

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, August 16, 2022 – 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.

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- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Deletions/Emergency Additions**
- 6. Review of Minutes:** June 21, 2022
- 7. Public Comments**
- 8. Proposed Resolutions:**

Tabled 06/21/2022

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE LEASE TO PURCHASE OF ONE (1) TYMCO 600 SWEEPER IN AN AMOUNT NOT TO EXCEED THREE HUNDRED AND SIXTY THOUSAND ONE HUNDRED AND FOURTEEN DOLLARS AND FORTY-FIVE CENTS (\$360,114.45) TO BE USED BY THE PUBLIC WORKS DEPARTMENT; WAIVING COMPETITIVE BIDDING AND USING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY ORDINANCE 2002-54; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH CONTAINER SYSTEMS & EQUIPMENT CO., INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING A GIFT OF \$25,000 TO CHILDREN IN ACTION FOR THE PURPOSE OF GIFTING THE DONATION TO THE FLORIDA INTERNATIONAL UNIVERSITY FOUNDATION, INC. IN ORDER TO PROVIDE FIRST GENERATION COLLEGE SCHOLARSHIPS FOR HIALEAH GARDENS STUDENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY, FLORIDA REGARDING NEIGHBORHOOD IMPROVEMENTS GRANTS; AUTHORIZING THE EXECUTION OF SUCH AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE PURCHASE OF OUTDOOR WORKOUT GYM EQUIPMENT FOR GOLDEN EAGLE PARK; WAIVING COMPETITIVE BIDDING UTILIZING A GRANT FROM THE MIAMI NATIONAL ASSOCIATION OF REALTORS (NAR); RATIFYING THE PURCHASE FROM OUTDOOR WORKOUT SUPPLY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE
- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE DESIGN PHASE OF RELOCATING CITY OWNED WATER & SEWER FACILITIES IN CONFLICT WITH PROPOSED MIAMI-DADE COUNTY ROADWAY IMPROVEMENTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH 300 ENGINEERING GROUP, P.A.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE RENEWAL OF THE AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION, STATE OF FLORIDA, AND THE CITY OF HIALEAH GARDENS CONCERNING TURF AND LANDSCAPE MAINTENANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

10. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR ARH HOLDINGS SUBDIVISION, LEGAL DESCRIPTION: LOT 4 AND THE EAST 23.42 FEET OF LOT 5, BLOCK 2, "WESTWOOD GARDENS INDUSTRIAL PARK", ACCORDING TO THE MAP OR PLAT

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THEREOF AS RECORDED IN PLAT BOOK 118, PAGE 46, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS #: 27-2033-002-0240 AND 27-2033-002-0250. APPROXIMATE LOCATION: S.E INTERSECTION ON N.W. 119TH STREET AND N.W. 88TH AVENUE, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR HG SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT "A": WEST 1/2 OF THE WEST 1/2 OF TRACT 58 OF FLORIDA FRUIT LANDS COMPANY'S 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; LESS AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS BY RIGHT-OF-WAY DEED RECORDED DECEMBER 23, 2011 IN OFFICIAL RECORDS BOOK 27940, PAGE 122 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TRACT "B": THE EAST 165 FEET OF THE WEST ONE-HALF (W 1/2) OF TRACT 58, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S 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 PURPOSED AS PER RIGHT-OF-WAY DEED OF CITY OF HIALEAH GARDENS RECORDED OCTOBER 18, 2012 IN OFFICIAL RECORDS BOOK 28318 PAGE 2940, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: TRACT "A": S.E INTERSECTION ON N.W. 112TH AVENUE AND N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA AND TRACT "B": BETWEEN N.W. 109TH AVENUE AND N.W. 112TH AVENUE AND SOUTH OF N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2019-001-0651 AND 27-2019-001-0652. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

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- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR ARH HOLDINGS TO DEVELOP A NEW OFFICE BUILDING. 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: 5-0)
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR AMC PARK I TO DEVELOP A NEW BUILDING WITH OFFICES AND WAREHOUSES. APPROXIMATE LOCATION: S.E INTERSECTION ON N.W. 112TH AVENUE AND N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0651; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR AMC PARK II TO DEVELOP A NEW BUILDING WITH OFFICES AND WAREHOUSES. APPROXIMATE LOCATION: BETWEEN N.W. 109TH AVENUE AND N.W. 112TH AVENUE AND SOUTH OF N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA. - FOLIO #: 27-2019-001-0652; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)
- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING SIGNAGE MASTER PLAN FOR SIGN #4 WITH A SIGN AREA VARIANCE AS PER ORDINANCE# 2021-12 FOR RACETRAC & INCLUDE NEW SIGN MONUMENT #5 LEGAL DESCRIPTION: A PORTION OF TRACT 1, SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTH 65 FEET THEREOF PURSUANT TO RIGHT-OF-WAY DEEDS RECORDED IN DEED BOOK 2132, PAGE 44 AND 2132, PAGE 52, AND LESS THAT PORTION AS RECORDED IN OFFICIAL RECORDS BOOK 30433, PAGE 2808, ALL OF SAID PUBLIC RECORDS, ALL BEING MORE

