

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, December 5, 2023
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 Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Jorge Merida, Councilman Rolando Piña, Chairman Luciano Garcia, Mayor Yioiset De La Cruz, and Mr. Charles A. Citrin, City Attorney.
- 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: November 7, 2023,** Chairman Garcia made a motion to approve the minutes of November 7, 2023. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

8. Presentation of Proclamation to Mayor Yioiset De La Cruz by Mr. Roberto J. Alonso, Miami-Dade County Public School Board Member District 4.

Mr. Roberto Alonso came forward and thanked the City for the opportunity to present Mayor De La Cruz with a proclamation from the Miami Dade County Public School Board in appreciation for his contribution to their schools. He has seen the incredible work that the Mayor and the community of Hialeah Gardens has done in the past year alone...the previous Board Member Mrs. Perla Hatman also sent her support.

Mr. Alonso read the proclamation into the record, which had already been read and passed at the previous School Board meeting, and gave an overview of the Mayor's background, career trajectory, and his advocacy for and contributions to the Miami Dade school system. A copy of this resolution will be placed in the permanent records of the School Board. At this time a photo opportunity was taken. Following the photo-op, several school principals came forward to offer their comments and support for this proclamation. Mr. Idaniel Gonzalez, Principal of Hialeah Gardens Elementary, came forward to express his deepest gratitude for the Mayor and his support of the schools and students in the community. Ms. Maritza Jimenez, Principal of Hialeah Gardens High School, came forward to thank the Mayor and applaud this well-deserved proclamation. She added that it is an honor to have his children enrolled at her school. Ms. Cynthia Lima, Principal of Hialeah Gardens Middle School, came forward to express her pride in working for this community and thanked the Mayor for his leadership both as a City official and as a parent. Mr. Hector Guerra, Principal of West Hialeah Gardens Elementary School, came forward and expressed how grateful he is for the Mayor's support and personal outreach, especially as he is only the second to hold the position at the school. Ms. Sharon Gonzalez, the previous Principal, worked very closely with the Mayor as well.

Dr. Jose L. Dotres, former Principal of Hialeah Gardens Elementary, and now Superintendent of the Miami-Dade Public Schools, came forward and spoke at length about the Mayor, who he met 23 years ago and who he owes much of his success to after working so closely with him as a young new principal. Dr. Dotres emphasized that out of 34 municipalities in the County, Hialeah Gardens truly is the best, and much of that is due to the Mayor's commitment to serving. He expressed earnest admiration for the Mayor's humility, and became emotional expressing how many lives he has touched. Mayor De La Cruz has contributed to everything from athletics, safety and security, landscaping, to hurricane prep. The schools don't need to call the Mayor—the Mayor calls them and asks what they need. Dr. Dotres commended the Mayor and Council for leading an exceptional municipality.

Mayor De La Cruz expressed how honored he felt to receive this recognition and work alongside all of the School Staff in this community. He does not do very well with getting awards, but can truly count Robert Alonso and Jose Dotres as friends,

not just colleagues. He spoke at length on how important schools are to the community and how fortunate he is to be able to help foster student success.

Mr. Charles Citrin, City Attorney, added that he has worked in this position as long as the Mayor has held office in this City and he considers him the best public servant he has ever met.

At this time, a five-minute recess was taken.

Chairman Garcia called the meeting back to order at 7:55 p.m.

9. Recognition of Service to Ms. Isabella Ruiz by Senator Rene Garcia, Miami-Dade County Commissioner District 13.

Senator Rene Garcia came forward. He stated that one of the saddest parts of his political life has been the fact that he no longer represents Hialeah Gardens. He has known the Mayor and most of the Council and Staff for many years and can attest to the accolades that the City receives. It is an exemplary model of how local government should work, for the people and by the people. He will always support the community because of all of the love and support he receives from its residents and he sees Hialeah Gardens as part of the greater Northwest Dade district.

Senator Garcia continued, stating that he is honored to present Ms. Isabella Ruiz, a graduating senior of Archbishop McCarthy High School, with an award for recognition of her community service in Hialeah Gardens. Not only has she achieved nearly a 5.0 GPA while working for various extracurricular organizations, but she also made the time to volunteer at the Hialeah Gardens Senior Center and interact with the City's beloved senior residents. Senator Garcia praised Ms. Ruiz for her hard work and dedication to her scholastic career and wished her well in her future endeavors at college.

