

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, May 21, 2019
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 Jorge Gutierrez, Councilman Jorge Merida, Councilman Rolando Pina, and City Attorney Charles Citrin. Mayor Yioiset De La Cruz was absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Citrin led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: April 16, 2019** Chairman Garcia made a motion to approve the minutes of April 16, 2019, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** Ms. Juana Borges, a Hialeah Gardens resident, came forward to speak on various issues of concern in the City, including the ongoing traffic and construction issues on N.W. 103rd Street and N.W. 87th Avenue and neighborhood

code violations. Chairman Garcia understood and agreed with Ms. Borges about the traffic issues and explained that these were ongoing construction projects managed by the Florida Department of Transportation and unfortunately everyone will be affected during the process. He added that he himself has reached out to FDOT and advised her to do the same. The contact information for the FDOT public information officer was given to Ms. Borges. The Chair also advised Ms. Borges to reach out to Code Compliance at the City concerning issues in her neighborhood.

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA RATIFYING AND AUTHORIZING THE EXENDITURE OF \$4,405.00 FROM POLICE FORFEITURE FUNDS FOR THE PURPOSE OF PURCHASING FIVE (5) AUTOMATED EXTERNAL DIFIBRILLATORS, FIVE (5) INFANT CHILD SMART PADS, FIVE (5) FAST RESPONSE KITS, AND TWO (2) MOUNTED CABINETS FOR THE EXTERNAL DIFIBRILLATORS FOR THE HIALEAH GARDENS POLICE DEPARTMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Captain Michael Lopez of the HGPD came forward and respectfully requested the approval to purchase the above listed items from forfeiture funds. No questions or comments from Councilmembers. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING CONTRACT VACATING CITY RIGHT OF WAY ON THEORETICAL NW 146TH STREET IN EXCHANGE FOR NW 147TH STREET RIGHT OF WAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Joe Lopez, Public Works Director, came forward and explained that this contract intends to relocate N.W. 147th Street to N.W. 146th Street in the Northwest District between N.W. 107th Avenue and N.W. 109th Avenue. This will allow the development of a 20-acre continuous parcel as opposed to a parcel being developed in two 10-acre tracts. The Department agrees with this relocation as it provides access closer to the end cul-de-sac on N.W. 109th Avenue onto N.W. 107th Avenue. The square footage is approximately the same. This change will help the traffic flow. Councilman Gutierrez asked to clarify what

portion of road the City is giving up. Mr. Lopez answered that the City has a 50-foot ROW is in the middle of/intersects two 10-acre parcels, and they are going to move it to the North of the two parcels. It will still be an East-West corridor. Chairman Garcia added that the way it was platted would prevent anyone from being landlocked. Mr. Lopez confirmed. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, EXTENDING THE CONTRACT WITH SUN CITY STRATEGIES, LLC FOR GOVERNMENTAL CONSULTING SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record and spoke on behalf of the Mayor, in his absence, regarding this item. The consulting fee will increase from \$2600 to \$3200 per month, but the City will no longer be paying travel expenses. Chairman Garcia added that Mr. Eduardo Gonzalez, President of Sun City Strategies, did a wonderful job in supporting the City's lobbying efforts in Tallahassee. They helped in securing recurring funding for the Senior Center program and the Meals on Wheels program, secured \$500,000 for the renovation of the old pool at Westland Gardens Park, and secured \$300,000 to fund the new requirement for positioning police officers at all elementary schools. Sun City Strategies did a great job and brought home a lot of resources for the City, for which the City is very appreciative. No questions or comments from Councilmembers. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN REVIEW FOR GARDENS CITY CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: 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, ALSO KNOWN AS CUT-OUT PARCEL 1 AS SHOWN ON THE APPROVED WAIVER OF PLAT NO. (D-21658), FOLIO: 27-2030-014-0140, ASSIGNED ADDRESS: 13391 W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 4-0)**

