

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, June 4, 2019  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Jorge Merida, Councilman Rolando Pina, Mayor Yioiset De La Cruz, and City Attorney Charles Citrin.
- 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: May 21, 2019** Chairman Garcia made a motion to approve the minutes of May 21, 2019, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

**8. Request for approval of transfer of 2APS alcohol beverage license for El Palmar Supermarket, 11300 N.W. 87 Court #101-105, Hialeah Gardens, Florida:** Mr. David Chacin, Owner.

Mr. David Chacin came forward and stated his name and address. Mr. Robert Lorenzo, Director of Business Tax Receipt, came forward and read the staff recommendation to transfer the 2APS license from El Palmar Supermarket and the previous owner to Chacin, LLC. Staff recommends that the new owners be encouraged to review all the restrictions of the 2APS license so that no violations occur. No public comments, no questions from Councilmembers or staff. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

**9. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS 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.

Mr. Citrin read the item into the record. Mr. Manuel Zardon, Deputy Chief of Police came forward. This is a renewal of the existing mutual aid agreement with the City of Doral, FL. It will be in effect for the next five years. No comments or questions from Councilmembers. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was unanimously approved. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND ENTERING INTO AN AGREEMENT FOR DENTAL INSURANCE BETWEEN SOLSTICE AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Ms. Aida Martinez-Ruiz, Director of Personnel, came forward and explained the process of comparing insurance quotes from several carriers for the City's dental insurance. Ms. Martinez-Ruiz explained the drawbacks of the other companies' packages and recommended renewing their agreement with Solstice, which, although not the cheapest, offered the best premiums and service to employees. The contract is year-long, from June 30, 2019,

to June 30, 2020. No comments or questions from Councilmembers. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was unanimously approved. **(5-0)**

**10. Second Reading / Public Hearing for consideration and final approval of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN REVIEW FOR GARDENS CITY CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: PORTION OF TRACT N "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, ALSO KNOWN AS CUT-OUT PARCEL 1 AS SHOWN ON THE APPROVED WAIVER OF PLAT NO. (D-21658), FOLIO: 27-2030-014-0140, ASSIGNED ADDRESS: 13391 W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 4-0)**

Mr. Citrin swore in those individuals intending to give testimony on the items for public hearing and proceeded to read the item into the record. Mr. Miguel Cabrera, of Cabrera-Ramos Architects was present. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read the staff recommendation for approval into the record. The applicant is requesting a site plan approval to develop a 1-story retail use of 39,500 square feet. All conditions were addressed and there are no variances. Chairman Garcia opened a public hearing at 7:42 p.m.; no one came forward and the Public hearing was closed at 7:42 p.m. No comments or questions from Councilmembers. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR JY 11931 LLC. LEGAL DESCRIPTION: A PORTION OF TRACT 7 OF FORREST FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, AT PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 7; THENCE SOUTH 89°43'01" WEST, ALONG THE NORTH LINE OF SAID TRACT 7, FOR 135.00 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN AFTER DESCRIBED; THENCE SOUTH 14°13'03" WEST FOR 221.29

FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 25, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NO. 87090-2518; THENCE; NORTH, 50°59'15" WEST, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID .STATE ROAD, FOR 113. 76 FEET; THENCE NORTH 20° 18' 59" EAST FOR 151. 90 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 7; THENCE NORTH 89°43'01" EAST, ALONG THE NORTH LINE OF SAID TRACT 7, FOR 90.00 FEET TO THE POINT OF BEGINNING. EXISTING ADDRESS: 11931 W OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA, FLORIDA. FOLIO: 27-2032-002-0080. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin read the item into the record. Mr. Angel Lopez of E.R. Brownell and Associates were present; they are the surveyors for the project. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read the staff recommendation for approval into the record. The land use is CM, zoning B-3. Miami Dade County Subdivision Review provided a letter allowing for a waiver of plat. The proposed use is 5,000 square feet of warehouse storage. There are no variances and the site already has all the right-of-ways it needs for utilities, etc. Chairman Garcia opened a public hearing at 7:46 p.m.; no one came forward and the Public hearing was closed at 7:46 p.m. No comments or questions from Councilmembers. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A LAKEFILL FOR WHITE ROCK QUARRIES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PARCEL 1: THAT PORTION OF SECTION 18, TOWNSHIP 52 SOUTH, RANGE 40 EAST, LYING EASTERLY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD NO. 821) AND BEING IN MIAMI-DADE COUNTY, FLORIDA. PARCEL 2: TRACTS 1 TO 4 INCLUSIVE, THE EAST 1/2 OF TRACTS 13 AND 14 LESS THE WEST 35 FEET THEREOF, AND THAT PORTION OF TRACTS 15 AND 16 LYING EASTERLY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE (STATE ROAD NO. 821), IN THE NORTH ONE-QUARTER (N 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-

