

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, February 20, 2024
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 Rolando Piña, Chairman Luciano Garcia, and Ms. Aida Martinez-Ruiz, City Attorney. Councilman Jorge Merida and Mayor Yioiset De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Ms. Martinez-Ruiz led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:** Item 7A. was added to the agenda.
- 6. Review of Minutes: February 6, 2024,** Chairman Garcia made a motion to approve the minutes of **February 6, 2024.** The motion was approved unanimously.
- 7. Public Comments:** At this time, Ms. Jaelyn Hernandez, Ms. Maria Bracho and Ms. Diana Nuñez, students at Hialeah Gardens High School, came forward to address the Council. Each one took turns explaining their efforts to include

educators in FS 119.07(d)4 which provides exemption to certain professions for disclosure of personal information to the public. The young ladies each gave testimony and provided statistics as to the threats educators receive during the course of their careers and how easily their personal information is attained. As a result, they are actively pursuing legislation to provide some kind of protection and were asking for the Mayor's and Council's assistance with achieving this goal. Chairman Garcia commended the young ladies on their passion and dedication to an issue that is very important to them and for taking an active role in accomplishing their mission. He stated that the Council would be in favor of any legislation approved to support this issue and would provide a City resolution to this effect. However, he encouraged them to first seek out assistance from their State Legislators who he was confident would listen to their concerns and perhaps sponsor legislation.

Addition:

7. A) RESOLUTION OF THE CITY OF HIALEAH GARDENS RATIFYING THE AUTHORIZATION OF ENTERING INTO AN AGREEMENT WITH FLORIDA POWER & LIGHT OF AN UNDERGROUND EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRIC UTILITY FACILITIES FOR THE SENIOR CENTER PROPERTY LOCATED ADJACENT TO CITY HALL; RATIFYING THE EXECUTION OF THE UNDERGROUND EASEMENT AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Chairman Garcia noted that he would not have to recuse himself from this item as he has retired from FPL. Ms. Martinez-Ruiz proceeded to read the item into the record and explained that this resolution serves to ratify action taken by the Mayor who signed an easement agreement with FPL. The construction of the Senior Center was being held up due to issues connecting electrical power to the new building and in order to move forward, an agreement needed to be in place. The Chair made a motion to approve the item, seconded by Councilman Piña. The item was approved unanimously by individualized voice vote. **(4-0)**

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

At this time Ms. Martinez-Ruiz swore in all individuals intending to give testimony on of the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR ERE INVESTMENT INC., LEGAL DESCRIPTION: PARENT TRACT: TRACT "G" & "H" OF SHOMA COMMERCIAL, ACCORDING TO THE PLAT THEREOF, AS

RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. PARCEL "A": TRACT "G" AND THE NORTH 115.90 FEET OF TRACT "H" OF "SHOMA COMMERCIAL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. 81,381 SQ. FT (NET) PARCEL "B": TRACT "H" OF "SHOMA COMMERCIAL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA; LESS THE NORTH 115.90 FEET THEREOF. 63,973 SQ. FT. (NET). ASSIGNED ADDRESSES: 13750 – 13650 NW 109 AVENUE, HIALEAH GARDENS, FL - FOLIOS #: 27-2030-014-0070 AND 27-2030-014-0080. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the item into the record. She asked that the City Clerk enter the full legal description into the record to ensure accuracy. Mr. Sergio Perrinos, the applicant, came forward and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning official came forward and read her memo recommending approval into the record. This is a waiver of plat creating two new parcels to separate two existing buildings. All conditions required by TRC were addressed. Chairman Garcia opened a public hearing at 7:46 p.m. No one came forward and he closed the public hearing at 7:468 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Piña. The item was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR WESTLAND GARDEN CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 32, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF 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 OF SAID TRACT. SAID LANDS LYING AND BEING IN THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 349,537 SQUARE FEET (8.024 ACRES), MORE OR LESS. APPROXIMATE LOCATION: SOUTHEAST INTERSECTION OF NORTH OF N.W 138TH STREET AND N.W. 107TH AVENUE, HIALEAH GARDENS, FL - FOLIO #: 27-2029-001-0330, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the item into the record. Ms. Jane Storms, of Pulice Land Surveyors, came forward representing the applicant and stated her name and address for the record. She asked that the City Clerk enter the full legal description

into the record to ensure accuracy. Mrs. Mirtha Gonzalez, Chief Zoning official came forward and read her memo recommending approval into the record. This tentative. All conditions required by TRC were addressed; there are no variances. Chairman Garcia opened a public hearing at 7:48 p.m. No one came forward and he closed the public hearing at 7:48 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Piña. The item was approved unanimously by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR TB POWER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF TRACT 50, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE MAP THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: NORTH OF N.W 144 STREET, BETWEEN THEORETICAL N.W. 108TH AVENUE AND N.W. 109TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0571, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Chairman Garcia asked that this item be tabled as the applicant has not submitted all the required information at this time. He then made a motion to table the item, seconded by Councilman Piña; the item was tabled by unanimous vote. **(4-0)**

9. **City Attorney's Report:** No comments
10. **Mayor's Report – Miscellaneous:** N/A
11. **Council Members Concerns/Reports/Board Appointments:** No comments
Water & Sewer Board Appointment (J. Merida, E. Urra) - Pending
12. **Adjournment:** The meeting was adjourned at 7:49 p.m.

Respectfully submitted by:

Maria L. Joffee, 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, March 5, 2024, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, March 4, 2024, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, March 7, 2024, 11:00 A.M.

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

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