

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, September 3, 2024
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Councilman Rolando Piña, serving as Chair, 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 Yioset De La Cruz and City Attorney Aida Martinez-Ruiz. Councilman Luciano Garcia was absent.
- 3. Invocation:** Councilman Gutierrez gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:**
- 6. Review of Minutes: August 21, 2024** Chairman Garcia made a motion to approve the minutes of **August 21, 2024**. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

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

Ms. Martinez-Ruiz swore in those individuals intending to give testimony on any of the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR GARDENS WAY SUBDIVISION, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST 1/2 OF TRACT 16, LESS THE WEST 264 FEET IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. ONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: SOUTH ON N.W. 138 STREET BETWEEN N.W. 102 AVENUE AND THEORETICAL N.W. 101 AVENUE, HIALEAH GARDENS, FLORIDA - FOLIO #: 27-2029-001-0170, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z n/a)

Ms. Martinez-Ruiz read the ordinance into the record. She asked the City Clerk to enter the full legal description into the record in order to ensure accuracy. Mr. Aldo Oliveros, the applicant, was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read a memorandum of recommendation into the record. Mr. Oliveros acknowledged, for the record, that he understood and agreed to all conditions of the recommendation for approval. A public hearing was opened at 7:36 p.m.; no one came forward. The public hearing was closed at 7:36 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A PARKING SPACES REDUCTION VARIANCE FOR PAS CARGO AS FOLLOW: TO PERMIT EXISTING PARKING REDUCTION OF 21 PARKING SPACES BEING UTILIZED FOR STAGING AND STORAGE OF EMPTY AND UNUSED TRAILERS, LOCATION: 14501 NW 109 AVENUE, HIALEAH GARDENS FL. FOLIO #: 27-2019-001-0560, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)

Ms. Martinez-Ruiz read the ordinance into the record. Ms. Amanda Naldjieff came forward on behalf of the applicant and stated her name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read a memorandum of recommendation into the record. Ms. Martinez-Ruiz had several questions for the applicant. First, she asked if they had received Fire Dept. approval. Ms. Naldjieff confirmed that they had. Secondly, she asked what the word 'temporary' refers to [in the recommendation] when discussing the use of the space. Ms. Naldjieff

explained that the area in question would be used on an as-needed basis as a queue or holding area while the primary loading dock spaces are occupied. It will not be used as a permanent storage space. It will be used for hours at a time or at most, overnight. Ms. Naldjieff confirmed that there will be an exterior fence, not a wall, within the parameter boundary fence. Ms. Martinez-Ruiz asked, noting that the planned tenants are not owners of the building, whether those parking spaces would become available if a new tenant leased the building. Ms. Naldjieff explained that they had proffered the possibility of a declaration if it was deemed necessary, but in the event that the applicant is not a long-term tenant, the parking spaces will remain physically available. In other words, the area will revert back to parking space once the fence is removed.

A public hearing was opened at 7:41 p.m.; no one came forward. The public hearing was closed at 7:41 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR FLIGHTWAY NINETEEN, LLC TO DEVELOP A 10,000 SF STORAGE-MEZZANINE & 71,486 SF GROUND FLOOR STORAGE; TOTAL BUILDING 91,486 SF, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT A, BOWMAN TRAILER TRAC, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 176 AT PAGE 27 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY. APPROXIMATE LOCATION: S.E. INTERSECTION OF N.W 109 AVENUE AND N.W. 140 STREET, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-007-0010; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 5-0)**

Ms. Martinez-Ruiz read the ordinance into the record. She asked the City Clerk to enter the full legal description into the record in order to ensure accuracy. Mr. Miguel Cabrera, architect for the project, was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read a memorandum of recommendation into the record. All comments from TRC were addressed. A public hearing was opened at 7:44 p.m.; no one came forward. The public hearing was closed at 7:44 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR HOLEM WAREHOUSE FACILITY TO DEVELOP A NEW ONE-STORY WAREHOUSE BUILDING WITH ANCILLARY OFFICES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 4 AND THE EAST 23.42 FEET TO LOT 5, BLOCK 2, "WESTWOOD GARDENS INSUDTRIAL PARK", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN

PLAT BOOK 118, PAGE 46, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. CONTAINING 40,873 SQUARE FEET OR 00.94 ACRES, MORE OR LESS, BY CALCULATIONS. APPROXIMATE LOCATION: S.E. INTERSECTION OF N.W 88 AVENUE AND N.W. 119 STREET, HIALEAH GARDENS, FOLIOS #: 27-2033-002-0240 AND 27-2033-002-0250; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)

Ms. Martinez-Ruiz read the ordinance into the record. She asked the City Clerk to enter the full legal description into the record in order to ensure accuracy. Mr. Jose Bilbao, architect for the project, was present and came forward. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read a memorandum of recommendation into the record. Mr. Bilbao acknowledged, for the record, that he understood and agreed to all conditions of the recommendation for approval. A public hearing was opened at 7:46 p.m.; no one came forward. The public hearing was closed at 7:46 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

10. First Reading / Public Hearing for consideration of the following Budget Ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, AT 4.6782 MILLS WHICH IS THE ROLL BACK RATE SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. Mayor De La Cruz was proud to report that the millage rate had been reduced to one of the lowest rates in the city's history, saving the residents approximately \$1.2 million in property taxes. A public hearing was opened at 7:47 p.m.; no one came forward. The public hearing was closed at 7:47 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. A public hearing was opened at 7:48 p.m.; no one came forward. The public hearing was closed at 7:48 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PUBLIC SAFETY IMPACT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. A public hearing was opened at 7:49 p.m.; no one came forward. The public hearing was closed at 7:49 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER UTILITY FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. A public hearing was opened at 7:50 p.m.; no one came forward. The public hearing was closed at 7:50 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STREETS AND ROADS FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. A public hearing was opened at 7:51 p.m.; no one came forward. The public hearing was closed at 7:51 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE WATER AND SEWER DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. A public hearing was opened at 7:52 p.m.; no one came forward. The public hearing was closed at 7:52 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE CITIZEN'S INDEPENDENT TRANSPORTATION TRUST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the ordinance into the record. A public hearing was opened at 7:53 p.m.; no one came forward. The public hearing was closed at 7:53 p.m. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- 11. City Attorney's Report – N/A**
- 12. Mayor's Report – Miscellaneous –** Mayor De La Cruz mentioned the official opening of the newly constructed Senior Center building will be held on Monday, September 23, 2024, and invited all to attend.
- 13. Council Members Concerns / Reports / Board Appointments - N/A**
Water & Sewer Board Appointment (J. Merida, E. Urra, J. Gutierrez) - Pending
- 14. Adjournment:** The meeting was adjourned at 7:54 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, October 1, 2024, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 3, 2024, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

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

WATER AND SEWER BOARD

T.B.D.

POLICE PENSION BOARD

Thursday, September 19, 2024, 1:00 P.M.