

Mayor

Yioset De La Cruz

City Council Members

Chairman Luciano "Lucky" Garcia
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, April 4, 2023– 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:** March 21, 2023
- 7. Public Comments**
- 8. Request for approval of a 3PS alcohol beverage license for Clark 9 / Clark Nine LLC, 13750 NW 107 Avenue #110, Hialeah Gardens, FL.**
Owner: Ms. Katusca Moreno.
- 9. Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF SWEETWATER, FLORIDA REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; 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.
 - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY FIREWORKS ENTERTAINMENT TO EXCELLENT ENTERTAINMENT, INC. D/B/A ADD FIRE (“ADD FIRE”) FOR THE CITY’S INDEPENDENCE DAY CELEBRATION; RENEWING THE CITY’S CONTRACT WITH ADD FIRE; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AGREEMENT WITH ADD FIRE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, FOR EL CAR WASH APPROVING A SITE PLAN REVIEW AND SPECIAL EXCEPTION USE TO DEVELOP AN AUTOMATIC CAR WASH FACILITY AND RETAIL, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT B OF HOME DEPOT – HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 166, PAGE 62, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: CORNER OF S.E. INTERSECTION OF THEORETICAL N.W. 109TH AVENUE AND FRONTAGE ROAD, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2030-024-0020, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR LEONOR PEREZ, LEGAL DESCRIPTION: THE EAST 1/2 OF THE EAST 1/2 OF EAST 1/2 OF TRACT 13, LESS THE NORTH 30 FEET AND LESS THE EAST 30 FEET FOR RIGHT-OF-WAY, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", IN SECTION 29, 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. APPROXIMATE LOCATION: S.W. INTERSECTION OF N.W 135TH STREET AND THEORETICAL N.W 99TH 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 10581 W OKEECHOBEE ROAD V1 LLC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: BEGIN AT A POINT 695.0 FEET WEST OF THE NORTHEAST COMER OF SECTION 4, TOWNSHIP53, SOUTH, RANGE 40 EAST: THENCE WEST ALONG THE NORTH LINE OF THAT SECTION TO THE INTERSECTION WITH THE CENTER LINE OF THE MIAMI CANAL; THENCE SOUTHEASTERLY A TONG THE CENTER LINE OF THE CANAL A DISTANCE OF 707.6 FEET; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING; LESS THAT PART OF THE SAID DESCRIBED PARCEL PLATTED IN PLAT BOOK 9, AT PAGE 65, OF THE PUBLIC RECORDS OF

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MIAMI-DADE COUNTY, FLORIDA. AND A PORTION OF THE WEST 1/2 OF TRACT 56, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2. OF PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING AT THE NORTHWESTERLY CORNER OF SAID LOT 10, HARTFORDSHIRE GARDENS, PLAT BOOK 9, PAGE 65: THENCE NORTH 50°36'00" WEST ALONG THE NORTHEASTERLY BOUNDARY OF SAID HARTFORDSHIRE GARDENS FOR 98.59 FEET; TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED: THENCE NORTH 39°24,00" EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE FOR 110.00 FEET; THENCE EAST ALONG A LINE PARALLEL WITH AND 85.00 FEET NORTH OF AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 4 FOR 470.71 FEET; THENCE SOUTH 2°16'10" EAST FOR 85.07 FEET, THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 4 FOR 543.90 FEET TO THE POINT OF BEGINNING: LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: S.W. INTERSECTION OF THEORETICAL N.W 106TH TERRACE AND THEORETICAL N.W 88TH AVENUE AND ON THE SOUTH FRONTAGE ROAD / WEST OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-3004-000-0020, 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 FINAL PLAT FOR HG SUBDIVISION, LEGAL DESCRIPTION: 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

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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. FOLIOS #:27-2019-001-0651 AND 27-2019-001-0652. 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, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR FLIGHTWAY 17 TO DEVELOP A STREET LEVEL MULTI-TENANT WAREHOUSES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT E, "B.J.'S PLAT", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 155, PAGE 58, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT: A PORTION OF TRACT E, "B.J.'S PLAT", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 155, PAGE 58, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE SE 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND THE EXISTING NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 25 (US 27 / OKEECHOBEE ROAD) AS SHOWN ON SAID "B.J.'S PLAT"; THENCE ALONG SAID WEST LINE OF THE SE 1/4 OF SECTION 3, FOR THE FOLLOWING TWO (2) COURSES 1) THENCE N 01°44'24" W FOR A DISTANCE OF 23.10 FEET TO THE POINT OF INTERSECTION WITH THE EXISTING NORTHERLY RIGHT OF WAY LINE OF ACCESS ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; 2) THENCE N 01°44'24" W FOR A DISTANCE OF 175.89 FEET TO A POINT ON A CURVE, SAID POINT BEARS N 17°13'21" E FROM THE CENTER OF SAID CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS

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OF 671.00 FEET AND A CENTRAL ANGLE OF 48°54'13" FOR AN ARC DISTANCE OF 572.72 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 366.00 FEET AND A CENTRAL ANGLE OF 11°00'47" FOR AN ARC DISTANCE OF 70.35 FEET TO A POINT ON SAID CURVE; THENCE S 46°48'19" W FOR A DISTANCE OF 1.23 FEET TO A POINT ON SAID EXISTING NORTHERLY RIGHT OF WAY LINE OF ACCESS ROAD AND A POINT ON A CURVE CONCAVE TO THE SOUTHWEST, SAID POINT BEARS N 46°34'11" E FROM THE CENTER OF SAID CURVE; THENCE CONTINUE ALONG PREVIOUSLY DESCRIBED RIGHT OF WAY LINE, FOR THE FOLLOWING FOUR (4) COURSES; 1) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 292.00 FEET AND A CENTRAL ANGLE OF 07°21'58" FOR AN ARC DISTANCE OF 37.54 FEET TO A POINT OF TANGENCY; 2) THENCE N 50°59'16" W FOR A DISTANCE OF 251.15 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; 3) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 292.00 FEET AND A CENTRAL ANGLE OF 36°56'45" FOR AN ARC DISTANCE OF 188.29 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST; 4) THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 208.00 FEET AND A CENTRAL ANGLE OF 13°15'36" FOR AN ARC DISTANCE OF 48.14 FEET TO THE POINT OF BEGINNING. FOLIO #: 27-3003-037-0050; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 3-0)

Tabled 03/07/2023

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR AERO TIRES CO. TO DEVELOP A NEW BUILDING FOR A PRE-ENGINEERED 6600 SF BUILDING FOR OFFICE AND VEHICLE AND TRUCK MAINTENANCE SPACES. CONCERNING PROPERTY LEGALLY DESCRIBED AS: LEGAL DESCRIPTION: A PORTION OF TRACT 40N IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF

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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 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 SECTIONS 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 A DISTANCE OF 998.92 FEET; THENCE RUN NORTH 02°38'59" WEST A DISTANCE OF 410.79 FEET 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. APPROXIMATE LOCATION: CORNER OF N.W. INTERSECTION OF N.W. 112TH AVENUE AND THEORETICAL N.W. 138TH STREET, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0430.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 5-0)

- 11. City Attorney's Report**
- 12. Mayor's Report – Miscellaneous**
- 13. Council Members Concerns / Reports**

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14. Adjournment

Agenda certified by:

Maria L. Joffe
City Clerk

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, April 18, 2023, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, April 10, 2023, 7:30P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, April 6, 2023, 11:30 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Tuesday, May 3, 2023, 5:30 P.M.