

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, JANUARY 17, 2017
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Councilman Jorge Gutierrez serving as Chairman called the meeting to order at 7:32 p.m.
- 2. Roll Call:** Present were Councilman Jorge Gutierrez, Councilman Jorge A. Merida, Councilman Elmo L. Urra, City Attorney Charles A. Citrin and Mayor Yiozet De La Cruz, Councilman Luciano Garcia and Councilman Rolando Piña were absent.
- 3. Invocation:** Chairman Gutierrez gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:** None were offered.
- 6. Review of Minutes: December 20, 2016.** Chairman Gutierrez made motion to approve the minutes of December 20, 2016 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** No comments offered.

8. First reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR MAYTIN CDL SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED: LEGAL DESCRIPTION PARENT TRACT: TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION No 1 SECTION 19, 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. LEGAL DESCRIPTION: PARCEL"A" THE EAST ½ OF THE EAST ½ OF TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION No 1, IN SECTION 19, 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. (APPROX. 2.5 ACRES). FOLIO #: 27-2019-001-0570, APPROXIMATE LOCATION: N.W. CORNER OF INTERSECTION OF N.W 144TH STREET AND N.W. 107TH AVENUE, HIALEAH GARDENS, FL. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin read the ordinance into the record. Chairman Gutierrez stated that this was a first reading and as such an opportunity for public input would be provided upon second reading. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(3-0)**.

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR NABISTA SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED: LEGAL DESCRIPTION PARENT TRACT: TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION No 1 SECTION 19, 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. LEGAL DESCRIPTION: PARCEL"A"(27-2019-001-0574) THE WEST ½ OF THE WEST ½ OF THE WEST ½, TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION No 1, IN SECTION 19, 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. (APPROX. 1.2 ACRES). PARCEL"B"(27-2019-001-0576) THE EAST ½ OF THE WEST ½ OF THE WEST ½,

TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION No 1, IN SECTION 19, 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. (APPROX. 1.2 ACRES). FOLIOS #: 27-2019-001-0574 and 27-2019-001-0576. APPROXIMATE LOCATION: N.E. CORNER OF INTERSECTION OF N.W 144TH STREET AND N.W. 109TH AVENUE, HIALEAH GARDENS, FL. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin read the ordinance into the record. Chairman Gutierrez stated that this was a first reading and as such an opportunity for public input would be provided upon second reading. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(3-0)**.

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING AND TRANSMITTING TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) THE APPLICATION REQUESTING AN AMENDMENT P1509-0002 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM BU (GENERAL BUSINESS) TO HDR (HIGH DENSITY RESIDENTIAL). LEGAL DESCRIPTION: PARCEL 1: A PORTION OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3 WITH THE SOUTH RIGHT-OF-WAY LINE WEST ALONG SAID RIGHT-OF-WAY LINE FOR 1443.19 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 1,875.08 FEET AND A CENTRAL ANGLE OF 21°38'12" FOR AN ARC DISTANCE OF 708.09 FEET TO A POINT OF INTERSECTION WITH A LINE LYING 504.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3, SAID POINT ALSO KNOWN AS THE NORTHWEST CORNER OF TRACT "A" OF SANTA NAVILA SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 154 AT PAGE 97 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THIS POINT ALSO BEING THE POINT OF

BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE SOUTH 01°45'04" EAST ALONG THE WEST LINE OF SAID TRACT "A" AND TRACT "D" OF SAID PLAT FOR A DISTANCE OF 574.78 FEET TO A POINT ON THE TOP OF BANK OF A LAKE; THENCE SOUTH 84°54'26" WEST ALONG THE TOP OF BANK FOR A DISTANCE OF 108.91 FEET TO A POINT; THENCE SOUTH 70°01'46" WEST ALONG SAID TOP OF BANK FOR A DISTANCE OF 47.68 FEET TO A POINT; THENCE SOUTH 37°42'47" WEST ALONG SAID TOP OF BANK FOR A DISTANCE OF 31.56 FEET TO A POINT; THENCE SOUTH 88°14'56" WEST FOR A DISTANCE OF 59.92 FEET TO A POINT ON THE EAST LINE OF TRACT "A" OF HIALEAH GARDEN CITY HALL ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 162 AT PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 01°45'04" WEST ALONG SAID EAST LINE OF SAID TRACT "A" FOR A DISTANCE OF 146.40 FEET TO A POINT; THENCE SOUTH 88°14'56" WEST BOUNDING THE NORTH SIDE OF SAID TRACT "A" FOR A DISTANCE OF 35.00 FEET TO A POINT; THENCE NORTH 01°45'04" WEST ALONG SAID EAST LINE OF TRACT "A" FOR A DISTANCE OF 159.76 FEET TO A POINT ON THE MOST NORTHEASTERLY CORNER OF SAID TRACT "A"; THENCE SOUTH 89°35'12" WEST ALONG THE NORTH LINE OF SAID TRACT "A" FOR A DISTANCE OF 35.01 FEET TO A POINT ON THE EAST LINE OF TRACT "B" OF HIALEAH GARDEN CITY HALL ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 162 AT PAGE 8 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE NORTH 01°45'04" WEST ALONG SAID EAST LINE OF TRACT "B" FOR A DISTANCE OF 169.30 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT "B", THIS POINT ALSO LOCATED ON THE SOUTH RIGHT-OF-WAY LINE OF SAID N.W. 103rd STREET, BEING ON A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIAL BEARING OF SOUTH 32°04'48" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 1,875.08 FEET AND A CENTRAL ANGLE OF 10°17'38" FOR AN ARC DISTANCE OF 336.88 FEET TO THE POINT OF BEGINNING, LAYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: SOUTH SIDE OF N.W 103RD STREET BETWEEN N.W 87TH AVENUE AND THEORETICAL N.W 86 AVENUE, HIALEAH GARDENS, FLORIDA. FOLIOS: 27-3003-001-0115 AND 27-3003-001-0116; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin read the ordinance into the record. Mr. Gilberto Pastoriza, attorney for the applicant was present. Chairman Gutierrez stated that this was a first reading and as such an opportunity for public input would be provided upon second reading. Chairman Garcia made motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote **(3-0)**.

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

- A) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH FLORIDA COMMUNITY BANK FOR A CAPITAL LEASE NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000) FOR THE PURPOSE OF PURCHASING THREE NEW VEHICLES FOR THE POLICE DEPARTMENT; AWARDING THE CAPITAL LEASE TO FLORIDA COMMUNITY BANK, N.A.; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin swore in all those that would be testifying on items for public hearing /second reading. He then read the ordinance into the record. Mr. Citrin stated that no legal opinion would be required and asked that this clause be removed from the term sheet agreement. Mr. Juan Rivera, OMB Director came forward and gave details of the loan to purchase with FCB. Mayor De La Cruz stated at this time that four vehicles could be purchased for the loan amount as the negotiated price was lower. The ordinance will revised to reflect the amount of vehicles purchased. The item was opened for public hearing at 7:44 p.m. No one came forward therefore the hearing was closed at 7:44 p.m. Chairman Gutierrez made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(3-0)**

- 11. City Attorney's Report:** No comments
- 12. Mayor's Report – Miscellaneous:** No comments.
- 13. Council Members Concerns/Reports/Board Appointments:** No comments
- 14. Adjournment:** The meeting was adjourned at 7:45 p.m.

Agenda certified by:

Maria L. Joffee
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, February 21, 2017, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, February 13, 2017, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, March 2, 2017, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, February 22, 2017, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, February 07, 2017, 5:30 P.M.