

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. 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, November 7, 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:** October 17, 2023
- 7. Public Comments**
- 8. Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING AMENDING THE MUTUAL AID AGREEMENT AND EXECUTING A NEW 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 COUNCIL OF HIALEAH GARDENS, FLORIDA ENTERING INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR REIMBURSEMENT OF THE COST OF MOVING AND RE-INSTALLING OF CERTAIN UTILITY FACILITIES LOCATED ON THE PUBLIC ROAD IDENTIFIED AS STATE ROAD 25/ OKEECHOBEE ROAD FROM EAST OF NW 87 AVENUE TO NE 79 AVENUE; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH FDOT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE
- 9. Opening of sealed bids for PW-23-002 New Hialeah Gardens Police Department Training Facility:** Mr. Joe Lopez, Public Works Director.

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- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN TO INCORPORATE A NEW ELEMENT, THE PROPERTY RIGHTS ELEMENT, OBJECTIVE 1.1., POLICY 1.1.1 THROUGH 1.1.4, AS PROVIDED IN EXHIBIT "A"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, SELLING OF A FEE PARCEL 104 CONSISTING OF 9,146 SQUARE FEET OF CITY OF HIALEAH GARDENS PROPERTY INCLUDING BUT NOT LIMITED TO COMPENSATION FOR THE BROTHERS TO THE RESCUE MONUMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO BE UTILIZED FOR PLANNED ROADWAY RECONSTRUCTION ON SR 25/OKEECHOBEE ROAD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, SELLING OF A FEE PARCEL 110 CONSISTING OF .59 ACRES OF CITY OF HIALEAH GARDENS PROPERTY INCLUDING BUT NOT LIMITED TO COMPENSATION FOR A PORTION OF THE HIALEAH GARDENS POLICE DEPARTMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO BE UTILIZED FOR PLANNED ROADWAY RECONSTRUCTION THAT WILL REALIGN NORTHWEST 103RD STREET AND ENHANCING SAFETY AND MOBILITY ON SR 25/OKEECHOBEE ROAD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A PERPETUAL EASEMENT OF PARCEL 801 CONSISTING OF 34 SQUARE FEET OF CITY OF HIALEAH GARDENS PROPERTY INCLUDING BUT NOT LIMITED TO COMPENSATION FOR THE LAND AND IMPROVEMENTS TO A PORTION OF THE HIALEAH GARDENS POLICE DEPARTMENT PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO BE UTILIZED FOR CONSTRUCTING, INSTALLING, AND MAINTAINING A SIGNAL MAST ARM, FOUNDATION, AND SIGNALIZATION HARDWARE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A PERPETUAL EASEMENT OF PARCEL 802 CONSISTING OF 57 SQUARE FEET OF CITY OF HIALEAH GARDENS PROPERTY INCLUDING BUT NOT LIMITED TO COMPENSATION FOR THE LAND AND IMPROVEMENTS TO A PORTION OF THE HIALEAH GARDENS POLICE DEPARTMENT PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO BE UTILIZED FOR CONSTRUCTING, INSTALLING, AND MAINTAINING A SIGNAL MAST ARM, FOUNDATION, AND SIGNALIZATION HARDWARE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, DONATING OF PARCEL 134 CONSISTING OF 379 SQUARE FEET OF CITY OF HIALEAH GARDENS PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, AND MAINTAINING SOD AND A GRAVITY WALL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, DONATING PARCEL 131 CONSISTING OF 2,981 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 NORTHWEST 116 WAY TO EAST OF NORTHWEST 87 AVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

11. 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 A TRUCK PARKING FOR LOS COCOS LAND CORP. TO DEVELOP A TRUCK PARKING WITH STEEL PREFABRICATED OFFICE/WAREHOUSE, CONCERNING PROPERTY LEGALLY DESCRIBED AS:
PARCEL 1:
A PORTION OF THE NORTH 1/2 OF TRACT 40 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS SHOWN ON THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS

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OF MIAMIDADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID TRACT 40; THENCE SOUTH 89 DEGREES 29' 04" WEST ALONG THE NORTH LINE OF SAID TRACT 40 FOR 494.89 FEET; THENCE SOUTH 02 DEGREES 14' 13" EAST FOR 164.97 FEET; THENCE NORTH 89 DEGREES 29' 02" EAST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID TRACT 40 FOR 495.84 FEET; THENCE NORTH 02 DEGREES 33' 57" WEST ALONG THE EAST LINE OF SAID TRACT 40 FOR 165.00 FEET TO THE POINT OF BEGINNING. SAID LAND LYING, BEING AND SITUATE IN MIAMIDADE COUNTY, FLORIDA. NOTE: ALL BEARINGS AND DISTANCES ABOVE ARE FROM A RIGHT-OF-WAY MAP OF STATE ROAD 821 (HOMESTEAD EXTENSION OF FLORIDA TURNPIKE, SHEET 7 OF 7) MAP DATED JANUARY 1970 AND PREPARED BY E. LIONEL PAVLO ENGINEERING COMPANY, MIAMI, FLORIDA.

PARCEL 2:

THE EAST 3.74 ACRES OF TRACT 39, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION THEREOF AS CONVEYED TO THE CITY OF HIALEAH GARDENS BY RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 27606, PAGE 2680, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIOS #: 27-2019-001-0410 AND 27-2019-001-0420; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR LOS COCOS SUBDIVISION, CONCERNING PROPERTY LEGALLY DESCRIBED AS:
 PARCEL FOLIO 27-2019-001-0420; A PORTION OF THE NORTH 1#2 OF TRACT 40 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS SHOWN ON THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT 40; THENCE SOUTH 89 DEGREES 29' 04" WEST ALONG THE NORTH LINE OF SAID TRACT 40 FOR 494.89 FEET; THENCE SOUTH 02 DEGREES 14' 13" EAST FOR 164.97 FEET; THENCE

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NORTH 89 DEGREES 29' 02" EAST ALONG THE SOUTH LINE OF THE NORTH 1#2 OF SAID TRACT 40 FOR 495.84 FEET; THENCE NORTH 02 DEGREES 33' 57" WEST ALONG THE EAST LINE OF SAID TRACT 40 FOR 165.00 FEET TO THE POINT OF BEGINNING. SAID LAND LYING, BEING AND SITUATE IN MIAMI DADE COUNTY, FLORIDA.

PARCEL FOLIO 27-2019-001-0410; THE EAST 3.74 ACRES OF TRACT 39, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION THEREOF AS CONVEYED TO THE CITY OF HIALEAH GARDENS BY RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 27606, PAGE 2680, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: WEST OF N.W 112TH AVENUE, BETWEEN THEORETICAL N.W. 138TH STREET AND N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2019-001-0410 AND 27-2019-001-0420, 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, IMPLEMENTING THE STATE'S STATUTORY MANDATE TO PREPARE BUSINESS IMPACT ESTIMATES PRIOR TO THE ADOPTION OF PROPOSED ORDINANCES PURSUANT TO SECTION 166.041(4), FLORIDA STATUTES; PROVIDING FINDINGS; ADOPTING BUSINESS IMPACT ESTIMATE PROCEDURES, REQUIREMENTS, & EXEMPTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

12. City Attorney's Report

13. Mayor's Report – Miscellaneous

14. Council Members Concerns / Reports / Board Appointments

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

15. Adjournment

Agenda certified by:

Maria L. Joffee, 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 ensure 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 5, 2023, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 4, 2023, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, December 7, 2023, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Wednesday, March 21, 2024, 1:00 P.M.