

Mayor

Yioset 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. Urra

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

**AGENDA: CITY COUNCIL MEETING
COUNCIL CHAMBERS
TUESDAY, December 20, 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:** November 15, 2022
- 7. Public Comments**
- 8. Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE ENTERING INTO AN AGREEMENT FOR THE RE-ROOFING OF THE WESTLAND GARDENS PARK RECREATION BUILDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BRAZOS URETHANE, INC., IN THE AMOUNT OF \$55,864.00; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
 - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, PERMITTING PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS WITHIN THE CORPORATE LIMITS OF THE CITY OF HIALEAH GARDENS, FLORIDA; APPROVING AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT AND THE FLORIDA PACE FUNDING AGENCY; UTILIZING VOLUNTARY NON-AD VALOREM ASSESSMENTS TO FINANCE QUALIFYING IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

AGENDA –December 20, 2022– 7:30 P.M. -COUNCIL CHAMBERS**9. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR NABISTA SUBDIVISION, LEGAL DESCRIPTION: PARCEL ID 27-2019-001-0574 THE WEST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LANDS COMPANY'S, SUBDIVISION NO1, 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, (APPOX. 1.2 ACRES). LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 27592, PAGE 3782-85. PUBLIC RECORDS OF MIAMI-DADE COUNTY. PARCEL ID 27-2019-001-0576 THE EAST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LANDS COMPANY'S, SUBDIVISION NO1, 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, (APPOX. 1.2 ACRES). LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 27993, PAGE 2678-81. PUBLIC RECORDS OF MIAMI-DADE COUNTY. FOLIOS #: 27-2019-001-0574 AND 27-2019-001-0576. APPROXIMATE LOCATION: N.E. CORNER OF INTERSECTION OF N.W. 109TH AVENUE AND N.W. 144 STREET, 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 FINAL PLAT FOR POINCIANA PALMS, LEGAL DESCRIPTION: A PORTION OF TRACT 40 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT 40, THENCE NORTH 165.01 FEET, THENCE WEST 495.84 FEET, THENCE SOUTH 164.98 FEET, THENCE EAST 496.79 FEET TO THE POINT OF BEGINNING, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. LESS: THAT PART OF: THE SOUTH HALF OF TRACT 40 AND TRACT

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41 LESS THE NORTH 44.50 FEET IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST WHICH IS BOUNDED ON THE SOUTHWESTERLY BY THE TURNPIKE EXTENSION AND BOUNDED ON THE NORTHEASTERLY BY A LINE 160.50 FEET NORTHEASTERLY AND PARALLEL WITH THE CENTERLINE OF CONSTRUCTION FOR SECTION 97090-2518, STATE ROAD 25, TOGETHER WITH ALL RIPARIAN RIGHTS APPORTIONING THERETO. A PORTION OF SAID CENTERLINE OF CONSTRUCTION MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SECTION CORNER COMMON TO SECTION 2, 3, 10 AND 11, ALL IN TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 89°39'44" WEST A DISTANCE OF 501.31 FEET; THENCE RUN NORTH 50°54'44" WEST A DISTANCE OF 1132.75 FEET; THENCE RUN NORTH 39°00'45" EAST A DISTANCE OF 31.50 FEET TO THE BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE RUN NORTH 50°59'15" WEST A DISTANCE OF 42971.08 FEET TO THE END OF SAID DESCRIBED LINE; THENCE CONTINUE NORTH 02°38'59" WEST TO A POINT ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 10, TOWNSHIP 52 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°58'42" WEST A DISTANCE OF 14.43 FEET TO THE CENTER OF SAID SECTION 10. CONTAINING 1,800 SQUARE FEET, MORE OR LESS. FOLIO #: 27-2019-001-0430. 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)

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR IDMJI, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PARCEL OF LAND LYING IN A PORTION OF TRACTS 7 AND 8 RECORDED IN PLAT OF CHAMBERS LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 68, OF THE PUBLIC RECORDS MIAMI-DADE COUNTY, FLORIDA, ALSO LYING IN THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 30; THENCE N02°37'35"W ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 OF SECTION 30 FOR 100.42 FEET; THENCE N50°58'25"W FOR A DISTANCE OF 53.53 FEET TO

