

**Mayor**

Yioiset De La Cruz

**City Council Members**

Chairman Luciano "Lucky" García

Vice Chairman Rolando "Roly" Piña

Council member Jorge A. Merida

Council member Jorge Gutierrez

Council member Elmo L. Urrea

**PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL.**

**AGENDA: CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
TUESDAY, November 19, 2019– 7:30 P.M.**

**NOTE:** In compliance with Robert's Rules of Order, all speakers will be heard only on items which are on the agenda and opened by the Chairperson for discussion by the public. Speakers will be limited to five minutes, unless the Chairperson allows more time for presentation.

**ATTENTION ALL LOBBYISTS:** Chapter 2, Section 2-308 of the City Code of Hialeah Gardens entitled "Lobbying" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyist's laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

**AGENDA –November 19, 2019– 7:30 P.M. -COUNCIL CHAMBERS****1. Call to Order****2. Roll Call****3. Invocation****4. Pledge of Allegiance****5. Deletions/Emergency Additions****6. Review of Minutes:** November 5, 2019**7. Public Comments****8. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, (“City”), AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH JOSE M. LOPEZ (“LOPEZ”) AND TRI-COUNTY ENGINEERING, INC., (“TRI-COUNTY”), A FLORIDA CORPORATION, FOR THE PROVISION OF PUBLIC WORKS SERVICES TO THE CITY, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
  
- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE POLICE BENEVOLENT ASSOCIATION BEGINNING OCTOBER 1, 2019 UNTIL SEPTEMBER 30, 2022; PROVIDING FOR IMPLEMENTATION OF SUCH CONTRACT; PROVIDING FOR EFFECTIVE DATE.
  
- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF ONE (1) 2020 FORD EXPLORER SPORTS UTILITY VEHICLE TO BE USED BY THE MAINTENANCE 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

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AGREEMENT WITH PALMETTO FORD, LLC PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR RELOCATING CITY OWNED FACILITIES IN CONFLICT WITH PROPOSED FLORIDA DEPARTMENT OF TRANSPORTATION IMPROVEMENTS AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MARCDAN, INC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, AMENDING ARTICLE III SECTION 78-56 OF THE LAND DEVELOPMENT REGULATIONS OF THE HIALEAH GARDENS CITY CODE BY ADDING SOME LANGUAGE TO SECTION 78-56 ENTITLED "ELDERLY HOUSING OVERLAY DISTRICT" (EHO), SPECIFICALLY TO ACCESORY USES AND PARKING REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR PROLINE TRUCK TRACT CONCERNING PROPERTY LEGALLY DESCRIBED: 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. APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH AVENUE AND SOUTH OF NW 140 STREET, HIALEAH GARDENS, FLORIDA. FOLIO: 27-2019-001-0652. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

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- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR WAWA HIALEAH GARDENS. LEGAL DESCRIPTION: TRACT A AND RIGHT-OF-WAY TO BE DEDICATED LANDS:

A PORTION OF TRACTS 3, 4, AND 5, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE LANDS DESCRIBED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 30408, PAGE 874, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THENCE RUN SOUTH 01°47'11" EAST, ALONG THE WEST LINE OF SAID LANDS AND ALONG THE WEST LINE OF PARCEL 2 OF SAID OFFICIAL RECORDS BOOK 30408, PAGE 874, A DISTANCE OF 311.39 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 88°14'29" WEST, A DISTANCE OF 187.61 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 79TH AVENUE (A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 5346, PAGE 288, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA); THENCE RUN NORTH 01°45'34" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 398.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTHWEST 103RD STREET (STATE ROAD NO. 932, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87260-2589), SAID POINT BEING A POINT ON A 1945.08 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS POINT BEARS NORTH 26°15'17" EAST; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°05'39" AN ARC DISTANCE OF 206.88 FEET TO THE POINT OF BEGINNING.

AND TRACT B

A PORTION OF TRACT 5, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-

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DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE LANDS DESCRIBED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 30408, PAGE 874, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. THENCE RUN SOUTH 01°47'11" EAST, ALONG THE WEST LINE OF SAID LANDS AND ALONG THE WEST LINE OF PARCEL 2 OF SAID OFFICIAL RECORDS BOOK 30408, PAGE 874, A DISTANCE OF 311.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°47'11" EAST, ALONG SAID WEST LINE, A DISTANCE OF 281.74 FEET TO A POINT ON THE NORTH LINE OF PARCEL 19 AS DESCRIBED IN OFFICIAL RECORDS BOOK 28960, PAGE 4044, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 89°46'52" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 187.81 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF NORTHWEST 79TH AVENUE (A 50.00 FOOT WIDE PUBLIC RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 5346, PAGE 288, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA); THENCE DEPARTING SAID NORTH LINE, RUN NORTH 01°45'34" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 276.69 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, RUN NORTH 88°14'29" EAST, A DISTANCE OF 187.61 FEET TO THE POINT OF BEGINNING. FOLIOS: 27-3003-001-0031 AND 27-3003-001-0046. EXISTING ADDRESS: 7878 NW 103 STREET, HIALEAH GARDENS, FL.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR BOWMAN TRAILER TRACT CONCERNING PROPERTY LEGALLY DESCRIBED: 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, PUBLIC RECORDS OF MIAMI-DADE

COUNTY, FLORIDA. APPROXIMATE LOCATION: S. E. CORNER INTERSECTION OF N.W 146 ST. AND N.W. 109th AVENUE, HIALEAH GARDENS. FOLIO: 27-2019-001-0621, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

(TRC Vote: 6-0; P&Z Vote: n/a)

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR HIALEAH STORAGE BUILDERS, LLC., (CUBESMART HIALEAH GARDENS), CONCERNING PROPERTY LEGALLY DESCRIBED: 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. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

(TRC Vote: 6-0; P&Z Vote: n/a)

**10. City Attorney's Report**

**11. Mayor's Report – Miscellaneous**

**12. Council Members Concerns / Reports / Board Appointments:**

Water & Sewer Board Appointments: Councilman Rolando Piña, Councilman Jorge Merida.

**13. Adjournment**

Agenda certified by:

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Maria L. Joffe  
City Clerk

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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 3, 2019, 7:30 P.M.

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

Monday, December 9, 2019, 7:30 P.M.

#### **TECHNICAL REVIEW COMMITTEE**

Thursday, December 5, 2019, 11:30 A.M.

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

T.B.D.

#### **POLICE PENSION BOARD**

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