

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, January 4, 2022
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, Mayor Yioiset De La Cruz, and City Attorney Charles A. Citrin. Councilman Jorge Gutierrez was absent.
- 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: December 7, 2021** Chairman Garcia made a motion to approve the minutes of December 7, 2021, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

Mr. Citrin clarified with the Chair that those in attendance for the quasi-judicial hearing would be allowed to speak at a later time.

8. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF TWO (2) 2022 FORD F-150 VEHICLES TO BE USED BY THE PARKS AND RECREATION 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 BOZARD FORD SALES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Walter Dubon, Parks & Recreation Department, and Juan Rivera, Finance Director, were unable to attend the meeting due to illness. Mr. Citrin read Mr. Dubon's recommendation for approval into the record. The purchase of these trucks is intended to replace older vehicles in the Parks & Recreation Department fleet. No further comments were offered. The Chair made a motion to approve the resolution, seconded by Councilman Pina. The record reflects that Councilman Merida briefly stepped off the dais and did not vote on this item. The resolution was approved. **(3-0)**

9. First Reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR WALMART AT HIALEAH GARDENS CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A, "WAL-MART AT HIALEAH GARDENS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 156, PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. EXISTING ADDRESS: 9300 NW 77TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-3003-038-0010. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: n/a)**

Mr. Citrin read the item into the record. Ms. Jane Storms, Pulice Land Surveyors, came forward representing the applicant and stated her name and address for the record. This is a first reading; an opportunity for public input would be afforded upon second reading. Chairman Garcia made a motion to approve the ordinance upon first reading; seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

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

Chairman Garcia asked that all those intending to provide testimony for any of the following items rise and be sworn in.

- 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. Citrin proposed that this item be discussed under a quasi-judicial hearing. It is like an informal court hearing. Strict rules of evidence do not apply, but the rules governing perjury do apply. He asked that the sworn-in attendees raise their hand if this meets with their approval.

Mr. Gilberto Pastoriza, attorney representing the applicant, came forward and stated his name and address for the record.

No Councilmen objected to Mr. Citrin's proposal. Chairman Garcia was directed to lead the proceedings and maintain order. Mr. Citrin will represent the City Council [on all evidentiary and procedural issues and objections, and advise the City as to the applicable law and necessary findings of fact]. The hearings are conducted informally but with decorum.

Mr. Citrin asked if any of the Council had received any letters on this matter...they confirmed they had not.

Mr. Citrin called upon the first speaker, Chief Zoning Official, Mrs. Mirtha Gonzalez, who came forward and read her memorandum on the item into the record. Land Use is BU (General Business), Zoning District is B2 (General Business); the proposal is a rezoning from B2 to RM-2 EHO (Elderly Housing Overlay) that was created to be consistent with the comprehensive plan amendment for elderly housing units. The City previously approved an ordinance creating an overlay district for this type of residential use. This application is located on Northwest 103rd Street; the applicant therefore needs to rezone from B-2 to RM-2 (high density residential)/EHO. On September 3, 2020, the Technical Review Committee recommended the approval **4-0**. On October 8, 2021, the Planning & Zoning Board recommended the approval for rezoning **4-0**.

Mr. Gilberto Pastoriza came forward once again on behalf of the Machado family. He reiterated that this application for rezoning is consistent with the comprehensive plan amendment, and therefore further discussion is not necessary regarding this specific matter. He explained that, simply put, the purpose of the rezoning is to construct 96 elderly affordable housing units. Mr. Pastoriza respectfully requested that the Council approve the rezoning, so that discussion of the site plan and any associated issues may occur.

Mr. Citrin asked the Chairman to table this item so the Council could move on to Item 10B; the Chair made a motion to table Item 10A, seconded by Councilman Merida. The item was tabled. Mr. Citrin reiterated that they would return to this item.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR GOLDEN YEARS 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 into the record and asked that the City Clerk enter the full legal description into the record as written on the ordinance in order to assure accuracy.

Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward once again and read her memorandum on the item into the record. Land Use is BU, zoning district B-2. The proposal is a site plan review to develop a six story apartment building for elderly housing use with 96 units and ancillary uses in a building with 5,750 square feet. On September 3 2020, the Technical Review Committee recommended the approval of the site plan **4-0** with conditions (FDOT must approve ingress and egress access; seawall and fence must be built along property line for safety purposes). On October 8, 2021, the Planning & Zoning Board recommended the approval of the site plan **4-0** with further conditions.