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THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE RUN S70°04'16"W FOR A DISTANCE OF 82.29 FEET; THENCE N50°59'15"W FOR A DISTANCE OF 401.33 FEET; (LAST TWO MENTION COURSES BEING COINCIDENT WITH THE RIGHT-OF-WAY LINE OF STATE ROAD #25); THENCE N39°02'03"E FOR 370.60 FEET; THENCE S50°57'57"E FOR 176.91 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF NW 107TH/ AVENUE; THENCE RUN S02°37'35"E ALONG SAID RIGHT OF WAY LINE OF NW 107TH/ AVENUE FOR A DISTANCE OF 401.45 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. EXISTING ADDRESS: 13090 NW 107TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2030-001-0011. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR IGLESIA DE DIOS MINISTERIAL DE JESUCRISTO INTERNACIONAL TO DEVELOP A NEW BUILDING FOR A HOUSE OF WORSHIP. CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL ONE: A PORTION OF TRACTS 7 AND 8 IN THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS SHOWN ON THE PLAT OF CHAMBERS LAND COMPANY SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 68, PUBLIC RECORDS MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 30; THENCE NORTH 0 DEGREES 00'58" EAST ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 OF SECTION 30 FOR 100.42 FEET; THENCE NORTH 48 DEGREES 20'17" WEST FOR 53.53 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE SOUTH 72 DEGREES 46'24" WEST FOR 82.28 FEET; THENCE NORTH 48 DEGREES 21'35" WEST FOR 401.33 FEET; (LAST TWO MENTION COURSES BEING COINCIDENT WITH THE RIGHT-OF-WAY LINE OF STATE ROAD #25); THENCE NORTH 41DEGREES 39'43" EAST FOR 70.60 FEET; THENCE SOUTH 48 DEGREES 20'17" EAST FOR 443.84 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA; AND PARCEL TWO: A PORTION OF TRACTS 7 AND 8, SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS

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RECORDED IN PLAT BOOK 2, PAGE 68 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE RUN SOUTH ALONG THE EAST SECTION LINE 2138.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG THE EAST SECTION LINE 401.45 FEET TO A POINT; THENCE RUN NORTH 48 DEGREES 21'03" WEST, ALONG A LINE PARALLEL TO STATE ROAD NO. 25 FOR 497.37 FEET TO A POINT; THENCE RUN NORTH 41 DEGREES 38'57" EAST 300.00 FEET TO A POINT; THENCE RUN SOUTH 48 DEGREES 21'03" EAST ALONG A LINE PARALLEL TO STATE ROAD NO. 25, FOR 230.58 FEET TO A POINT OF BEGINNING. LESS THAT PORTION DEDICATED FOR ROAD PURPOSES IN DEED RECORDED IN OFFICIAL RECORDS BOOK 9434, PAGE 425, KNOWN AS PARCEL 238. IR AND SHOWN ON THE RIGHT OF WAY MAP PREPARED BY STATE OF FLORIDA, STATE ROAD DEPARTMENT, SECTION 87090-2518, SHEET 6 OF 9. - FOLIO #: 27-2030-001-0011; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, DONATING PARCEL 106 CONSISTING OF 2,813 SQUARE FEET OF CITY OF HIALEAH GARDENS PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO BE UTILIZED FOR PLANNED ROADWAY RECONSTRUCTION ON SR 25/OKEECHOBEE ROAD FROM EAST OF NW 116 WAY TO EAST OF NW 87 AVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- F) ORDINANCE AMENDING CHAPTER 78, LAND DEVELOPMENT REGULATIONS, ARTICLE V DEVELOPMENT AND DESIGN STANDARDS, DIVISION 6 ADDITIONAL REQUIREMENTS FOR SPECIAL USES; SECTION 78-130 SPECIFIC USE REQUIREMENTS OF THE HIALEAH GARDENS CODE OF ORDINANCES AMENDING AUTOMATIC CAR WASH SECTION D AND REMOVING SECTION E ALLOWING FOR MULTI CAR TUNNEL CAR WASH FACILITIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.

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- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78 ENTITLED LAND USE REGULATIONS ARTICLE III, ZONING DISTRICT TYPE AND USE REGULATIONS SPECIFICALLY SECTION 78-47 COMMERCIAL BUSINESS DISTRICT B-3 USES, TO ADD LANGUAGE TO AMEND USE (x) TRUCK STORAGE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

10. City Attorney’s Report

11. Mayor’s Report – Miscellaneous

12. Council Members Concerns / Reports / Board Appointments

Police Pension Board Appointment – Pending

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

13. 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, January 17, 2023, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 9, 2023, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 5, 2023, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Tuesday, February, 2023, 5:30 P.M.