

## MINUTES

**CITY OF HIALEAH GARDENS  
TUESDAY, June 16, 2020  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Councilman Jorge Gutierrez, serving as Chair, called the meeting to order at 7:31 p.m.
- 2. Roll Call:** Present were Councilman Jorge Gutierrez serving as Chair, Councilman Elmo Urra, Councilman Jorge Merida, Deputy City Attorney Aida Martinez-Ruiz, and Mayor Yioiset De La Cruz. Councilman Rolando Piña and Chairman Luciano Garcia were absent.
- 3. Invocation:** Chairman Gutierrez gave the invocation.
- 4. Pledge of Allegiance:** Mayor Yioiset De La Cruz led the led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: June 2, 2020** Chairman Gutierrez made a motion to approve the minutes of June 2, 2020, 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, URGING MIAMI-DADE COUNTY MAYOR CARLOS A. GIMENEZ AND THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA ("BOARD OF COUNTY COMMISSIONERS") TO TRANSFER CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES) ACT DIRECT FEDERAL FUNDS RECEIVED BY MIAMI-DADE COUNTY ("COUNTY") TO THE CITY OF HIALEAH GARDENS ("CITY") AND TO OTHER UNITS OF LOCAL GOVERNMENT WITHIN THE COUNTY BASED ON POPULATION AND RATES OF COVID-19 CASES; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS NAMED HEREIN.

Deputy City Attorney Aida Martinez-Ruiz read the item into the record. The Mayor explained that this is the money that came from the federal government to support the County's budget during the COVID-19 crisis. The City is asking the County to release those funds individually to all Dade County municipalities. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(3-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, URGING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) TO TAKE IMMEDIATE ACTION TO ADDRESS THE FLOODING DISASTER THAT TOOK PLACE IN MIAMI-DADE COUNTY OVER THE PAST FEW WEEKS AND TO IMMEDIATELY ISSUE A REPORT THAT EXPLAINS IN DETAIL THE ACTIONS THAT THE SFWMD TOOK IN ANTICIPATION OF THE FLOODING DISASTER.

Deputy City Attorney Aida Martinez-Ruiz read the item into the record. The Mayor explained that this resolution is piggybacking on Commissioner Pepe Diaz's resolution. Most municipalities in Miami-Dade were affected by flooding due to heavy rains during the month of May. Canals overflowed more than they should have; this resolution is asking the SFWMD to provide a report explaining why this happened and how it will be managed in the future. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(3-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, REGARDING THE APPROVAL OF A UNITY OF TITLE AGREEMENT CONCERNING PARCEL DESCRIBED ON "EXHIBIT A"; PROVIDING FOR AN EFFECTIVE DATE.

Deputy City Attorney Aida Martinez-Ruiz read the item into the record. Ms. Alessandria San Roman and her colleague Mr. Jeff Goldstein of Holland & Knight came forward on behalf of the applicant; they are seeking approval of the unity of title. They are still working out the legal details of the principal. This unity of title encompasses two parcels. This is part of the Hialeah Gardens Commerce Center project. Ms. Martinez-Ruiz explained that the lawyers have been working with Mr. Walker. If approved, the Council would be approving it on first reading with the knowledge that the signature page may change before final Council action. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(3-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR BERNIE WILSON PARK; WAIVING COMPETITIVE BIDDING UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES ; USING THE EXISTING NATIONAL JOINT POWERS ALLIANCE CONTRACT WHICH HAD USED THE COMPETITIVE BIDDING PROCESS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MIRACLE RECREATION EQUIPMENT, CO; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy City Attorney Aida Martinez-Ruiz read the item into the record. Mr. Joe Lopez, Public Works Director, came forward. Mr. Lopez read his recommendation for approval into the record. He explained that the Department is requesting Council approval for the purchase of playground equipment for the Bernie Wilson replacement park located at NW 130<sup>th</sup> Street and NW 97<sup>th</sup> Court. The equipment is listed in detail on the attached plans, renderings and quote which includes equipment and activity areas designed for handicapped children. In conjunction with Parks and Recreation the PW Department requested pricing from Miracle Recreation, Inc. for equipment and installation under an existing contract using the City's membership ID. The Department requests that the Council waive competitive bidding and allow the use of the NJPA Contract for a cost of purchase set at \$206,125.40. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(3-0)**

- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR POLICE STATION OFFICE AND BATHROOM ADDITION (PW19-102); WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ELA CONSTRUCTION; PROVIDING FOR CONFLICTS;

PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy City Attorney Aida Martinez-Ruiz read the item into the record. Mr. Lopez came forward once again and stated that sealed bids were received for the Police Station office and bathroom addition for furnishing all labor, materials and equipment. The bids were opened at a regular Council meeting on January 21, 2020 and contractor names and amounts were read into the record. All bids were well over the preconstruction budget of \$200,000. None of the contractors could offer the City a lower. Public Works staff then contacted ELA Construction who completed City Hall in 2008 and established a good rapport with the City. The job was quoted at \$240,000 with no reduction in finishes or materials. The funding for the project is made available through a \$150,000 GOB grant which may be lost if not spent by October 2020—and that is the reason they were not able to re-bid. The remaining funding of \$90,000 comes from the City’s general fund. Mr. Lopez summarized his recommendation for approval. Ms. Martinez-Ruiz reiterated that Mr. Lopez did go back to the original bidders to see if they were willing to lower their price; those bidders did not show any interest in lowering their price. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(3-0)**

**9. First Reading for consideration of the following ordinances:**

Chairman Gutierrez stated that the following items were being considered for first reading and an opportunity for public input would be afforded upon second reading. Deputy City Attorney Aida Martinez-Ruiz asked that the legal descriptions of each item be entered into the record as-written in the interest of accuracy and [saving] time.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR HIALEAH STORAGE BUILDERS LLC (“CUBESMART HIALEAH GARDENS”), LEGAL DESCRIPTION: 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, APPROXIMATE LOCATION: SOUTH OF THEORETICAL NW 108TH STREET BETWEEN NW 89TH AVENUE AND W OKEECHOBEE ROAD, HIALEAH

GARDENS, FLORIDA; PROVIDING FOR CONDITIONS;  
PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record. Ms. Amanda Naldjieff, of Holland & Knight, came forward representing the applicant and stated her name and address for the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR HIALEAH GARDENS TRADE CENTER CONCERNING PROPERTY LEGALLY DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT 33. SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST. "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA: THENCE RUN S.89°29'07"W. FOR 681.04 FEET; THENCE RUN N.14°24'08"E. FOR 341.33 FEET; THENCE RUN N.89°29'12"E. FOR 581.44 FEET: THENCE RUN S.02°33'09"E. FOR 330.02 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THEREFROM THE EAST 40 FEET THEREOF. AND THAT PORTION OF TRACT 34, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", LYING EAST OF THE FLORIDA TURNPIKE EXTENSION AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN IN THE S.E. CORNER OF SAID TRACT 34: THENCE RUN S.85°29'12"W. FOR 596.48 FEET; THENCE RUN N.16°47'25"W. FOR 343.60 FEET THENCE RUN N.89°29'07"E FOR 681.04 FEET; THENCE RUN S.02°33'09"E. FOR 330.02 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THEREFROM THE EAST 40 FEET THEREOF. AND THE NORTH 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF TRACT 35, LESS THE EAST 40 FEET THEREOF, AND THE EAST 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF TRACT 35 ALL IN SECTION 19, TOWNSHIP 52 SOUTH. RANGE 40 EAST OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION" AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH THE FOLLOWING: THE EAST ONE-QUARTER OF THE WEST ONE-HALF AND THE WEST ONE-QUARTER OF THE EAST ONE-