Mr. Gilberto Pastoriza came forward once again on behalf of the Machado family. Mr. Pastoriza explained that this site plan has been around for some time and has been reviewed by the City Staff numerous times. The applicant has agreed, on the record, to all the fencing they have required. Specifically, the applicant has agreed to construct a seawall on *their* property, not along the entire lake. He implored that the Council consider the existing covenant. Mr. Citrin clarified that the covenant has been 100% complied with. Mr. Pastoriza stated his client has committed this property to provide 96 affordable elderly housing units...and that the City needs to decide whether that is what they want or do not want...he believes the rezoning is legal and proper. He would like to hear from all in the audience who intend to speak against the project, and asked to reserve the right to respond to their comments. Mr. Citrin agreed to this and stated that the Council has the right to call witnesses; Mr. Pastoriza thanked the Council for their patience.

Mayor De La Cruz spoke, stating that he agrees that the job of the Council is to represent not just 96 elderly residents, but ALL the residents of the City. He explained that this item initially moved forward with the support of the residents adjacent to the project. If those residents had not supported the project, it may or may not have moved forward. Once it moved forward, the City understood that the property would follow through with the promises and agreements it made with those residents of the City. The Council will therefore consider this project as a whole and its effect on ALL residents.

Mr. Pastoriza responded that he understood what the Mayor was saying; in 2017, Mr. Luis Machado came before this Council and stated that he would not build a retaining wall, but would install boulders...

Mr. Citrin intervened and asked the Chairman to begin to call witnesses forward. Chairman Garcia asked that those who wished to provide testimony come forward, state their name and address into the record, and [speak their comments into the microphone].

Mr. Jose Herrera, resident of Hialeah Gardens, came forward and stated his name and address for the record. He thanked the Council for allowing the residents to come back and readdress this issue. Mr. Herrera began by stating that no one is actually opposed to the construction of this building. He explained that while he does not have any paperwork, he is basing his testimony on the times that he has been present at Council meetings and the sessions have been recorded.

Mr. Herrera testified, on behalf of all the homeowners [of Santa Navila Villas], that he had previously had a meeting with Mr. Luis Machado at his office in Coral Gables; the only thing he asked him for was to secure the border of Santa Navila. He never asked for a cement seawall; he only asked for rocks, similar to what they have at Vista Memorial. Although he is no longer the president of the association, he served the community of 95 homeowners for 8 years. Mr. Herrera stated that he has the responsibility to speak on behalf of Santa Navila because he was involved in these initial proceedings. According to Mr. Herrera, the agreement was very simple. Mr.

Luis Machado stood before the Council, and at the very same microphone, agreed to reduce the number of units and install rocks along the [lakeside property line]. The City was going to waive the permits to do this. The only responsibility of the owners of Santa Navila would be the rental of the trucks to bring them in there. There was also an agreement made that whoever developed that land would also be responsible to fix that area. Mr. Herrera had no objections provided that Mr. Machado did that. Mr. Machado promised that he would not have any balconies facing Building 8474, that he would reduce the amount of units, and that he would take care of [the boulder installation] at his own expense. Mr. Herrera stated that if the City is placing the responsibility on the Machado family to secure the border/install a seawall, they should honor what they promised. Mr. Herrera spoke on behalf of all Santa Navila residents and insisted that the community needs to be saved. Most of the units facing the lake already have water coming into their patios which will eventually compromise the building. He respectfully submitted that they honor what was agreed upon...

Ms. Danay Roque, resident of Hialeah Gardens, came forward and stated her name and address for the record. She explained that she is not an expert in law, but wanted to speak on behalf of the Santa Navila community. None of the residents in this community are rich; they are very concerned about the existing water problem. Ms. Roque is concerned about hurricane season and the deteriorating foundation near the lake. She is honored to live in Hialeah Gardens and hopes that the promises that have been made can be kept.

