

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

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, June 7, 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 Chairman García, Councilman Elmo L. Urrea, Councilman Jorge Gutierrez and Councilman Jorge A. Merida. Mayor Yioiset De La Cruz and Deputy City Aida Martinez-Ruiz were also present. Councilman Rolando Piña 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: May 17, 2022** Chairman Garcia made a motion to approve the minutes of May 17, 2022. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

8. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO A LEASE AGREEMENT WITH LEASING 2 IN AN AMOUNT NOT TO EXCEED THREE HUNDRED AND SIXTY THOUSAND ONE HUNDRED AND FOURTEEN DOLLARS AND FORTY FIVE CENTS (\$360,114.45) FOR THE PURPOSE OF PURCHASING A TYMCO 600 SWEEPER FOR THE PUBLIC WORKS DEPARTMENT; AWARDING THE LEASE AGREEMENT TO LEASING 2; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Chairman Garcia stated that this is a first reading and as such an opportunity for public input would be afforded upon second reading. At this time Ms. Martinez-Ruiz added that this ordinance is needed as the City will be incurring debt. A resolution for the purchase of the equipment will also be prepared for the next Council meeting when the second reading will occur for this financing ordinance. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, SAFEGUARDING THE WELFARE OF RESIDENTS AND BUSINESSES OF THE CITY FROM SOIL EROSION BY GUIDING, REGULATING, AND CONTROLLING THE DESIGN, CONSTRUCTION, USE AND MAINTENANCE OF ANY DEVELOPMENT OR OTHER ACTIVITY THAT DISTURBS THE TOPSOIL OR MOVEMENT OF EARTH ON LAND IN THE CITY; AMENDING THE CITY CODE; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record and mentioned that this ordinance, as the one to follow, are two ordinances that have been required of the City. She noted that Mr. Joe Lopez, Public Works Director was present if the Council would like him to provide any details. Chairman Garcia, however stated that as this is a first reading, an opportunity for Mr. Lopez's and any public input would be afforded upon second reading. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ESTABLISHING METHODS FOR CONTROLLING THE INTRODUCTION OF POLLUTANTS INTO THE CITY'S STORM SEWER SYSTEM IN ORDER TO COMPLY WITH REQUIREMENTS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT PROCESS; AMENDING THE CITY CODE; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record and made reference to the comments of the previous ordinance. Chairman Garcia stated that as this is a first reading an opportunity for Mr. Lopez's and any public input would be afforded upon second reading. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR CROUCH'S WRECKER AND EQUIPMENT SALES OF FLORIDA, LLC. TO ALLOW SALES AND SERVICES OF HEAVY EQUIPMENT TRUCK VEHICLES ON EXISTING BUILDING. FOLIO #:27-2032-002-0021, EXISTING ADDRESS: 12051 WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 4-0)**

Ms. Martinez-Ruiz swore in those individuals who would be providing testimony on the items for second reading. She proceeded to read the item into the record. Mr. Jorge Bacalao, General Manager of the South Florida Region for Crouch's Wrecker and Equipment came forward representing the applicant and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval as all conditions from TRC had been addressed.

Chairman Garcia opened the public hearing at 7:38 p.m.; no one came forward. Public hearing closed at 7:38 p.m. No further comments or questions from Council. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was approved unanimously via individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR MAYTIN CDL SUBDIVISION, 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: TRACT "A" THE EAST ½ OF THE EAST ½ OF 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. LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 27592, PAGE 3798 AND RECORD BOOK 31593, PAGE 3364. PUBLIC RECORDS OF MIAMI DADE COUNTY. AND LESS THAT PORTION RESERVED BY DADE COUNTY IN RIGHT OF WAY FOR CANAL AND LEVEE PURPOSES DEED RECORDED IN OFFICIAL RECORDS BOOK 1587, PAGE 274. PUBLIC RECORDS OF MIAMI DADE COUNTY. FOLIO #: 27-2019-001-0570. EXISTING ADDRESS: 14410 NW 107TH AVENUE, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short title of the item into the record to include the folio and existing address. She asked the City Clerk to enter the complete legal description as noted on the ordinance into the record to ensure accuracy. Mr. Raul Tiza, surveyor for the project was present for the applicant and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval with the condition that a comment note be placed on the plat document that all structures need to be removed from the property that are encroaching into the setbacks and do not have permits. Mr. Tiza agreed for the record to this requirement. Chairman Garcia made a motion to approve the ordinance with the proviso that staff recommendation be incorporated into the document as stated, seconded by Councilman Merida. The ordinance was approved unanimously via individualized voice vote. **(4-0)**

- 10. City Attorney's Report:** No comments
- 11. Mayor's Report – Miscellaneous:** No comments
- 12. Council Members Concerns / Reports / Board Appointments:** No comments
 Police Pension Board Appointment – Pending
 Water & Sewer Board Appointment (L. Garcia, J. Merida, E. Urra) - Pending

13. Adjournment: The meeting was adjourned at 7:49 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

July Recess

PLANNING AND ZONING BOARD

July Recess

TECHNICAL REVIEW COMMITTEE

July Recess

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Tuesday, August 2, 2022, 5:30 P.M.