

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, JUNE 16, 2015
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:33 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge A. Merida, Councilman Elmo L. Urra, Councilman Jorge Gutierrez, and Mr. Charles A. Citrin, City Attorney. Absent were Councilman Rolando Pina and Mayor Yioset De La Cruz.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Citrin led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** One item added to the agenda as 8B.
- 6. Review of Minutes: June 16, 2015.** Chairman Garcia made a motion to approve the minutes of June 16, 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, ENTERING INTO AN AGREEMENT WITH TRI-COUNTY ENGINEERING, INC. FOR CONTRACT ADMINISTRATION AND PROJECT MANAGEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Contract with Tri-County Engineering. This is part of the state grant the City received. The Mayor negotiated this contract. Joe Lopez was present. This is a standard agreement with the percentage for project management as required by the State. As Joe is familiar with the City and projects it would be feasible and this be a memorializing action already taken.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RE-APPOINTING THE MEMBERS OF THE HEALTH FACILITIES AUTHORITY ESTABLISHED FOR THE PURPOSE OF PROVIDING ADDITIONAL MEANS TO ASSIST IN THE DEVELOPMENT AND MAINTENANCE OF HEALTH FACILITIES LOCATED WITHIN THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Citrin stated that the City was approached by the Archdioso as they would like to refinance the bond issued in 2007. This resolution would serve to reappoint members of the health facility board. Motion to approve by Chair second by Merida. Unanimously approved.

9. First Reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78, LAND DEVELOPMENT REGULATIONS, ARTICLE IX - "SIGNS," HIALEAH GARDENS, FLORIDA, CODE OF ORDINANCES, SPECIFICALLY AMENDING SECTION 78-173 -"EXEMPT SIGNS;" SECTION 78-176 - SIGN STANDARDS AND REGULATIONS (a) "TEMPORARY SIGNS", BY ADDING A NEW SUBSECTION (8) ENTITLED "BANNER SIGNS" AND PROVIDING NEW REGULATIONS FOR BANNER SIGNS INCLUDING DURATION OF DISPLAY, LOCATION, MAXIMUM

HEIGHT, WIDTH, NUMBER, PERMIT APPLICATION, MAINTENANCE AND ENFORCEMENT; AND UNDER ARTICLE X "DEFINITIONS" ADDING THE DEFINITION OF "BANNER SIGN;" REPLACING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Citrin read the ordinance into the record. This is a city sponsored ordinance and a first reading and as such public input will be afforded upon second reading. Motion to approve by Chair second by Merida. Unanimously approved by voice vote.

(4-0)

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR RUSSO TIRES TRACT CONCERNING PROPERTY LEGALLY DESCRIBED: ALL OF TRACT "Z", OF "SHOMA COMMERCIAL REPLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161, PAGE 100, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; TOGETHER WITH A PORTION OF TRACT "Y" OF SAID PLAT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 166, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT "Z", SAID POINT BEING ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF N.W. 138TH STREET; THENCE SOUTH 50 DEGREES 59'15" EAST ON THE NORTHEASTERLY LINE OF SAID TRACT "Z" AND ITS EASTERLY EXTENSION FOR 327.81 FEET TO THE INTERSECTION WITH A LINE LYING 11.28 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF SAID TRACT "Z"; THENCE SOUTH 39 DEGREES 00'45" WEST FOR 225.83 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEASTERLY LINE OF TRACT "C" OF "HOME DEPOT-HIALEAH GARDENS"; THENCE NORTH 50 DEGREES 59'15" WEST ON SAID NORTHEASTERLY LINE AND ON THE SOUTHEASTERLY LINE OF TRACT "Z" FOR 74.05

FEET; THENCE SOUTH 39 DEGREES 00'45" WEST FOR 35.00 FEET TO THE INTERSECTION WITH A LINE LYING 35.00 FEET SOUTHWESTERLY AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF TRACT "C"; THENCE NORTH 50 DEGREES 59'15" WEST ON SAID PARALLEL LINE FOR 253.62 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY LINE OF SAID TRACT "C" AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF N.W. 138TH STREET; THENCE NORTH 38 DEGREES 58'58" EAST ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ON THE NORTHWESTERLY LINE OF SAID TRACT "C" AND AFOREMENTIONED NORTHWESTERLY LINE OF TRACT "Z" OF "SHOMA COMMERCIAL REPLAT" FOR 260.83 FEET TO THE POINT OF BEGINNING. LOCATION: 10990 NW 138TH STREET, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z n/a)

Mr. Citrin swore in all those who would be providing testimony on items for Second Reading / Public Hearing. Miguel Cabrera for the applicant was present. Mr. Lopez came forward and read Mirtha Gonzalez' memo into the record. Staff recommendation for the approval with conditions which have been addressed. Open Public Hearing at 7:46PM, no one came forward close at 7:46PM. Motion to approve by Chair second by Merida. Unanimously approved by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR BRIDGE POINT CROSSROADS SOUTH; OWNER: CAC REAL ESTATE LLC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 53 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT PROPERTY CONVEYED IN OFFICIAL RECORDS BOOK 27751, PAGE 762, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TRACT 54 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS

OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT PROPERTY CONVEYED IN OFFICIAL RECORDS BOOK 5318, PAGE 739 AND OFFICIAL RECORDS BOOK 27751, PAGE 758, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS #: 27-2019-001-0600 AND 27-2019-001-0610, APPROXIMATE LOCATION: BETWEEN NW 107TH AVENUE AND THEORETICAL NW 109TH AVENUE AND BETWEEN NW 142ND STREET AND NW 140TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z 3-0)

Mr. Citrin read the ordinance into the record. Mr. Mike Troxel, Thomas engineering for applicant was present. Mr. Joe Lopez came forward and read Mirtha Gonzalez's memo into the record. Staff recommendations for approval of site plan and variances with conditions. All conditions were addressed except for the unity of title which will follow. Comments regarding parking were addressed. Motion to revise ordinance to include "variances". Open public hearing at 7:52PM close at 7:52PM. Chair made comments regarding height variance. Chair made a motion to approve both "variance" and site plan second by Merida. Unanimously approved by individualized voice vote. **(4-0)**

- 11. City Attorney's Report:** No Comments.
- 12. Mayor's Report – Miscellaneous** – No Mayor Report.
- 13. Council Members Concerns / Reports / Board Appointments** – No Council Comments
- 14. Adjournment** - The meeting was adjourned at 8:54 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

July Recess

PLANNING AND ZONING BOARD

July Recess

TECHNICAL REVIEW COMMITTEE

July Recess

WATER AND SEWER BOARD

Wednesday, June 24, 2015, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, August 4, 2015, 5:30 P.M.