

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, OCTOBER 1, 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 Jorge Merida, Councilman Elmo Urra, Mayor Yioiset De La Cruz and City Attorney Charles Citrin. Councilman Rolando Piña and Councilman Jorge Gutierrez was absent.
- 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: September 17, 2019** Chairman Garcia made a motion to approve the minutes of September 17, 2019. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Request for approval of transfer of 2 COP alcohol beverage license for Sal Y Pimienta Sabor Latino LLC, 12533-35 W. Okeechobee Road, Hialeah Gardens, Florida. Owner: Mr. Omar Castaneda.

Chairman Garcia read the item into the record. Mr. Castaneda came forward and stated his name and address. Mr. Robert Lorenzo, Business Tax Receipt Director, came forward and read the recommendation for approval into the record. This is a transfer of a 2 COP alcohol beverage license from the previous owner to the new owner of the Sal Y Pimienta restaurant. The Staff encourages the new owner to review all the conditions of the license so that no violations occur. No comments offered. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was unanimously approved. **(3-0)**

9. Proposed Resolution:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF A RESTROOM PLUMBING PACKAGE TO BE UTILIZED FOR THE COMPLETION OF THE BOTANICAL GARDEN RESTROOMS; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO PURCHASE THE NECESSARY EQUIPMENT FROM HYDRA SERVICES, INC.; 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 the item to the Council. The Department is requesting Council approval to purchase a restroom plumbing package for the completion of the bathrooms at the Botanical Gardens. Hydra Services, Inc., the local distributor, has provided a quote in the amount of \$18,400. The Department respectfully requests that the City waive competitive bidding and utilize an existing contract with the town of Davie, Florida, as allowed by Section 46-121 of the Code, in the best interests of the City. Mr. Citrin asked to verify that the City had done business with this company before. Mr. Lopez confirmed that it is a vendor utilized by the Water & Sewer Department and they are very familiar with them. Mr. Lopez explained that it is more cost effective to put a package together for the purchase rather than trying to purchase each piece item separately. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was unanimously approved. **(3-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN TO DEVELOP TWO (2) WAREHOUSES WITH OFFICES AND HEIGHT VARIANCE FOR RUDY & KEITH SITE WAREHOUSES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 8, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY FOR RIGHT OF WAY PURPOSES IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 27616, PAGE 1887, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PORTION OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19. AND THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, AND THAT PORTION OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE EAST LINE OF THE WEST 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19 AND BOUNDED BY A 25.00 FEET RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES. TOGETHER WITH TRACT 49,

IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF THE "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH NON-EXCLUSIVE DRAINAGE EASEMENT RIGHTS CONTAINED IN THAT EASEMENT AGREEMENT BY AND BETWEEN FO3-4, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOUNDRY COMMERCIAL ACQUISITIONS, LLC, RECORDED _____, 2019 IN OFFICIAL RECORDS BOOK _____, PAGE _____. APPROXIMATE LOCATION: BETWEEN N.W. 107TH AVENUE AND N.W. 109TH AVENUE AND BETWEEN THEORETICAL N.W. 145TH STREET AND PROPOSED N.W. 147TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2019-001-0080 AND 27-2019-001-0560, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 6-0; P&Z Vote: 5-0)**

Mr. Citrin read the item into the record. Mr. Hugo Arza with the firm Holland & Knight, LLC. came forward representing the applicant. Mr. Citrin added that the Council should take two votes: one for the site plan and one for the height variance. Mr. Joe Lopez, Public Works Director came forward and read the recommendation for approval into the record on behalf of Mrs. Mirtha Gonzalez, Chief Zoning Official. Mr. Arza stated that the applicant is in agreement with the conditions set by the TRC. Mr. Arza spoke to the variance first; the project is for a 20 acre property. They are going to construct two identical warehouses that will require a height variance—building industry standards have gone up in height to allow for higher trucks. Other buildings in the same area have all received the similar height variance. Chairman Garcia asked Mr. Lopez whether the City should look into the Code concerning height requirements as industry standards have changed. Mr. Lopez answered that this is something that Staff have discussed internally and have been contemplating.

Mr. Arza respectfully asked for approval of the height variance. Chairman Garcia opened a public hearing 7:42 p.m.; no comments were offered. The public hearing was closed at 7:42 p.m. Chairman Garcia made a motion to approve the height variance, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

Mr. Arza added that the site plan for the same project meets all of the standard conditions and requirements. He respectfully asked for approval of the site plan. Chairman Garcia opened a public hearing 7:43 p.m.; no comments were offered. Public hearing closed at 7:43 p.m. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(3-0)**

- 11. City Attorney's Report:** Mr. Citrin reminded the Council of the need to make appointments to the Water & Sewer Board in order to assure a quorum for meetings.
- 12. Mayor's Report – Miscellaneous:** No Comments.
- 13. Council Members Concerns / Reports / Board Appointments:** No comments
- 14. Adjournment:** The meeting was adjourned at 7:44 p.m.

Respectfully submitted by:

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

Tuesday, November 5, 2019, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 4, 2019, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, November 7, 2019, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, October 23, 2019, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 5, 2019, 5:30 P.M.