

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, AUGUST 19, 2014
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Councilman Rolando Piña serving as Chairman called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Councilman Jorge A. Merida, Councilman Rolando Piña, Councilman Jorge Gutierrez, and Charles A. Citrin, City Attorney. Chairman Luciano Garcia, Councilman Elmo L. Urra, and Mayor Yiozet De La Cruz were absent.
- 3. Invocation:** Councilman Jorge Gutierrez gave the invocation.
- 4. Pledge of Allegiance:** Councilman Piña led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes: August 05, 2014.** Councilman Piña made a motion to approve the minutes of August 05, 2014 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 AUTHORIZING THE PURCHASE OF ADOBE 11.0 COMPUTER PROGRAM FOR ALL SYSTEMS THAT INTERFACE WITH THE ENTIRE POLICE COMPUTER SYSTEM; UTILIZING GOVERNMENT PRICING IN THE AMOUNT OF \$8,000.00; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO PURCHASE THE PROGRAM THROUGH LOXIA TECHNOLOGIES, INC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth came forward and gave details of this resolution as well as the two that follow which are all related to the purchase of software updates and a complete restructure of the computer system for the Police Department. Chief Toth is requesting an expenditure of the \$8,000.00 for the purchase of the Adobe 11.0 computer program. Chairman Piña inquired if all the equipment was going to remain the same, which Chief Toth confirmed and stated that this portion was just to upgrade the Adobe program from the 9.0 version to the new 11.0 version. Chairman Piña then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF A VERIZON MYFY SYSTEM (2 YEARS) FOR ALL POLICE OFFICER LAPTOPS; WAIVING COMPETITIVE BIDDING; UTILIZING THE STATE OF FLORIDA GOVERNMENT PRICING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH VERIZON; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth mentioned that this resolution serves to purchase the Verizon MYFY systems for all police officer laptops. This will enable police officers to use a wireless system which now allows them to stay on the road and still be able to transfer reports without having to go to the police station. Chief Toth stated that Verizon, Sprint, and AT&T all offer government contracts but the one that offered the best in a wireless system was Verizon. Chairman Piña then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF A NETWORK INFRASTRUCTURE REDESIGN AND IMPLEMENTATION FOR THE POLICE DEPARTMENT COMPUTER SYSTEM; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH LOXIA TECHNOLOGIES, INC., A FLORIDA DEPARTMENT OF LAW ENFORCEMENT CERTIFIED TECHNICIAN COMPANY; AUTHORIZING THE USE OF FORFEITURE FUNDS FOR THIS PURPOSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Chief Toth mentioned this resolution will allow the Police Department to enter into an agreement with Loxia Technologies and allow them to build the infrastructure for the wireless MYFY, the usage of Adobe, and the network infrastructure redesign. Chief Toth noted that Loxia Technologies works with four other Police Departments and is FDLE certified. Councilman Gutierrez asked if this included the servers, to which Chief Toth stated that it does and instead of having four servers it will now just be one. Chairman Piña asked which four departments does Loxia Technologies currently work with, to which the Chief stated that they work with Medley, Virginia Gardens, Miami Shores, and Florida City. Chairman Piña then also asked if they had the funds available to cover the cost, to which Chief Toth mentioned that there was slightly over \$60,000 in forfeiture funds and the rest will come out of next year's police budget. Chairman Piña then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. The Chief then briefly mentioned to the Council members that on June 25 the City of Hialeah Gardens Police Department was accredited by Florida accreditation. Members of the agency and staff went over to the commission meeting and accepted the accreditation award on behalf of the City.