DADE COUNTY, FLORIDA., FOLIO: 27-2018-001-0013,  
APPROXIMATE LOCATION: BETWEEN N.W. 150TH STREET  
AND N.W. 170TH STREET AND BETWEEN N.W. 107TH  
AVENUE AND FLORIDA TURNPIKE EXTENSION, HIALEAH  
GARDENS, FLORIDA., PROVIDING FOR CONDITIONS;  
PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the item into the record. Ms. Kerri Barsh, Esq., was present for the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read the staff recommendation for approval into the record. The land use is POS (Park & Open Space & Water use), zoning POS. The applicant is requesting to fill two lakes, a total of 261.76 acres more or less. The applicant has not determined what the future development plans will be for this property; in the future they will have to submit proposed land use changes and zoning designations. Chairman Garcia added that the property in question is not a natural lake, it is a borrow pit where fill was extracted; their proposal is to refill it and return it to its former state. The timeframe will be at least a couple of years as Ms. Barsh approximated that 15 million cubic yards have to be filled. The applicant explained that they aren't certain what the future plans for the property will be but they will be back at the City for future development. Chairman Garcia opened a public hearing at 7:50; no one came forward. Public hearing closed at 7:46. Councilman Gutierrez pointed out that future development may require a zoning change that the City may or may not approve. The applicant agreed that is a risk they are aware they are taking. The entire parcel is zoned POS. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A RELOCATION AND SITE PLAN REVIEW FOR BERNIE WILSON PARK (CITY INITIATED) , CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF TRACT 7, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE SOUTH 30 FEET OF THE LAND DESCRIBED ABOVE LAYING WEST OF THE WEST LINE EXTENDED OF TRACT A OF CASTELLON ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 167 AT PAGE 50 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, AND TRACT "A" OF SAID PLAT OF CASTELLON

ESTATES SUBDIVISION LYING AND BEING IN HIALEAH GARDENS, FLORIDA AND CONTAINING 1.725 NET ACRES, MORE OR LESS. FOLIOS #: 27-2029-034-0170, 27-2029-001-0078 AND 0.086 ACRE OF VACATED R.O.W., APPROXIMATE LOCATION: BETWEEN N.W. 130TH STREET AND THEORETICAL N.W. 132ND STREET AND BETWEEN N.W. 97TH AVENUE AND PORTION OF N.W. 97TH CT., HIALEAH GARDENS, FLORIDA., PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.  
(TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the item into the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read her recommendation into the record. The land use is EU (Estate Residential) and LDR (Low Density Single Family Residential) and the zoning designation is E1 and R1. Staff is requesting a site plan approval to relocate Bernie Wilson Park which has been taken by FDOT for the proposed expansion and realignment of N.W. 103<sup>rd</sup> Street. Chairman Garcia stated that this has been discussed numerous times and this is just the formalized site plan. Chairman Garcia opened a public hearing at 7:50; no one came forward. Public hearing closed at 7:46. Councilman Pina inquired as to the design for the park. Mayor De La Cruz replied that it will be a passive park and will provide the same amenities as did the Bernie Wilson Park at its former location. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(5-0)**

- 10. City Attorney's Report:** N/A
- 11. Mayor's Report:** N/A
- 12. Council Members Concerns / Reports:** None were offered.
- 13. Adjournment:** The meeting was adjourned at 7:56 p.m.

Respectfully submitted by:

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Maria L. Joffe  
City Clerk

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 insure 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**

July Recess

**PLANNING AND ZONING BOARD**

Monday, July 8, 2019, 7:30 P.M. (TBD)

**TECHNICAL REVIEW COMMITTEE**

Thursday, July 11, 2019, 11:30 A.M. (TBD)

**WATER AND SEWER BOARD**

Wednesday, June 26, 2019, 7:00 P.M.

**POLICE PENSION BOARD**

Tuesday, August 6, 2019, 5:30 P.M.