

Mayor

Yioiset De La Cruz

City Council Members

Chairman Luciano "Lucky" García

Vice Chairman Rolando "Roly" Piña

Council member Jorge A. Merida

Council member Jorge Gutierrez

Council member Elmo L. Urrea

PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL.

**AGENDA: CITY COUNCIL MEETING
COUNCIL CHAMBERS
TUESDAY, February 18, 2020– 7:30 P.M.**

NOTE: In compliance with Robert's Rules of Order, all speakers will be heard only on items which are on the agenda and opened by the Chairperson for discussion by the public. Speakers will be limited to five minutes, unless the Chairperson allows more time for presentation.

ATTENTION ALL LOBBYISTS: Chapter 2, Section 2-308 of the City Code of Hialeah Gardens entitled "Lobbying" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyist's laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

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- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Deletions/Emergency Additions**
- 6. Review of Minutes:** February 4, 2020
- 7. Public Comments**
- 8. First Reading for consideration of the following ordinances:**
 - A) ORDINANCE OF THE CITY OF HIALEAH GARDENS AMENDING ARTICLE V ENTITLED DEVELOPMENT AND DESIGN STANDARDS, DIVISION 4 FOR BUSINESS AND INDUSTRIAL ZONING DISTRICTS REGULATIONS INCREASING THE MAXIMUM HEIGHT PERMITTED WITHIN IN-1 (LIGHT INDUSTRIAL), IN-2 (HEAVY INDUSTRIAL) AND IN-C (CONTROLLED INDUSTRIAL) ZONING DISTRICTS WITHIN THE NORTHWEST DISTRICT; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.
 - B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR A.J. PROPERTIES TRACT CONCERNING PROPERTY LEGALLY DESCRIBED: THE SOUTH 1/2 OF TRACT 12, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT-OF WAY DEED RECORDED MARCH 4, 2011 IN OFFICIAL RECORDS BOOK 27606, PAGE 2676, PUBLIC

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RECORDS OF MIAMI DADE COUNTY, FLORIDA.
LOCATION: 14900 NW 109TH AVENUE, HIALEAH
GARDENS, FLORIDA. FOLIO #: 27-2019-001-0120.
PROVIDING FOR CONDITIONS; PROVIDING FOR
EFFECTIVE DATE. (TRC Vote: 4-0, P&Z Vote: 4-0)

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR PULL QUE INVESTMENTS, LLC, CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 23, OF FORREST FARMS, ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 20 AT PAGE 67, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIO: 27-2032-003-0027, APPROXIMATE LOCATION: EAST OF NW 98TH AVENUE AND N.W. 97TH AVENUE BETWEEN NW 122ND STREET AND W. OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0, P&Z Vote: 4-0)
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN TO DEVELOP A WAREHOUSE WITH OFFICES AND HEIGHT VARIANCE FOR HIALEAH GARDENS COMMERCE CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL 1: THE NORTH ONE HALF (N 1/2) OF TRACT 61, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, IN SECTION 19, 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 AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY CONVEYED TO THE CITY OF HIALEAH GARDENS IN OFFICIAL RECORDS BOOK 29676, PAGE 4385. THE EAST 35.00 FEET OF THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. FURTHER LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY CONVEYED TO THE CITY OF HIALEAH GARDENS IN OFFICIAL RECORDS BOOK 29676, PAGE 4381. THE WEST 40.00 FEET OF THE WEST ONE-HALF (W 1/2) OF THE

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NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA. PARCEL 2: THE SOUTHEAST 1/4 (SE 1/4) OF TRACT 61, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, IN SECTION 19, 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. AND THE SOUTHWEST 1/4 (SW 1/4) OF TRACT 61, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, IN SECTION 19, 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 AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY CONVEYED TO THE CITY OF HIALEAH GARDENS IN OFFICIAL RECORDS BOOK 27604, PAGE 2482: THAT PORTION OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE EAST 35.00 FEET OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND THE SOUTH 35.00 FEET OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND THAT PORTION OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED BY THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE EAST ONE-HALF (E. 1/2) OF

