

## MINUTES

**CITY OF HIALEAH GARDENS  
TUESDAY, January 5, 2021  
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 Rolando Piña, Councilman Jorge Merida, Chairman Luciano Garcia, and Deputy City Attorney Aida Martinez-Ruiz. Mayor Yioset De La Cruz and Councilman Jorge Gutierrez 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:** N/A
- 6. Review of Minutes: December 15, 2020** Chairman Garcia made a motion to approve the minutes of December 15, 2020, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

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

Ms. Martinez-Ruiz swore in those in attendance intending to give testimony on the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR HIALEAH SOUTH CONCERNING PROPERTY LEGALLY DESCRIBED AS:

PARCEL 1

A PORTION OF TRACT 1 AND A PORTION OF THE EAST 1/2 OF TRACT 16, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S 02°34'33" E, ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 1,394.50 FEET TO THE POINT OF BEGINNING OF PARCEL 1; THENCE CONTINUE S 89°40'20" W FOR A DISTANCE OF 586.23 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 16; THENCE RUN S 02°36'35" E, ALONG SAID WEST LINE OF THE EAST 1/2 OF TRACT 16, FOR A DISTANCE OF 244.92 FEET; THENCE RUN N 89°40'39" E, ALONG A LINE 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 16, FOR A DISTANCE OF 655.48 FEET; THENCE RUN N 00°20'24" W FOR A DISTANCE OF 224.83 FEET; THENCE RUN S 89°40'28" W FOR A DISTANCE OF 58.99 FEET; THENCE RUN N 45°19'54" W FOR A DISTANCE OF 28.22 FEET TO THE POINT OF BEGINNING.

PARCEL 2

A PORTION OF TRACT 1 AND A PORTION OF THE EAST 1/2 OF TRACT 16, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 52

SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S 02°34'33" E ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 1,092.48 FEET TO THE POINT OF BEGINNING OF PARCEL 2; THENCE RUN S 00°19'47" E FOR A DISTANCE OF 244.81 FEET TO A POINT ON A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 1; THENCE RUN S 89°40'39" W FOR A DISTANCE OF 223.03 FEET; THENCE RUN N 00°20'24" W FOR A DISTANCE OF 224.83 FEET; THENCE RUN N 89°40'28" E FOR A DISTANCE OF 33.12 FEET; THENCE RUN N 51°07'51" E FOR A DISTANCE OF 32.03 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N 89°40'20" E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 164.91 FEET TO THE POINT OF BEGINNING OF PARCEL 2.

PARCEL 3

A PORTION OF TRACT 1, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SAID SECTION 29, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S. 02°34'33" E., ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 359.91 FEET TO THE POINT OF BEGINNING OF PARCEL 3; THENCE RUN S 00°20'20" E FOR A DISTANCE OF 244.87 FEET TO A POINT ON A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 1; THENCE RUN S 89°40'39" W FOR A DISTANCE OF 732.60 FEET TO A SOUTHEAST CORNER OF PARCEL 2; THENCE RUN N 00°19'47" W ALONG THE EAST LINE OF PARCEL 2 FOR A DISTANCE OF 244.81 FEET TO A POINT ON THE NORTH LINE OF TRACT 1;

THENCE RUN N 89°40'20" E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 430.38 FEET; THENCE RUN S 77°55'33" E FOR A DISTANCE OF 50.69 FEET; THENCE RUN N 89°40'00" E FOR A DISTANCE OF 209.49 FEET; THENCE RUN N 45°00'00" E FOR A DISTANCE OF 15.45 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N 89°40'20" E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 32.20 FEET TO THE POINT OF BEGINNING OF PARCEL 3.

