman Garcia opened the public hearing at 7:40 p.m. No one came forward; public hearing closed at 7:40. There were no comments from Councilmembers. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(4-0)**

11. City Attorney's Report: Mr. Citrin congratulated Councilman Merida for his reelection and thanked him for his service.

12. Mayor's Report – Miscellaneous: No comments

13. Council Members Concerns / Reports / Board Appointments: No comments

Water & Sewer Board Appointments:

Councilman Jorge Merida

14. Adjournment: Chairman Garcia adjourned the meeting at 7:41 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, February 22, 2019, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, February 11, 2019, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, February 7, 2019, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, February 27, 2019, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, February 5, 2019, 5:30 P.M.