At this time, a photo opportunity was taken.

10. Proposed Resolutions:

- A) RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, MAKING FINDINGS; DESIGNATING THE PROPERTY LOCATED AT N.W. 138TH STREET AND N.W. 107TH AVENUE, HIALEAH GARDENS, FLORIDA 33018, AS THE WESTLAND GARDENS GREEN REUSE AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION, AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE. **(First Reading)**

Mr. Citrin read the item into the record; this is first reading. Mr. Brett Brumund, attorney with the Goldstein Environmental Law Firm, came forward and stated his name and address for the record, representing the applicant, Linkvest HG LLC.

Mr. Brumund began a presentation at this time, explaining that they are here [at the first of two public hearings] to consider the designation of the Westland Gardens Green Reuse Area pursuant to Florida's Brownfields Redevelopment Act. Florida Statute defines a "brownfield area" as a contiguous area of one or more brownfield sites, some of which may *not* be contaminated, and which has been designated by a local government by resolution. A "brownfield site" is defined as real property where redevelopment has been complicated by actual or perceived environmental contamination. In practice, this process creates a brownfield area that acts as a mini economic development district. Individual owners of brownfield sites, whether public or private, can access State-based economic incentives, as well as legal liability incentives and regulatory incentives [that come at no cost to the City] only *after* entering into a cleanup agreement with Miami Dade County called a 'brownfield site rehabilitation agreement.' This single parcel property is located at the intersection of NW 138th Street and NW 107th Avenue. There is one property owner.

Various historical uses of the property include dumping, heavy equipment storage, plant nursery, and junk yard...these historical uses and visible evidence of soil staining and fuel overspills have caused contamination that has warranted further investigation by the applicant. The applicant deployed soil borings and took groundwater samples which documented some contaminants in the soil from petroleum compounds, as well as contaminants in groundwater like ammonia, aluminum and iron. These contaminants are typical of landfilling operations, as well as junk yards and heavy equipment storage over the years. The findings have been reported to Miami Dade County DERM; the applicant is working with DERM to develop an assessment plan to fully delineate the environmental impacts, as well as develop a remediation plan. If this resolution is approved, this work will continue under a brownfield site rehabilitation agreement with Miami Dade County, which acts as a voluntary cleanup agreement or contract between the applicant and the County.

Florida's Brownfield redevelopment program recommends that the applicant have a redevelopment plan in place; the applicant intends to build a roughly 8-acre commercial district consistent with the requirements of the B-1 zoning district in which it's located. The applicant expects to make a capital investment of approximately \$6.2 million dollars. The exact site plan and future tenants are to still to be determined. This program does *not* change the rights and responsibilities of the City or the developer with respect to developing the property. All development will still be subject to City approvals and Miami Dade County oversight of the cleanup that takes place.

Chairman Garcia clarified that this resolution is simply another step in the process for the owner of record to be eligible to apply for the benefits of the brownfields program, which are grants or monies from the County and/or the State. Mr. Brumund confirmed.

The legislature intended to make this a process that the public can look into; normally a cleanup is between the property owner and the County [or FDEP outside of Miami Dade County]. The brownfields program invites the City to participate with the adoption of a resolution following two public hearings with plenty of opportunity for public comment. After this cleanup agreement is entered into, an advisory board is created so the public can continue to look into the process.

Chairman Garcia asked Mr. Brumund if he had an idea how much money was available from the County and State; Mr. Brumund replied that the financial incentives outline that each applicant is limited to receiving a maximum of \$500,000 from the State each year that it incurs costs. This is based on the actual cleanup costs. There is a cap of \$1 million in costs...the applicant is eligible to receive 50% of that back in the form of a tax credit that can then be sold on the secondary market...there is a cap to the amount of money the applicant can receive from the State, but there is no time limit. The applicant can continue to incur costs throughout the life of the project. The County does not directly contribute through the primary brownfield program incentive.