Ms. Maribel Garcia, resident of Hialeah Gardens, came forward and stated her name and address for the record. Mr. Herrera served as translator for Ms. Garcia. Ms. Garcia has been living at Santa Navila for 20 years. The lake has been encroaching on the terrain for some time. She has come to the City before with photo evidence; the City had previously gone out to the site and agreed that a seawall should be built. Ms. Garcia eventually become President of the HOA. The lake has continued to encroach on the terrain and she now has a huge hole in her backyard. Mr. Joe Lopez consulted with Ms. Garcia, and explained that Mr. Machado's construction plans showed he was legally accountable for 15 feet of lake and must fix the problem at hand. While she is not against the new elderly housing project being built, she implored that this work [lakeside wall] be completed before the construction of a new building and asked that the City assist them in this issue...she spoke on behalf of all of the owners in the community who are concerned about losing their homes. Ms. Garcia added that this has been a problem for at least ten years. She thanked the Council for listening to her testimony.

Chairman Garcia and Mr. Citrin opened the floor to any other who wished to speak on the item. No other witnesses came forward.

Mayor De La Cruz asked that members of the audience rise if they were *in favor* of the project, **with** the conditions of the promises and verbal agreement that was made. The record reflects that all members of the audience rose, with the exception of two that may or may not be related to the community.

Mayor De La Cruz asked that members of the audience rise if they were *in favor* of the project, **without** the conditions of the promises and verbal agreement that was made. The record reflects that no one stood up.

Mr. Citrin pointed out that under quasi-judicial proceedings, this Board has the power of subpoena.

Mr. Pastoriza asked to approach the Council. Mr. Citrin added that he hadn't waived his right to ask questions of witnesses.

Mr. Pastoriza stated that the individuals that just spoke on the matter are relying on a statement made 3 years ago by Mr. Luis Machado, which he claimed has nothing to do with the legality of what they are seeking. Mr. Pastoriza insisted that this application has nothing to do with what is needed on the neighboring property. He argued that if the neighbors feel that the Machado family has a contractual obligation to them, then that is a separate issue.

Mr. Citrin reiterated that Mr. Machado stood where Mr. Pastoriza stood and made a promise to the Council which is outside and in addition to any contractual rights. The Council has a governmental right to depend on the veracity and truth of his client. The Council may not have passed the item in 2017 were it not for that promise.

Mr. Pastoriza responded that he and his client is here for two reasons alone: a rezoning, and a site plan. Chairman Garcia added that discussing the site plan does go beyond the purpose of the project itself. The integrity of the applicant is in question...the Chair witnessed Mr. Machado make these statements before the Council and audience members. He volunteered those conditions, which were taken by the City Council to mean that it was guarantee on the part of the applicant...the applicant is now not standing by the representations they made three years ago.

Mr. Pastoriza argued that they cannot deny this application based on what his client said four years ago...[February 2017]. He was unavailable for some time due to personal illness...he thanked the Mayor, City Attorney, and Staff for allowing him to continue forward until he was healed...

Chairman Garcia reiterated that the record proves that Mr. Machado made these comments. Mr. Pastoriza read aloud sections of the meeting minutes from the meeting in question...Mr. Pastoriza argued that he would not dispute the record, which indicates that Mr. Machado agreed to install boulders. At no point did he commit to building a retaining wall. The record shows that Mr. Machado had also mentioned that he had discussed this issue with Mr. Herrera, the former President of the HOA Board. He also stated that there was an issue with the embankment that could preclude him from doing anything at *that* moment...Mr. Pastoriza spoke for some time on his own personal experience living on the water...

At this time, Mr. Jose Herrera came forward once again. He explained that he and Mr. Machado stood before the Council twice, both times in which Mr. Machado made the same promises [to personally fund and supply the rocks] on the record. He would cover cost of material only; the homeowners' responsibility would be to get the dump trucks and the city would waive permits. Mayor interjected that the city would waive permit fees not permit. Mr. Herrera stated he never asked for a seawall specifically but did ask for boulders or rocks of some kind...the homeowners are willing to do whatever necessary to get this barrier installed...

Mr. Pastoriza came forward once again; Mr. Citrin stated that he knew Mr. Pastoriza has a difficult role as he was not present when his client made the promises. The inducement to have this Council approve but for those promises? Would they approve? He asked if anyone was present to testify as to fact, he asked several questions of Mr. Pastoriza as to fact... Mr. Pastoriza did not have clear answers ...