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PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29, ALSO BEING THE NORTHEAST CORNER OF SAID TRACT 1; THENCE SOUTH 02°34'33" EAST ON THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 29, ALSO BEING THE EAST LINE OF SAID TRACT 1 FOR 330.16 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 1; THENCE SOUTH 89°40'32" WEST ON SAID SOUTH LINE 100.08 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST LINE OF THAT 100 FOOT WIDE CANAL RESERVATION AS RECORDED IN OFFICIAL RECORDS BOOK 1587, PAGE 274, OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTH 89°40'32" WEST ON SAID SOUTH LINE 282.83 FEET; THENCE NORTH 00°19'47" WEST 264.87 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 65.00 FEET OF SAID TRACT 1, BEING THE SOUTH RIGHT-OF-WAY LINE OF NW 138TH STREET AS RECORDED IN DEED BOOK 2132, PAGE 44, DEED BOOK 2132, PAGE 52 AND PLAT BOOK 152, PAGE 83, ALL OF SAID PUBLIC RECORDS, LYING 65.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 29; THENCE NORTH 89°40'13" EAST ON SAID SOUTH RIGHT-OF-WAY LINE 276.17 FEET TO THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY DEDICATION AS RECORDED IN OFFICIAL RECORDS BOOK 30433, PAGE 2808; THENCE ON THE WESTERLY RIGHT-OF-WAY LINE AS DESCRIBED IN SAID DOCUMENT, THE FOLLOWING THREE COURSES AND DISTANCES; 1) SOUTH 30°59'16" EAST 36.79 FEET; 2) SOUTH 53°59'17" WEST 9.14 FEET; 3) SOUTH 02°35'17" WEST 78.74 FEET; THENCE SOUTH 86°55'05" WEST ON THE WESTERLY EXTENSION OF A SOUTHERLY LINE OF SAID RIGHT-OF-WAY 6.52 FEET TO A POINT ON THE AFOREMENTIONED WEST LINE OF THAT 100 FOOT WIDE CANAL RESERVATION; THENCE SOUTH 02°34'33" EAST ON SAID WEST LINE 149.08 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, CONTAINING 74,822 SQUARE FEET (1.7177 ACRES), MORE OR LESS. APPROXIMATE LOCATION: S.W. INTERSECTION ON N.W. 138TH STREET AND N.W. 97TH AVENUE, HIALEAH GARDENS, FLORIDA, FLORIDA, FOLIO #: 27-2029-001-0010 UNDER HIALEAH SOUTH, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)

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- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING RESOLUTION # 1363 FROM SPECIAL EXCEPTION USE FOR DAY CARE FACILITY TO A DAY CARE AND SCHOOL FACILITY (ELEMENTARY) LOCATED AT: 11300 NW 87TH COURT, SUITES 125, 126, 127, AND 128, HIALEAH GARDENS, FLORIDA, FOLIO #: 27-2033-006-0010 UNDER RUFO THE KANGAROO INTEGRAL CENTER LLC, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 5-0)
- H) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR ADRIAN & RUIZ ENTERPRISES, INC. TO DEVELOP A TRUCK PARKING WITH OFFICES. APPROXIMATE LOCATION: NORTH OF N.W 148TH STREET AND BETWEEN N.W. 109TH AVENUE AND N.W. 112TH AVENUE, HIALEAH GARDENS, FL - FOLIO #: 27-2019-001-0110; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING RESOLUTION # 2005-17 FROM SPECIAL EXCEPTION USE FOR DAY CARE FACILITY TO SCHOOL FACILITY LOCATED AT: 9160 NW 122ND STREET, HIALEAH GARDENS, SUITES: 11,12,13,14,15 AND 16, HIALEAH GARDENS, FLORIDA, FOLIO #27-2033-056-0010 UNDER MAGIC KIDS LEARNING CENTER II, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE (TRC Vote: 4-0; P&Z Vote: 3-0)

Tabled 06/21/2022

- B) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO A LEASE-PURCHASE AND ESCROW 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-PURCHASE AND ESCROW AGREEMENT TO LEASING 2;

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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.

12. City Attorney’s Report

13. Mayor’s Report – Miscellaneous

14. Council Members Concerns / Reports / Board Appointments

Police Pension Board Appointment – Pending

Water & Sewer Board Appointment (L. Garcia, J. Merida, E. Urra) - Pending

15. Adjournment

Agenda certified 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, September 6, 2022, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 12, 2022, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 1, 2022, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

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