HALF OF TRACT 35, "FLORIDA FRUIT LANDS COMPANY SUBDIVISION, NO. 1", AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, IN THE SOUTHEAST ONE-QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST BEING ALSO A PORTION OF PARCEL 129.1 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION APRIL 27, 2006; SAID PART BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, RUN THENCE NORTH 2°33'57" WEST, 1980.08 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHEAST CORNER OF TRACT 35 OF SAID SUBDIVISION; THENCE SOUTH 89°29'21" WEST, 596.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 35 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821 AND THE POINT OF BEGINNING; THENCE SOUTH 19°27'58" EAST ALONG SAID RIGHT-OF-WAY LINE, 348.72 FEET; THENCE NORTH 02°33'51" WEST 330.02 FEET ALONG THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE SOUTH 89°29'21" WEST, 101.45 FEET ALONG SAID EXISTING LIMITED ACCESS RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. RESERVING UNTO THE GRANTOR ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW BETWEEN THE GRANTOR'S REMAINING RIGHT-OF-WAY AND THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL. APPROXIMATE LOCATION: WEST SIDE OF NW 112TH AVENUE BETWEEN THEORETICAL NW 143RD STREET AND NW 146TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2019-001-0350, 27-2019-001-0360, 27-2019-001-0371 AND 27-2019-001-0373. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record. Mr. Adam Ryzewski came forward representing the applicant and stated his name and address for the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR SAFIRE TRACT, LEGAL DESCRIPTION: THE EAST 1/2 OF TRACT 58, 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 AUGUST 23, 2012 IN OFFICIAL RECORDS BOOK 28240, PAGE 4153, PUBLICS RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIO: 27-2019-001-0650, APPROXIMATE LOCATION: SOUTHWEST INTERSECTION OF N.W 140TH STREET AND N. W. 109TH AVENUE, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record. Ms. Lilia Acevedo came forward representing the applicant and stated her name and address for the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ABANDONMENT OF A DEDICATED ROAD PORTION OF EXISTING RIGHT OF WAY KNOWN AS N.W. 135TH STREET, LEGALLY DESCRIBED AS: PARCEL 1 (LAGUNA) THE WEST ¼ OF THE EAST ½ OF TRACT 20, LESS THE NORTH 30 FEET AND LESS THE SOUTH 30 FEET FOR RIGHT OF WAY IN THE NW ¼ SECTION 29, TOWNSHIP 52, RANGE 40 EAST, OF FLORIDA FRUIT LAND COMPANY, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. PARCEL 2 (TUNDIDOR) THE EAST 1/2 OF THE WEST ½ OF EAST ½ OF TRACT 20, LESS THE NORTH 30 FEET AND LESS THE SOUTH 30 FEET FOR RIGHT OF WAY IN THE NW ¼ SECTION 29, TOWNSHIP 52, RANGE 40 EAST, OF FLORIDA FRUIT LAND COMPANY, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA; PROVIDING FOR CONDITIONS, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR PLAZA DE LA ALHAMBRA, LEGAL DESCRIPTION: THAT PORTION OF FLORIDA FRUIT LAND COMPANY SUBDIVISION ACCORDING TO THE PLAT THEREOF, FILED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE FOLLOWING DESCRIBED LAND SITUATE, LYING AND BEING IN THE COUNTY OF MIAMI-DADE AND STATE OF FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL 1: A PORTION OF TRACT 4, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF TRACT 5 OF SAID PLAT, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF SECTION 3 AND RUN NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 5 FOR 734.59 FEET; THENCE RUN NORTH 00 DEGREES 05 MINUTES 16 SECONDS EAST ALONG A LINE PARALLEL TO THE EAST LINE OF THE AFOREDESCRIBED TRACTS 5 AND 4, RESPECTIVELY FOR 336.93 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 258.08 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF NORTHWEST 103RD STREET AS SHOWN ON STATE ROAD RIGHT WAY MAP NUMBER 8759-151 AS RECORDED IN PLAT BOOK 60, AT PAGE 53 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID POINT BEARING SOUTH 22 DEGREES 03 MINUTES 10 SECONDS WEST FROM THE CENTER POINT OF THE NEXT DESCRIBED CURVE; THENCE RUN SOUTHEASTERLY ALONG THE AFOREDESCRIBED SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORTHWEST 103RD STREET BEING A CURVE TO THE LEFT HAVING A RADIUS OF 1942.83 FEET AND A CENTRAL ANGLE OF 05 DEGREES 09 MINUTES 39 SECONDS FOR AN ARC DISTANCE OF 175.00 FEET; THENCE RUN SOUTH 02 DEGREES 47



MINUTES 18 SECONDS EAST FOR 204.69 FEET; THENCE RUN NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG A LINE PARALLEL TO THE AFOREDESCRIBED SOUTH LINE OF TRACT 5 FOR 175.35 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. AND PARCEL 2: BEING A PORTION OF TRACTS 4 AND 5 OF THAT CERTAIN PLAT OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF SECTION 3 TOWNSHIP 53 SOUTH, RANGE 40 EAST AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF TRACT 5 OF THE AFORESAID PLAT OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF SECTION 3, AND RUN NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT 5 FOR 559.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88 DEGREES 28 MINUTES 15 SECONDS WEST ALONG THE LAST DESCRIBED COURSE FOR 175.35 FEET; THENCE RUN NORTH 00 DEGREES 05 MINUTES 16 SECONDS EAST ALONG A LINE WEST OF AND PARALLEL TO THE EAST LINE OF THE AFORESAID TRACTS 5 AND 4 RESPECTIVELY FOR 336.93 FEET; THENCE RUN SOUTH 88 DEGREES 28 MINUTES 15 SECONDS EAST ALONG A LINE NORTH OF AND PARALLEL TO THE AFORESAID SOUTH LINE OF TRACT 5 FOR 175.35 FEET; THENCE RUN SOUTH 00 DEGREES 05 MINUTES 16 SECONDS WEST ALONG A LINE WEST OF AND PARALLEL TO THE AFORESAID EAST LINE OF TRACTS 4 AND 5 RESPECTIVELY FOR 336.93 FEET TO THE POINT OF BEGINNING LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. FOLIO: 27-3003-001-0050, ADDRESS: 7802 NW 103 STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR EL VALLE BBQ, LOCATED AT 8108 NW 103RD STREET, HIALEAH GARDENS, FL. TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES 4COP

TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE.

(TRC Vote: 4-0; P&Z Vote: 4-0)

Ms. Martinez-Ruiz read the short legal description into the record. Mr. Albert Hernandez and the applicant, Mr. Marcelino Gamez, the applicant, were present and came forward. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote.

**(3-0)**

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN REVIEW AND REAR SETBACK VARIANCE FOR IGT GLASS HARDWARE, EXISTING BUILDING LOCATED AT: 10101 NW 79TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-3003-001-0046. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

(TRC Vote: 6-0; P&Z Vote: 4-0)

Ms. Martinez-Ruiz read the short legal description into the record. Mr. Gustavo Henao the applicant, came forward and stated his name and address for the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- H) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR 7711 PROPERTIES LLC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT B, ANDREW INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 144, PAGE 23, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, APPROXIMATE LOCATION: BETWEEN N.W. 107TH AVENUE AND THEORETICAL N.W 105TH AVENUE AND SOUTH OF N.W. 134TH STREET, HIALEAH GARDENS. FOLIO #: 27-2029-020-0020, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Ms. Martinez-Ruiz read the short legal description into the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- I) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR MIAMI INDUSTRIAL LOGISTIC CENTER IV, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 52 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS THAT PORTION OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 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 35.00 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND LESS THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND LESS THAT PORTION OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 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 SOUTH ONE- HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED BY THE EAST LINE OF THE WEST 35.00 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 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 NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES. AND LESS THAT PORTION OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 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 40.00 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19. AND LESS, THAT PORTION OF THE SOUTH ONE-HALF (S 1/2) OF THE

SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED ON THE SOUTH 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 NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19, BOUNDED ON THE EAST BY THE WEST LINE OF THE EAST 40.00 FEET OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 19 AND BOUNDED ON THE NORTHWEST BY A 25.00 FEET RADIUS ARC CONCAVE TO THE NORTHWEST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES AND TRACT 51, OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, 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 THAT PORTION CONVEYED TO CITY OF HIALEAH GARDENS FOR RIGHT-OF-WAY PURPOSES BY DEED RECORDED IN OFFICIAL RECORDS BOOK 28374, PAGE 3851, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY. APPROXIMATE LOCATION: BETWEEN NW 107TH AVENUE AND NW 109TH AVENUE AND BETWEEN NW 142ND STREET AND NW 144TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2019-001-0590 AND 27-2019-001-0580, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Ms. Martinez-Ruiz read the short legal description into the record. Mr. Mike Troxell came forward representing the applicant and stated his name and address for the record. Chairman Gutierrez stated that this was a first reading and an opportunity for public input would be afforded upon second reading. Chairman Gutierrez made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

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

Deputy City Attorney Martinez-Ruiz swore in those intending to give testimony on the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR BOWMAN TRAILER TRACT,

