

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, March 20, 2024
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:33 p.m.
- 2. Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Jorge Merida, Councilman Rolando Piña, Chairman Luciano Garcia, and Ms. Aida Martinez-Ruiz, City Attorney. Mayor Yioset De La Cruz was 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 8F was added to the agenda.
- 6. Review of Minutes: February 20, 2024** Chairman Garcia made a motion to approve the minutes of **February 20, 2024**. The motion was approved unanimously.
- 7. Public Comments:** N/A

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF DORAL, 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.

Ms. Martinez-Ruiz read the item into the record. This is a renewal of a mutual aid agreement that the City has had [with the City of Doral] for years. There were no further comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, DESIGNATING THE PORTION OF THE CITY FACILITY LOCATED AT 13501 NW 107 AVENUE DEPICTED IN ATTACHED EXHIBIT "A" AS THE CITY OF HIALEAH GARDENS ACTIVE SHOOTER AND EMERGENCY RESPONSE TRAINING FACILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Captain Freddy Caceres, of the Police Department, came forward on behalf of Chief Luis Diaz to seek approval to designate the location at 13501 NW 107 Avenue as the "Hialeah Gardens Active Shooter and Emergency Response Training Facility." There were no further comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- C) 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.

Ms. Martinez-Ruiz read the item into the record. Mr. Walter Dubon, Director of Parks & Recreation, came forward and explained that the item before the Council is for the annual 4th of July fireworks show. Everything in the contract is the same

as the previous year. There were no further comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF TWO (2) 2023 FORD F-150 PICKUP TRUCKS TO BE USED BY THE PARKS AND RECREATION DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-121 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GARBER FLEET SALES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Mr. Walter Dubon, Director of Parks & Recreation, came forward and stated that these two vehicles are budgeted for at a cost of \$79,684.00. The vehicles are both a replacement and an addition to the fleet. There were no further comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF A GRAPPLER TRUCK TO BE USED BY THE MAINTENANCE DEPARTMENT; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-121 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH RECHTIEN INTERNATIONAL TRUCKS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. A memorandum from the Maintenance Department seeking approval for this purchase was then read into the record. The truck will be purchased utilizing the Florida's Sheriff's Bid and the cost has been accounted for in the General Fund. There were no further comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- F) RESOLUTION OF THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE SIGNING AND SUBMISSION OF A GRANT APPLICATION AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FISCAL YEAR 2024 CONGRESSIONAL APPROPRIATIONS COMMUNITY PROJECT FUNDING FOR CJS-

COMMUNITY ORIENTED POLICING SERVICES TECHNOLOGY & EQUIPMENT FOR THE PURPOSE OF PURCHASING HIGH-PRIORITY POLICE PATROL VEHICLES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Captain Freddy Caceres, of the Police Department, came forward on behalf of Chief Luis Diaz once again. He thanked the Council for adding this item to the agenda at the last minute. The grant will cover 30 patrol vehicles at a cost of \$51,598.00 each. The grant is going to total \$1,547,000. This will replace a portion of the patrol vehicle fleet. The grant is being requested through the office of Congressman Mario Diaz-Balart for Community Project Funding CJS- Community Oriented Policing Services Technology and Equipment. Chairman Garcia asked when they would know if the grant is approved. Captain Caceres said it would take about a year. There were no further comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

9. First Reading for consideration of the following ordinance:

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 SITE PLAN FOR HIALEAH INDUSTRIAL STORAGE CENTER TO DEVELOP A NEW TRUCK STORAGE UNIFYING TWO PARCELS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: BEGIN AT A POINT 695.0 FEET WEST OF THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 53, SOUTH, RANGE 40 EAST; THENCE WEST ALONG THE NORTH LINE OF THAT SECTION TO THE INTERSECTION WITH THE CENTERLINE OF THE MIAMI CANAL; THENCE SOUTHEASTERLY ALONG THE CENTERLINE 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 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: COMMENCING 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. CONTAINING NET AREA: 100,983 SQUARE FEET +/- 2.318 ACRES, GROSS AREA: 157,480 SQUARE FEET +/- 3.615 ACRES. FOLIOS #: 27-2033-001-0710 AND 27-3004-000-0020; PROVIDING FOR EFFECTIVE DATE PROVIDING FOR CONDITIONS. (TRC Vote: 5-0; P&Z Vote: 3-0)

Ms. Martinez-Ruiz read the short legal description for the item into the record. She asked that the City Clerk enter the complete legal description into the record to assure accuracy. Mr. Gabriel Nieto, the attorney for the applicant, came forward and stated his name and address for the record. This is a first reading and as such an opportunity for public input will be afforded upon second reading. The Chair made a motion to approve the item upon first reading, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

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

The Chair made a motion to remove the item from table, seconded by Councilman Merida and unanimously approved. The item was re-opened.

Tabled 02/20/2024

- A) 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)

Ms. Martinez-Ruiz read the item into the record. Ms. Ivette Conchesco surveyor for the project came forward on behalf of Bello & Bello Land Surveying and stated

her name and address for the record. Mrs. Mirtha Gonzalez came forward and read a memorandum for recommendation of approval into the record. Land use is IN / Industrial Use, zoning district IN-1/heavy industrial. This is a subdivision review where the size of the proposed lot is in compliance with the land development regulations. The proposed use is a contractor storage yard. All conditions were met and there are no variances. Chairman Garcia opened a public hearing at 7:47 p.m. No one came forward and he closed the public hearing at 7:47 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)**

- 11. City Attorney's Report:** N/A
- 12. Mayor's Report – Miscellaneous:** N/A
- 13. Council Members Concerns / Reports / Board Appointments**
Water & Sewer Board Appointment (J. Merida, E. Urra) - Pending
- 14. Adjournment:** The meeting was adjourned at 7:48 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, April 16, 2024, 7:30 P.M.

PLANNING AND ZONING BOARD

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

TECHNICAL REVIEW COMMITTEE

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

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Wednesday, June 20, 2024, 1:00 P.M.