

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, December 7, 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 Chairman Luciano Garcia, Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Rolando Piña, Councilman Jorge Merida, City Attorney Charles A. Citrin and Mayor Yioset De La Cruz.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: November 16, 2021,** Chairman Garcia made a motion to approve the minutes of November 16, 2021, 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 ENTERING INTO A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR FDOT'S PROJECT 42325J-4-52-01 (STATE ROAD 25, OKEECHOBEE ROAD); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mayor De La Cruz commented that this agreement is for the FDOT project of the lifting of Okeechobee Road; whereby NW 87th Avenue will be going under Okeechobee Road and NW 103rd Street will go between the HG Police Department and the canal; where NW 103rd is now will become HGPS parking. The project will be contingent with the Miami-Dade Fire Department and City Hall. Phase II will continue on Okeechobee Road and Hialeah Gardens Boulevard with the same plan; raising Okeechobee Road with an on and off ramp with Hialeah Gardens Boulevard going underneath Okeechobee Road. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The resolution was unanimously approved. **(5-0)**

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HIALEAH GARDENS APPROVING THE REZONING OF 3.36 ACRES (146190 S.F.), APPROXIMATE LOCATION BETWEEN NW 103 STREET AND SAMARI LAKES (LAKE) AND BETWEEN COMMUNITY FACILITY (CITY HALL) AND RM-1 (MULTIFAMILY RESIDENTIAL), HIALEAH GARDENS, FLORIDA, FROM GENERAL BUSINESS (B-2) TO ELDERLY HOUSING OVERLAY (EHO). FOLIOS #: 27-3003-001-0115 AND 27-3003-001-0116; DECLARING THIS ZONING MAP AMENDED TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF HIALEAH GARDENS PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. **(TRC Vote: 4-0; P&Z Vote: 4-0)**

Mr. Citrin read the item into the record. Mr. Gilberto Pastoriza, attorney for the applicant, was present and came forward to state his name and address for the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia made a motion to approve the item upon first reading; seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR GOLDEN YEAR PROPOSED ELDERLY HOUSING, 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., FOLIOS: 27-3003-001-0115 AND 27-3003-001-0116, APPROXIMATE LOCATION: BETWEEN NW 103 ST. AND SAMARI LAKES (LAKE) AND BETWEEN COMMUNITY FACILITY (CITY HALL) AND RM-1 (MULTIFAMILY RESIDENTIAL). FOLIOS #: 27-3003-001-0115 AND 27-3003-001-0116. LAND USE CATEGORY: BU (GENERAL BUSINESS USE), HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 4-0; P&Z Vote: 4-0)

Mr. Citrin read the short legal description of the item including folios and approximate location. He asked that the City Clerk enter the complete legal description as written in the ordinance into the record to assure accuracy. Mr. Gilberto Pastoriza, attorney for the applicant, was present and came forward to state his name and address for the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia made a motion to approve the item upon first reading; seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR ARH HOLDINGS SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 4 AND THE EAST 23.42 FEET OF LOT 5, BLOCK 2, "WESTWOOD GARDENS INDUSTRIAL PARK", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 118, PAGE 46, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: S.E INTERSECTION ON N.W. 119TH STREET AND N.W. 88TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2033-002-0240 AND 27-2033-002-0250. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. The applicant was not present. Chairman Garcia made a motion to table the item, seconded by Councilman Merida. The item was tabled by unanimously by individualized voice vote. **(5-0)**

- 11. City Attorney's Report:** Mr. Citrin wished everyone a Merry Christmas and a Happy New Year.
- 12. Mayor's Report – Miscellaneous:** The Mayor reported that he has been in conversations with Chief Diaz of HGPD to create a new team within the HG department to hire three new officers to serve as Park Safety Officers. Their sole duty will be to be present during working hours at the city parks. One at Westland Gardens, one between Golden Eagle and Royal Palm and the other between Joe Sherron and the Linear Park next to the NW 87th Avenue canal. The Mayor continued that this a pilot program and he has been in talks with State officials and learned that the deadline for funding this year has passed. However he has also been in conversations with the Governor's office to see in there are any law enforcement funds available this year. Regardless, he would like to start the program in January and submit to the State for reimbursement if possible for the next fiscal year.
- 13. Council Members Concerns / Reports / Board Appointments:** Chairman Garcia reminded the Council of the pending board appointments.
Police Pension Board Appointment – Pending
Water & Sewer Board Appointment (L. Garcia, J. Merida, E. Urra) - Pending
- 14. Adjournment:** The meeting was adjourned at 7:41 p.m.

Respectfully submitted by:

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, January 18, 2022, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 10, 2022, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 6, 2022, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Tuesday, February 1, 2022, 5:30 P.M.