

## MINUTES

**CITY OF HIALEAH GARDENS  
TUESDAY, November 17, 2020  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Merida, Councilman Rolando Piña, Chairman Luciano Garcia, and Deputy City Attorney Aida Martinez-Ruiz. Councilman Jorge Gutierrez and Mayor Yiozet De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Aida Martinez-Ruiz led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** None were offered.
- 6. Review of Minutes: October 6, 2020** Chairman Garcia made a motion to approve the minutes of October 6, 2020, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** At this time Ms. Maria Guerra resident of 8789 NW 109 Terrace in Hialeah Gardens came forward and expressed concerns regarding her request for

a permit to install a metal roof on her home which had been denied. Mr. George Dasinger with Heights Roofing was also present and stated that his company had applied for the permit that was denied. It was explained to both Ms. Guerra and Mr. Dasinger that the city does not allow flat metal roofs in the residential district only the metal roofs that are "S" shaped. Ms. Guerra stated that there were four houses in her neighborhood which currently had flat metal roofs. She was informed by Chairman Garcia that the issue with those homes should be addressed by code compliance and that she may contact the department if she so wished. Chairman Garcia continued to explain that an option would be to amend the ordinance prohibiting flat metal roofs in residential areas. It would be at least a two month process including review by both the Planning and Zoning Board and the Technical Review Committee and Public Hearings before any changes to the code would come before the Council for a vote. Chairman Garcia made a motion instructing staff to begin the process to amend the ordinance, seconded by Councilman Merida. The motion was unanimously approved. Ms. Guerra acknowledged that she understood the process and would wait for the outcome.

Ms. Danay Broque resident of 8414 NW 103 Street #108 came forward and inquired about the proposed project adjacent to the Santa Navila complex where she resides. Ms. Aida Martinez-Ruiz explained that this is the Golden Years Elderly Housing Project which was on the Planning & Zoning Board agenda last night (November 16, 2020). The item was tabled as the city is negotiating with the developers in regard to promises that were made that are not being complied with. The item will be again be scheduled for the Planning & Zoning Board meeting for December 7<sup>th</sup>, at which time, depending on where city is in its negotiations with developer; it will be heard or continue to be tabled until it comes to a resolution. Chairman Garcia added that the Planning & Zoning Board is an advisory board and will make recommendations to the City Council if the item is to come before them and encouraged her to attend the meeting as it is a public hearing.

**8. Request for approval of transfer of 2 COP alcohol beverage license for Alondra's Food Services Corp. / DBA El Cubanito BBQ, 10651 NW 132 Street #108, Hialeah Gardens, FL: Owner: Mr. Rory Milder Otero.**

Chairman Garcia read the item Mr. Rory Otero, the owner was present and came forward and stated his name and address. Mr. Robert Lorenzo, Business Tax Receipt Director, came forward and read the recommendation for approval into the record. This is a transfer of a 2 COP alcohol beverage license from the previous owner and encouraged Mr. Otero to review all the conditions of the license so that no violations occur. No comments offered. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was unanimously approved. **(4-0)**

## 9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA RECOGNIZING THE GROWING PROBLEM OF ANTISEMITISM IN AMERICA AND CALLING FOR THE ADOPTION OF THE IHRA WORKING DEFINITION OF ANTISEMITISM AS AN IMPORTANT EDUCATIONAL TOOL TO ADDRESS IT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the resolution into the record and stated that the issue was brought to the city via the Miami-Dade League of Cities encouraging its adoption. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF THREE (3) 2021 DODGE DURANGO PURSUIT A WD V8 TO BE USED BY THE POLICE 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 ALAN JAY FLEET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the resolution into the record. Captain Michael Lopez with H.G.P.D. came forward and gave details of the purchase for the vehicles through the Florida Sheriff's Bid FSA20-VEL28.0 for a cost of \$101,802.00. The purchase had been budgeted for. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING ENTERING INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, FLORIDA REGARDING DIRECT RADIO COMMUNICATION BETWEEN 911 PUBLIC SAFETY ANSWERING POINTS AND FIRST RESPONDER AGENCIES; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the resolution into the record. Captain Michael Lopez with H.G.P.D. remained at the podium and stated that this is an interlocal agreement with Miami-Dade County by and through the Miami-Dade Police Department and first responder agencies of which HGPD is one. This practice has been in place for many years and Ms. Martinez-Ruiz stated that she believes MDC wants to have everything adopted through interlocal agreements. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

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

**Tabled 10/06/2020**

- D) 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 swore in those in attendance intending to give testimony on any of the following items for public hearing. She then read the location and short description of item into the record and asked the City Clerk to record the full legal description into the record as written. Mr. Silvio Perissinottie, CEO of Safire Investment Group came forward and stated his address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, read her recommendation for approval into the record. All requirements are in compliance and there are no variances; this is for the use of off street parking with an office building. The final plat is the same as the approved tentative plat. Chairman Garcia opened a public hearing at 7:58p.m.; no one came forward and he closed the Public hearing at 7:58p.m. No questions or comments from the Councilmembers. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(4-0)**

11. **City Attorney's Report:** No comments
12. **Mayor's Report – Miscellaneous:** N/A
13. **Council Members Concerns / Reports / Board Appointments:** No comments
14. **Adjournment:** Chairman Garcia adjourned the meeting at 7:58 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**

Tuesday, December 15, 2020, 7:30 P.M.

##### **PLANNING AND ZONING BOARD**

Monday, December 7, 2020, 7:30 P.M.

##### **TECHNICAL REVIEW COMMITTEE**

Thursday, December 3, 2020, 11:30 A.M.

##### **WATER AND SEWER BOARD**

T.B.D.

##### **POLICE PENSION BOARD**

Tuesday, February 2, 2021 5:30 P.M.