Chairman Garcia asked if DERM would be responsible for monitoring the cleanup of the site; Mr. Brumund confirmed that DERM has an understanding of the history of the site and are requiring additional information so they have a complete picture of what is out there and can address it.

Mr. Citrin then asked Mr. Brumund to explain what entity the aforementioned tax credits would involve; Mr. Brumund replied that the tax credits are Florida *corporate income* tax credits issued from the State to the entity that is doing the cleanup [that is on the brownfield agreement]. If that entity has no use for those tax credits, they can then be sold to someone who can use those tax credits. The property taxes that the site pays (including what the City collects) would not be affected. There is no negative impact to the City.

Mr. Citrin asked if the cleanup had begun; Mr. Brumund explained that they are still in the assessment stage of the process. The applicant has removed some of the debris that is on the property for proper disposal offsite.

Mr. Citrin asked for some clarification on the tax credit process. Mr. Brumund noted his is a program that relies on the developer / person who is assuming responsibility to front the costs first, and then apply for those costs to be partially reimbursed later. This is not a waiting game for funding to come in. This property is owned by an LLC, which may not have any Florida corporate income tax liability,

but they are still able to benefit from this program by receiving the tax credits and selling them.

Mr. Citrin asked about the community notice requirements. Mr. Brumund explained that the statute requires that a notice be published and posted at the property. It also requires that the applicant provide those who received the notice an opportunity to comment and ask questions. A community meeting was held last Wednesday at the Westland Gardens Park; no one attended. The statute also directs the local government to adopt a resolution which has additional public notice requirements.

Mr. Citrin added that they have had conversations with the developer's counsel; they understand that this does not in any way change the comprehensive plan nor the zoning privileges. Only B-1 uses will be allowed.

Mr. Citrin inquired into what the benefit was of [adopting this resolution] this year as opposed to next year; Mr. Brumund explained that the financial incentive program operates on an annual basis. The applicant is only allowed to recover costs that they have incurred this year if the resolution is fully executed before 2024. The agreement is approved administratively by DERM; they do not have to go to the County Board of Commissioners. The applicant already has conditional approval.

Mr. Brumund confirmed that the applicant and the redevelopment project meet all 5 of the objective criteria under subsection 2C of the Florida Brownfield Redevelopment Act.

Councilman Pina inquired into the size of the parcel. Mr. Brumund reiterated that it was 8 acres.

Chairman Garcia asked if anyone else would like to speak on this issue.

Mr. Richard Glass, delegated Right-of-Way Manager for the Greater Miami Expressway Authority, formerly MDX, came forward and stated his name and address for the record. He expressed that the agency may be interested in this particular project because they own NW 138th Street and have nearby future projects in the works. The agency would support the cleanup of the property.

This is a first reading of the resolution; a second reading will take place at the following Council meeting. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously.

(5-0)

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AN INVENTORY LIST OF MUNICIPALLY OWNED PROPERTY THAT IS APPROPRIATE FOR USE AS AFFORDABLE HOUSING PURSUANT TO SECTION 166.0451, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Ms. Aida Martinez-Ruiz, Deputy City Attorney, came forward to speak on the item. The aforementioned statute section, also known as the Live Local Act, stipulates that cities have to publish a list of City-owned property that could potentially be developed into affordable housing. Mrs. Mirtha Gonzalez, Chief Zoning Official, together with the Mayor, determined that no such property or parcel exists at this time. Many other cities have passed a similar resolution; the City Clerk will now be instructed to publish this information on the website as proof that the City is in compliance with the law. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, ENTERING INTO AN AGREEMENT FOR THE CONSTRUCTION OF THE HIALEAH GARDENS POLICE DEPARTMENT TRAINING FACILITY BUILDING; ENTERING INTO AN AGREEMENT WITH TADEOS ENGINEERING, LLC. IN THE AMOUNT OF \$3,677,268.00; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Joe Lopez, Public Works Director, came forward to speak on the item. The City received sealed bids for the Hialeah Gardens Police Department Training Facility under project # PW2023-002 for furnishing all labor, material, equipment and performing all work necessary and incidental to a complete police department training facility as shown on the advertised plans and specifications. The bids were opened at a regular Council meeting on November 7, 2023. The bids were reviewed for compliance with the bid documents and all bidders were deemed responsible and responsive. The department recommends that the Council award the contract to Tadeos Engineering, LLC. for a contract amount of \$3,677,268.00, as the lowest bidder.