PARCEL 4

A PORTION OF TRACT 1, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SAID SECTION 29, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S. 02°34'33" E., ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W FOR A DISTANCE OF 15.01 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 1; THENCE RUN S 89°40'20" W FOR A DISTANCE OF 81.33 FEET ALONG THE NORTH LINE OF TRACT 1 TO THE POINT OF BEGINNING OF PARCEL 4; THENCE RUN S 30°59'08" E FOR A DISTANCE OF 36.80 FEET; THENCE RUN S 53°59'55" W FOR A DISTANCE OF 9.14 FEET; THENCE RUN S 02°35'25" W FOR A DISTANCE OF 78.74 FEET; THENCE RUN N 86°55'13" E FOR A DISTANCE OF 18.20 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN NORTHERLY, NORTHWESTERLY, AND WESTERLY ALONG THE SAID CIRCULAR CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 6.00 FEET, THROUGH A CENTRAL ANGLE OF 67°38'38" FOR AN ARC DISTANCE OF 7.08 FEET TO A POINT; THENCE RUN S 07°21'36" E FOR A DISTANCE OF 137.33 FEET TO A POINT ON A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 1; THENCE RUN S 89°40'39" W FOR A DISTANCE OF 308.48 FEET TO THE EAST LINE OF PARCEL 3; THENCE RUN N 00°20'20" W FOR A DISTANCE OF 244.87 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N 89°40'20" E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 263.57 FEET TO THE POINT OF BEGINNING OF PARCEL 4.

CONTAINING 552,770.14 SQUARE FEET OR 12.69 ACRES MORE OR LESS BY CALCULATIONS. APPROXIMATE LOCATION: S. W. INTERSECTION OF N.W. 138TH STREET AND N.W. 97TH AVENUE, HIALEAH GARDENS, FL. FOLIOS #: 27-2029-001-0010 AND 27-2029-001-0171. 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 including folios and approximate location. She asked that the Clerk enter the complete legal description into the record as written in order to assure accuracy. Mr. Hugo Arza came forward representing the applicant 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. This is a subdivision review; proposed use is a retail center. No variances. The project will go before the Council again for a final plat and site plan review. Chairman Garcia opened a public hearing at 7:35 p.m.; no one came forward and he closed the Public hearing at 7:35 p.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)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR NABISTA SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED: LEGAL DESCRIPTION PARENT TRACT: TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION No 1 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. LEGAL DESCRIPTION: PARCEL"A"(27-2019-001-0574) THE WEST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LAND COMPANY'S, 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. (APPROX. 1.2 ACRES). PARCEL"B"(27-2019-001-0576) THE EAST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LAND COMPANY'S, 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. (APPROX. 1.2 ACRES). FOLIOS #: 27-2019-001-0574 and 27-2019-001-0576. APPROXIMATE LOCATION: N.E. CORNER OF INTERSECTION OF N.W 144TH STREET AND N.W. 109TH AVENUE, HIALEAH GARDENS, FL. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 3-0, P&Z Vote: n/a)**

Ms. Martinez-Ruiz read the short legal description into the record including folios and approximate location. She asked that the Clerk enter the complete legal description into the record as written in order to assure accuracy. The applicant, Mr. Raul Tiza, came forward 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. This is subdivision review; the use will be a warehouse and parking space. Applicant is aware they need to go through site plan approval. TRC approved the t-plat under certain conditions. Applicant is in agreement. No variances. The project will go before the Council again for a final plat and site plan review. Chairman Garcia opened a public hearing at 7:37 p.m.; no one came forward and he closed the Public hearing at 7:37 p.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)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR PROLINE TRUCK TRACT, LEGAL DESCRIPTION: THE EAST 165 FEET OF THE WEST ONE-HALF (W1/2) OF TRACT 58, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTH 35 FEET FOR HIGHWAY PURPOSES AS PER RIGHT-OF-WAY DEED TO CITY OF HIALEAH GARDENS RECORDED OCTOBER 18, 2012 IN O.R. BOOK 28318, PAGE 2940, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO: 27-2019-001-0652, APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH STREET AND SOUTH OF NW 140 STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 3-0, P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description into the record including folios and approximate location. She asked that the Clerk enter the complete legal description into the record as written in order to assure accuracy. Mr. Manny Reus, architect for the project, came forward representing the applicant 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. This is final plat review; the use will be a warehouse building. T-Plat T-24367 was approved on 3/6/2020 by Miami Dade County. Chairman Garcia opened a public hearing at 7:39 p.m.; no one came forward and he closed the Public hearing at 7:39 p.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)**

- 9. City Attorney's Report:** No comments
- 10. Mayor's Report – Miscellaneous:** N/A
- 11. Council Members Concerns / Reports / Board Appointments:** No comments
- 12. Adjournment:** The meeting was adjourned at 7:40 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, February 16, 2021, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, February 8, 2021, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, February 4, 2021, 11:00 A.M.

**WATER AND SEWER BOARD**

Wednesday, February 24, 2021, 7:00 P.M.

**POLICE PENSION BOARD**

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