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THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED BY THE WEST LINE OF THE EAST 35.00 OF THE EAST ONE-HALF (E 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 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. AND EXCEPTING THEREFROM ANY PORTION OF THE ABOVE-DESCRIBED LANDS PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY. FURTHER LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY CONVEYED TO THE CITY OF HIALEAH GARDENS IN OFFICIAL RECORDS BOOK 27604, PAGE 2486: THAT PORTION OF THE WEST ONE-HALF (W 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 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 WEST ONE-HALF (W 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND THE SOUTH 35.00 FEET OF THE WEST ONE-HALF (W 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND THAT PORTION OF THE WEST ONE-HALF (W 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED BY THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE WEST ONE-HALF (W 1/2) OF THE SOUTH ONE-

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HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED BY THE EAST LINE OF THE WEST 40.00 FEET OF THE SOUTHEAST ONE-QUARTER (SE 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 EXCEPTING THEREFROM ANY PORTION OF THE ABOVE-DESCRIBED LANDS PREVIOUSLY DEDICATED AS PUBLIC RIGHT-OF-WAY. FOLIOS #: 27-2019-001-0681, 27-2019-001-0686, 27-2019-001-0680 AND 27-2019-001-0685, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

(TRC Site Plan Vote: 4-0, Height Variance Vote 4-0)

(P&Z Site Plan Vote: 4-0, Height Variance Vote 4-0)

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA RELATING TO ZONING; AMENDING THE CITY CODE AND ADDING A SECTION FOR "CANNABIS DISPENSARIES, MEDICAL MARIJUANA TREATMENT FACILITIES, AND INDEPENDENT TESTING LABORATORIES"; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA BANNING SHORT TERM RENTALS OF RESIDENTIAL PROPERTIES; AMENDING THE CITY CODE; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
- C) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF ITS PROMISSORY NOTE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000, TO PROVIDE A REVOLVING LINE OF CREDIT FOR THE CITY;

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COVENANTING TO BUDGET AND APPROPRIATE FUNDS, FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES, TO REPAY SUCH NOTE; PRESCRIBING THE FORM, TERMS AND DETAILS OF THE NOTE; AWARDING THE NOTE TO SYNOVUS BANK BY NEGOTIATED SALE; APPROVING THE FORM OF A LINE OF CREDIT AGREEMENT BETWEEN THE CITY AND SYNOVUS BANK; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF HIALEAH GARDENS, AND PROVIDING FOR AN EFFECTIVE DATE.
- E) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE ISSUANCE OF A SPECIAL OBLIGATION NOTE OF THE CITY OF HIALEAH GARDENS, FLORIDA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$750,000; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID NOTE; AND PROVIDING AN EFFECTIVE DATE.

10. Proposed Resolutions:

- A) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, ACCEPTING THE PROPOSAL OF REGIONS BANK TO PROVIDE THE CITY WITH A LOAN (THE "LOAN") IN A PRINCIPAL AMOUNT NOT TO EXCEED \$750,000 FOR THE PURPOSES OF PROVIDING FUNDS FOR (I) THE PURCHASE AND EQUIPPING OF POLICE VEHICLES, AND (II) PAYING CERTAIN COSTS ASSOCIATED WITH THE ISSUANCE OF THE SPECIAL OBLIGATION NOTE, SERIES 2020 (THE "NOTE"); AUTHORIZING THE RELATED NOTE IN A PRINCIPAL AMOUNT EQUAL TO THE PRINCIPAL AMOUNT

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OF SUCH LOAN; PROVIDING SECURITY FOR THE LOAN AND NOTE, PRESCRIBING THE FORM, TERMS AND DETAILS OF THE LOAN AND NOTE; DESIGNATING THE NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF ONE (1) 2020 FORD RANGER XL AND TWO (2) FORD F-150 PICKUP TRUCK TO BE USED BY THE MAINTENANCE DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUVAL FLEET TRUCK SALES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

11. City Attorney's Report

12. Mayor's Report – Miscellaneous

13. Council Members Concerns / Reports / Board Appointments:

14. Adjournment

Agenda certified by:

Maria L. Joffee
City Clerk

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In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office no later than four days prior to the proceeding. For assistance, the City's telephone number is (305) 558-4114; if hearing impaired the telephone for the Florida Relay Service is (800) 955-8771 (TDD) or (800) 955-8770 (VOICE).

Pursuant to Section 286.0105 Florida Statutes, 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, March 3, 2020, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, March 9, 2020, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, March 5, 2020, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, February 26, 2020, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, May 5, 2020 5:30 P.M.