The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO A CONTRACT WITH ALTUMINT, INC. FOR THE INSTALLATION OF SPEED DETECTION SYSTEMS AND PROVIDING THE NECESSARY PROCESSING SERVICES TO BE UTILIZED BY THE POLICE DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ALTUMINT; WAIVING COMPETITIVE

BIDDING UTILIZING AN EXISTING GOVERNMENT CONTRACT;
PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Captain Michael Lopez came forward on behalf of the Police Department and read a memorandum requesting approval into the record. Capt. Lopez explained that the Department decided to go with this company [Altumint] because they offered the City several incentives including revenue sharing, free license plate readers, and the option for early termination of contract at no cost if necessary. The senior vice president of Altumint, Mr. Jason Norton, was in attendance to answer any questions.

Mayor De La Cruz clarified that these cameras will be installed ONLY in school zones, during school hours. The system will be designed to assign a ticket if a driver is going 10 mph above the speed limit. He felt that this was an important safety issue to address in the City. Mayor De La Cruz added that as this is a new program, a warning would be issued at first to drivers to make them aware of the implementation of the cameras and the consequences of tickets being issued for future infractions.

Capt. Lopez added that a traffic study was conducted resulting in at least 240 violations per day, per camera were picked up in two of the City's school zones, a total of 960 violations.

Ms. Martinez-Ruiz clarified that the ticketing system can still be imposed on County-owned right-of-way (i.e. in front of Hialeah Gardens High School). Florida statute allows for speed camera systems anywhere within the State.

Capt. Lopez explained that if an individual decides to appeal a ticket, the Police Department will spearhead a special magistrate.

Mr. Jason Norton, Senior VP of Altumint, came forward and stated his name and address for the record. He explained that the ticket is automatically issued to the owner of the vehicle, but liability can be transferred to the driver of the vehicle at the time of the incident. Mr. Norton explained details of the program to the Council. Capt. Lopez answered questions regarding the appeals process and the Council discussed the program at length.

Chairman Garcia emphasized that the contract should be reviewed, and all concerns raised be addressed. He then made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING FLORIDA DEPARTMENT OF TRANSPORTATION A LICENSE FOR ACCESS TO PARCEL 930 LOCATED ON THE SOUTHEAST CORNER OF NW 87TH COURT AT APPROXIMATELY NW 106TH TERRACE, HIALEAH GARDENS, FLORIDA OWNED BY THE CITY OF HIALEAH GARDENS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Joe Lopez, Public Works Director, came forward and explained that these licenses are for temporarily occupying the ROW during construction [of FDOT projects]. The only doubt he has is that the City did not verify whether this is City ROW or not; the FDOT is saying that it is and the City is relying on that; regardless, it doesn't affect the outcome if it's not.

The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING FLORIDA DEPARTMENT OF TRANSPORTATION A LICENSE FOR ACCESS TO PARCEL 931 LOCATED ON THE NORTHEAST CORNER OF NW 87TH COURT AT APPROXIMATELY NW 106TH TERRACE, HIALEAH GARDENS, FLORIDA OWNED BY THE CITY OF HIALEAH GARDENS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Joe Lopez remained at the podium and explained that this item is identical to the previous item but for a different parcel; he has reviewed it and has no objection to its approval.

The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- G) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, ENTERING INTO AN AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND CHARLES A. CITRIN, ESQUIRE FOR CONSULTING ATTORNEY SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time, Ms. Aida Martinez-Ruiz, Deputy City Attorney came forward to the dais and read this item into the record in lieu of Mr. Citrin. Mayor De La Cruz stated that this agreement was drafted at his own request. He stated that Mr. Citrin would be retiring from his role as City Attorney at the end of this year and the City would like to keep him on board on a consulting basis for six months to

smoothen the transition as Ms. Martinez-Ruiz takes over the position of City Attorney.

The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

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

Mr. Citrin swore in those intending to testify on any of the following items.

- 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.