He stated that before coming to this meeting, his client told him he was willing to make his property available to trucks to dump dirt to fix the erosion issue in Santa Navila.

Mayor De La Cruz questioned the integrity of the client's additional promise. He questioned Mr. Pastoriza if it was correct for a person to go back on a made promise...intense discussion ensued. Mayor De La Cruz insisted that the property owners and the City Council decided to support the project because of and based on the conditions promised by the applicant. The comp plan would never have been approved were it not for the promises made by Mr. Pastoriza's client [who at the time was represented by a different lawyer].

Mr. Citrin explained Mr. Pastoriza still hasn't proven he has the authority to bind his client. The client has already shown that he will not live up to the obligation he made to the City Council.

Chairman Garcia asked, for the last time, if anyone else had comments to offer the Council. After that, Mr. Pastoriza would be allowed his final comments.

Ms. Danay Roque came forward once again. She asked if Mr. Machado could be subpoenaed.

The Mayor explained that what he said is already on record, and is proven as fact.

Mr. Citrin swore in another member of the audience.

Mr. Alexis Valeron came forward and stated his name and address for the record. He asked that he be allowed to use Mr. Herrera as a translator. Mr. Valeron has lived in Santa Navila for 18 years. Since he moved there, the lake has gradually encroached on the bank of the property. He had previously consulted with the City about the problem. He constructed a seawall behind his own property. He is part of the current HOA, and was part of it when Jose Herrera was President and this

promise was made. He emphasized that they have been at this for four years...but nothing has been resolved. The Board is willing to cooperate with the Machado Partnership...Mr. Valeron spoke for some time and expressed that they are all eager to resolve the two problems.

Mr. Citrin then asked a few more questions of Mr. Pastoriza. First, he asked how much money Mr. Pastoriza's client is committing at this moment; Mr. Pastoriza stated that they are committed to enabling access to the rear of that property. Additionally, they are committed to \$35,000 for the purpose of dumping dirt onto the embankment. Mr. Citrin further questioned the certainty of this financial commitment.

Mayor De La Cruz spoke on the matter again and explained that the Council will make the decision based on legislative wisdom...they do not need to explain why they approve or deny the project. The issue at hand is the integrity of the Council and holding the applicant to their word.

Mr. Jose Herrera came forward once again and made a final statement regarding Mr. Luis Machado's visit to Santa Navila. Mr. Machado himself walked the property and said they could install the boulders through their property, AND pledged to pay for it. It is not right that the homeowners might have to pay for it because Mr. M is failing to do his part.

Ms. Maribel Garcia came forward once again and asked if Mr. Pastoriza had ever been to the property; \$35,000 is a joke to the community; she stated she was completely opposed to the construction of the project.

Mr. Pastoriza came forward; he stated that he had physically seen the property. He insisted that their experts stated that the embankment needed dirt/earth to correct the erosion problem. He concluded that he thinks the City is best served by the construction of the 96 elderly housing units.

Mayor De La Cruz opined that the items should be tabled until a written agreement is made stating exactly what the applicant is going to do. The Chair agreed.

The Chair made a motion to table the item until such agreement is submitted to the City; seconded by Councilman Merida. The item was unanimously tabled by individualized voice vote. **(4-0)**

Tabled 12/07/2021

- C) 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. Chairman Garcia made a motion to remove the table; the item was removed from table. Mr. Jose Cenas land surveyor for the project, came forward representing the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read her recommendation for approval of the T-plat into the record. Chairman Garcia opened the public hearing at 9:15; no one came forward. Public hearing closed at 9:15. No further questions or comments from Council. Chairman Garcia made a motion to approve the ordinance upon second reading; seconded by Councilman Merida. The item was approved unanimously by individualized voice vote.

(4-0)

11. City Attorney's Report:

Mr. Citrin made a few brief comments thanking the Council and wished everyone a happy New Year.

12. Mayor's Report – Miscellaneous:

Mayor De La Cruz wished Mr. Citrin an early Happy 74th Birthday.

13. Council Members Concerns / Reports / 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 9:17 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, February 15, 2022, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, February 7, 2022, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, February 3, 2022, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

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