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR SONIC BEACH DRIVE-IN RESTAURANT, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT "A", OF "VICENZA AT HIALEAH GARDENS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 169, AT PAGE 13 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOLIO: 27-2033-067-0013, LOCATION: 11900 HIALEAH GARDENS BOULEVARD, HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. The applicant Eduardo Carcache came forward for the record. Chairman Piña 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. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION USE FOR COMUNIDAD DE FE MINISTRIES INC., LOCATED AT 7805 NW 99TH STREET, HIALEAH GARDENS, FL., TO PERMIT THE SPECIAL USE FOR A HOUSE OF WORSHIP AND RELATED ACTIVITIES IN IN-1 ZONING DISTRICT; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. The applicant Roberto Che came forward for the record. Chairman Piña 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. **(3-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78, LAND DEVELOPMENT REGULATIONS ARTICLE III, ZONING DISTRICT TYPE AND USE REGULATIONS, TO (1) CORRECT THE SCRIVENER'S ERROR IN THE SECTION 78-45 TITLE FROM "N-1" TO "B-1" AND (2) ADD ADDITIONAL PERMITTED AND SPECIAL EXCEPTION USES WITHIN THE NEIGHBORHOOD BUSINESS DISTRICT UNDER SECTION 78-45 NEIGHBORHOOD BUSINESS DISTRICT (B-1) USES; PROVIDE FOR INCLUSION IN CODE; PROVIDE FOR SEVERABILITY; AND PROVIDE FOR AN EFFECTIVE DATE. (TRC Vote: n/a; P&Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward for the record and stated that it is a City initiated ordinance to allow additional permitted and special exception uses within the neighborhood business district. Chairman Piña 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. **(3-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR OCAQUATICS 3, LLC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A OF ANDREW INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 144, PAGE 23, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. ; FOLIO: 27-2029-020-0010, LOCATION: 10502 NW 134th Street, HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin swore in all those who would be providing testimony on items for Second Reading / Public Hearing. Mr. Citrin read the full title of the ordinance into the record. The applicant Miren Oca was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official then came forward and gave staff recommendations for approval with the conditions noted. Chairman Piña asked if the applicant can provide the Council Members with a brief description of the project. The applicant Miren Oca stated that Ocaquatics has been in operation for 20 years. They have a location near Kendall Tamiami Airport and another location near Tropical Park. It is an indoor swimming school and they service children from six months to about age 12. It is an all instructional swim school and the site provides parking spaces on the outside and all comments brought up in TRC were addressed. Ocaquatics does a lot of work with private schools, some centers with children with autism, pre schools, daycares, and private summer camps. The business will be operated year round and the pool is 28 feet by 45 feet. Chairman Piña then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND VARIANCE FOR BRIDGE DEVELOPMENT PARTNERS LLC, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 9 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, PLAT OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION ACCORDING TO THE PLAT THEREOF IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT THE SOUTH 35 FEET AND THE WEST 35 FEET. AND FURTHER LESS AND EXCEPT THE PROPERTY CONVEYED BY DEED RECORDED IN OFFICIAL RECORD BOOK 27940, PAGE 126 MORE PARTICULARLY DESCRIBED BELOW: THOSE PORTIONS OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE

COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 40.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, LESS THE SOUTH 35.00 FEET, AND THE EAST 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, LESS THE SOUTH 35.00 FEET, AND THAT PORTION OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE EAST LINE OF THE WEST 40.00 OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19 AND BOUNDED BY A 25.00 FEET RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES.

AND

THAT PORTION OF THE SOUTH ONE-HALF (S.1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S.1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE WEST LINE OF THE EAST 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19 AND BOUNDED BY A 25.00 FEET RADIUS ARC CONCAVE TO THE NORTHWEST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES. TOGETHER WITH THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MIAMI-DADE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS: TRACT 10, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF FLORIDA FRUIT LAND COMPANY'S

SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS AND EXCEPT LANDS IN RIGHT OF WAY DEED TO THE CITY OF HIALEAH GARDENS, RECORDED MAY 28, 2013 IN OFFICIAL RECORDS BOOK 28648, PAGE 3335, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH AVENUE AND BETWEEN NW 146TH STREET AND NW 148TH STREET, HIALEAH GARDENS, FL, FOLIOS: 27-2019-001-0090 AND 27-2019-001-0100, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the full title of the ordinance into the record. The applicant Mr. Mike Troxell with Thomas Engineering was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official then came forward and gave staff recommendation for approval as all conditions were met. Chairman Piña asked if the applicant can provide the Council Members with a brief description of the project. The applicant Mike Troxell gave a description of the warehouse building project. He showed the council an illustrated picture of the building and the variance requested was an extra 2 feet in height. The roof pitch is requiring a longer and higher parapet so the 40 feet height needs to be heighten a couple of feet to get the parapet wall high enough to cover the roof equipment required for the project. Mr. Citrin asked if the applicant can explain the bases for the variance. Mr. Troxell mentioned that the current product that is out there on the market is requiring longer and deeper warehouse buildings with the combination of the lots and the depths of the building from the front to the back. The roof has a pitch to it for drainage, as the length of the building lengthens that pitch requires that the front of the building is raised and the parapets is raised to cover roof equipment. Mr. Citrin stated that the applicant has a practical reason for the variance, therefore allowing the applicant to make the building more adaptable to the purposes it has. Chairman Piña then asked if the rear wall will be at 40 feet. At this time Nathan Griffis, RLC Architects came forward and stated that the rear of the building is 35.2 feet and front is over the 40 feet mark and that is why they need the extra foot to cover air conditioning. It is concrete tilt panels on the slab and the structure is erected. Chairman Piña asked if the building is for a single tenant or for multiple tenants. Bryan Lara then came forward and stated that it is designed to be multi-tenant and the building will break down into eight possible tenants. Chairman Piña then opened the public hearing at 8:07. No one came forward. He then closed at 8:07. He then made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously. **(3-0)**

- 11. City Attorney's Report:** Mr. Citrin stated that the next council meeting is scheduled for September 9 and the following meeting for September 23.
- 12. Mayor's Report – Miscellaneous** - No comments.

- 13. **Council Members Concerns / Reports / Board Appointments** - No comments.
- 14. **Adjournment** – The meeting was adjourned at 8:10 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, September 23, 2014, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 20, 2014, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 2, 2014, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, September 24, 2014 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 4, 2014, 5:30 P.M.