LEGAL DESCRIPTION: THE WEST 1/2 OF TRACT 55, 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 AUGUST 23, 2012 IN OFFICIAL RECORDS BOOK 28240, PAGE 4158, PUBLICS RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIO: 27-2019-001-0621, APPROXIMATE LOCATION: S.E. CORNER INTERSECTION OF N.W 140 ST. AND N.W 109TH AVENUE, HIALEAH GARDENS, FL.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the item into the record. Mr. Leonardo D'Agostini the applicant was present and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read her recommendation for approval into the record. All requirements have been met. The use is a parking trailer with an office building. No questions or comments from the Council. The Chair opened public comments at 7:56 p.m.; no one came forward. Public comments closed at 7:56 p.m. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR GOLDEN YEARS SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3 WITH THE SOUTH RIGHT-OF-WAY LINE OF N.W.103RD STREET, THENCE S89°40'02"W ALONG SAID RIGHT-OF-WAY LINE FOR 1443.19' TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST , THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 1875.08' AND A CENTRAL ANGLE OF 21°38'12" FOR AN ARC DISTANCE OF 708.09' TO A POINT OF INTERSECTION WITH A LINE LYING 504.00' EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3, SAID POINT ALSO KNOWN AS THE NORTHWEST CORNER OF TRACT "A" OF "SANTA NAVILLA SUBDIVISION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 154 AT PAGE 97 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY , FLORIDA. THIS POINT ALSO BEING THE POINT OF BEGINNING OF THE

PARCEL OF LAND HEREINAFTER DESCRIBED. THENCE S 01°54'04"E ALONG THE WEST LINE OF SAID TRACT "A" AND TRACT "D" OF SAID PLAT FOR A DISTANCE OF 574.78' TO A POINT ON THE TOP OF BANK OF A LAKE, THENCE S84°54'26"W ALONG THE TOP OF BANK FOR A DISTANCE OF 108.91' TO A POINT, THENCE S70°01'46" W ALONG SAID TOP OF BANK FOR A DISTANCE OF 47.88' TO A POINT , THENCE S37°42'47"W ALONG SAID TOP OF BANK FOR A DISTANCE OF 31.56' TO A POINT, THENCE S88°14'56"W FOR A DISTANCE OF 59.92' TO A POINT ON THE EAST LINE OF TRACT "A" OF "HIALEAH GARDENS CITY HALL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 162 AT PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THENCE N01°45'04"W ALONG SAID EAST LINE OF SAID TRACT "A" FOR A DISTANCE OF 146.40' TO A POINT, THENCE 88°14'56"W BOUNDING THE NORTH SIDE OF SAID TRACT "A" FOR A DISTANCE OF 35.00' TO A POINT, THENCE N01°45'04"W ALONG SAID EAST LINE OF TRACT "A" FOR A DISTANCE OF 159.76' TO A POINT ON THE MOST NORTHEASTERLY CORNER OF SAID TRACT "A", THENCE S89°35'12"W ALONG THE NORTH LINE OF SAID TRACT "A" FOR A DISTANCE OF 35.01' TO A POINT ON THE EAST LINE OF TRACT "B" OF "HIALEAH GARDENS CITY HALL" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 162 AT PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THENCE N01°45'04"W ALONG SAID EAST LINE OF TRACT "B" FOR A DISTANCE OF 169.30' TO THE MOST NORTHERLY CORNER OF SAID TRACT "B", THIS POINT ALSO LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF SAID N.W.103RD STREET, BEING ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIAL BEARING OF S32°04'48"E, THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 1875.08' AND A CENTRAL ANGLE OF 10°17'38" FOR AN ARC DISTANCE OF 336.88' TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 103 ST. AND SAMARI LAKES (LAKE) AND BETWEEN COMMUNITY FACILITY (CITY HALL) AND RM-1 (MULTIFAMILY RESIDENTIAL), HIALEAH GARDENS, FLORIDA FOLIOS: 27-3003-001-0115 AND 27-3003-001-0116. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record. Mr. Gilberto Pastoriza came forward representing the applicant. Mrs. Mirtha Gonzalez, Chief

Zoning Official, came forward and read her recommendation for approval into the record. The use will be an elderly housing project; re-zoning and site plan are under review. The Chair opened public comments at 7:57; no one came forward. Public comments closed at 7:57. Chairman Gutierrez made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- 11. City Attorney's Report:** Ms. Martinez-Ruiz reminded the Council that they will recess in July.
- 12. Mayor's Report – Miscellaneous:** N/A
- 13. Council Members Concerns / Reports / Board Appointments:** N/A
- 14. Adjournment:** The Chair adjourned the meeting at 7:59 p.m.

Respectfully submitted by:

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Maria L. Joffe  
City Clerk

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**

July Recess  
Tuesday, August 4, 2020, 7:30 P.M.

**PLANNING AND ZONING BOARD**

July Recess

**TECHNICAL REVIEW COMMITTEE**

July Recess

**WATER AND SEWER BOARD**

Wednesday, June 27, 2020, 7:00 P.M.

**POLICE PENSION BOARD**

Tuesday, August 4, 2020 5:30 P.M.