Mr. Citrin read the item into the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read a memorandum for recommendation into the record. The city approved the transmission to the DEO, who replied with no comments or objections. This ordinance will complete the process of approval and adoption in the city code.

The Chair opened a public hearing at 8:56 p.m.; no one came forward and he closed the public hearing at 8:56 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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.

Mr. Citrin read the item into the record. Mayor De La Cruz explained that this concerns the relocation of the Brothers to the Rescue monument on NW 87th Avenue due to construction projects in that intersection. FDOT will compensate the City for the removal of the monument which will be relocated to Westland Gardens Park on site of the old pool which will be backfilled. Mr. Lopez came forward and stated that for items B, C, D, E, F, and G, staff has reviewed each set of documents and has no objections. The representative from FDOT, Ms.

Quivenia "Kiki" Lee came forward and stated her name and address for the record. Mr. Oscar Oliva, with BCC Engineering, came forward representing the engineer of record for the project and stated his name and address for the record.

The Chair opened a public hearing at 8:59 p.m.; no one came forward and he closed the public hearing at 8:59 p.m.

Mr. Citrin asked when the city will receive the proceeds; Ms. Lee explained that they are allowed to close 30 days after they receive the signed purchase agreement. She added that there are set dates that the city has to vacate the properties by.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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.

Mr. Citrin read the item into the record. Ms. Quivenia "Kiki" Lee came forward and stated her name for the record. Mayor De La Cruz explained that this is a small piece of land right in front of the canal on the site of the Police Department parking lot on 87th Avenue. FDOT will need to use that ROW in order to re-align 103rd Street [to go straight behind the Police Department property].

The Chair opened a public hearing at 9:02 p.m.; no one came forward and he closed the public hearing at 9:02 p.m.

The compensation rules are the same as the previous agreement.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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.

Mr. Citrin read the item into the record. Mr. Joe Lopez explained that this is an easement for a "signal mast arm" on a small portion of the North side of the Police Department.

The Chair opened a public hearing at 9:04 p.m.; no one came forward and he closed the public hearing at 9:04 p.m.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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.

Mr. Citrin read the item into the record. This item is the same as the previous one, only a different parcel.

The Chair opened a public hearing at 9:05 p.m.; no one came forward and he closed the public hearing at 9:05 p.m.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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.

Mr. Citrin read the item into the record. Mr. Joe Lopez explained that this is a donation of parcel 134, a portion of ROW on Frontage Road that is within the existing alignment of Okeechobee Road.

The Chair opened a public hearing at 9:06 p.m.; no one came forward and he closed the public hearing at 9:06 p.m.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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.

Mr. Citrin read the item into the record. Mayor De La Cruz explained that this area is where NW 103rd Street curves now, between the MDC Fire Department and Police Department; this is where the parking for PD will be relocated. This area will connect the Police Department, the Fire Department, and City Hall into one contiguous parcel. Mr. Lopez added that the FDOT was able to acquire a portion of the Machado property to be able to connect City Hall to the new alignment of NW 103rd Street through an internal ROW...this parcel is a small piece of land behind the Senior Center that will connect to the Machado property. It will become possible to walk from City Hall to the Police Department without crossing any roads. Ms. Lee added that FDOT is in the process of purchasing parts of the Machado property.

After discussion, the Council, Mayor and City Attorney agreed it would be best to pass this ordinance with the caveat that the Machado property is definitively acquired by FDOT, or coming up with a plan B.

The Chair opened a public hearing at 9:11 p.m.; no one came forward and he closed the public hearing at 9:11 p.m.

The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

12. City Attorney's Report: Mr. Citrin remarked how proud he is to be part of this city and community for over the past twenty-three years.

13. Mayor's Report–Miscellaneous: Mayor De La Cruz mentioned that the annual Christmas carnival will be held on December 16th at Westland Gardens Park.

14. Council Members Concerns / Reports / Board Appointments

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

Councilman Urra joined the Chairman and Council in congratulating Mayor De La Cruz for his continued involvement and support of the city's schools and a well-deserved proclamation.

15. Adjournment: The meeting was adjourned at 9:16 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 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, January 16, 2024, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 8, 2024, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 4, 2024, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

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