Mr. Citrin read the item into the record. Mr. Miguel Cabrera, architect for the project, came forward. This is a first reading; an opportunity for public input will be provided upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR JY 11931 LLC. LEGAL DESCRIPTION: A PORTION OF TRACT 7 OF FORREST FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, AT PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 7; THENCE SOUTH 89°43'01" WEST, ALONG THE NORTH LINE OF SAID TRACT 7, FOR 135.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN AFTER DESCRIBED; THENCE SOUTH 14°13'03" WEST FOR 221.29 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 25, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NO. 87090-2518; THENCE; NORTH, 50°59'15" WEST, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID .STATE ROAD, FOR 113. 76 FEET; THENCE NORTH 20° 18' 59" EAST FOR 151. 90 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 7; THENCE NORTH 89°43'01" EAST, ALONG THE NORTH LINE OF SAID TRACT 7, FOR 90.00 FEET TO THE POINT OF BEGINNING. EXISTING ADDRESS: 11931 W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, FLORIDA. FOLIO: 27-2032-002-0080. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: n/a)**

Mr. Citrin read the item into the record. Mr. Angel Lopez came forward representing the applicant. This is a first reading; an opportunity for public input will be provided upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A LAKEFILL FOR WHITE ROCK QUARRIES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PARCEL 1: THAT PORTION OF SECTION 18, TOWNSHIP 52 SOUTH, RANGE 40 EAST,

LYING EASTERLY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD NO. 821) AND BEING IN MIAMI-DADE COUNTY, FLORIDA. PARCEL 2: TRACTS 1 TO 4 INCLUSIVE, THE EAST 1/2 OF TRACTS 13 AND 14 LESS THE WEST 35 FEET THEREOF, AND THAT PORTION OF TRACTS 15 AND 16 LYING EASTERLY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD NO. 821), IN THE NORTH ONE-QUARTER (N 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA., FOLIO: 27-2018-001-0013, APPROXIMATE LOCATION: BETWEEN N.W. 150TH STREET AND N.W. 170TH STREET AND BETWEEN N.W. 107TH AVENUE AND FLORIDA TURNPIKE EXTENSION, HIALEAH GARDENS, FLORIDA., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the item into the record. Ms. Kerri Barsh, Esq., came forward representing the property owner. This is a first reading; an opportunity for public input will be provided upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was approved unanimously individualized voice vote. **(5-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A RELOCATION AND SITE PLAN REVIEW FOR BERNIE WILSON PARK (CITY INITIATED) , CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF TRACT 7, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, OF SECTION 29, 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, LESS THE SOUTH 30 FEET OF THE LAND DESCRIBED ABOVE LAYING WEST OF THE WEST LINE EXTENDED OF TRACT A OF CASTELLON ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 167 AT PAGE 50 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, AND TRACT "A" OF SAID PLAT OF CASTELLON ESTATES SUBDIVISION LYING AND BEING IN HIALEAH GARDENS, FLORIDA AND CONTAINING 1.725 NET ACRES,

MORE OR LESS. FOLIOS #: 27-2029-034-0170, 27-2029-001-0078 AND 0.086 ACRE OF VACATED R.O.W., APPROXIMATE LOCATION: BETWEEN N.W. 130TH STREET AND THEORETICAL N.W. 132ND STREET AND BETWEEN N.W. 97TH AVENUE AND PORTION OF N.W. 97TH CT., HIALEAH GARDENS, FLORIDA., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the item into the record. Chairman Garcia clarified with Mr. Joe Lopez that this is the project they have been working on for some time concerning the FDOT funds to relocate Bernie Wilson Park. Mr. Lopez confirmed and added that they have County approval for the waiver of plat and they have vacated a portion of the ROW this is the final step/approval for site plan. Chairman Garcia asked what the timeframe for construction would be. Mr. Lopez explained that they don't have a specific timeframe yet, they've got the vendor for the playground and everything else in line, but that he could provide a timeframe upon second reading. This is a first reading; an opportunity for public input will be provided upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 10. City Attorney's Report:** Mr. Citrin commented that he is busy reviewing statutory changes to the legislation concerning government functions that pertain to the City; he will report more on these preemptions at a later date.
- 11. Mayor's Report:** N/A
- 12. Council Members Concerns / Reports:** N/A
- 13. Adjournment:** Chairman Garcia adjourned the meeting at 7:56 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, June 18, 2019, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 10, 2019, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, June 6, 2019, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, June 26, 2019, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, August 6, 2019, 5:30 P.M.