

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, FEBRUARY 21, 2017  
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 A. Merida, Councilman Elmo L. Urra, and City Attorney Charles A. Citrin. Councilman Rolando Piña, Councilman Jorge Gutierrez, and Mayor Yioiset De La Cruz were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Citrin led the Pledge of Allegiance.
- 5. Deletions/Emergency Additions:** None were offered.
- 6. Review of Minutes: February 7, 2017:** Mr. Citrin made note of a correction in the minutes; the name of attorney Edward "Bartos" was changed to "Martos". Chairman Garcia made a motion to approve the minutes of February 7, 2017 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

**8. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR DELIVERY DEPOT SUBDIVISION CONCERNING PROPERTY LEGALLY DESCRIBED: THE WEST ½ OF THE EAST ½ OF THE WEST ½ OF TRACT 50, FLORIDA FRUIT LAND COMPANY SUBDIVISION, PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO: 27-2019-001-0575, APPROXIMATE LOCATION: BETWEEN NW 107TH AVENUE AND NW 109TH AVENUE AND NORTH 144TH STREET, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

Mr. Citrin read the full title of the ordinance into the record. As this is the first reading, there will be an opportunity for input upon second reading. Chairman Garcia made motion to approve the item. The motion was seconded by Councilman Merida. The motion was unanimously approved. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS AMENDING THE POLICE PENSION PLAN AND TRUST FUND; AMENDING CHAPTER 40, ARTICLE II, SECTION 40-281 OF THE HIALEAH GARDENS MUNICIPAL CODE TO PROVIDE FOR A CHANGE TO THE BENEFIT MULTIPLIER COMPUTATION AFTER OCTOBER 1, 2017; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. As this is the first reading, there will be an opportunity for input upon second reading. Chairman Garcia made motion to approve the item. The motion was seconded by Councilman Merida. The motion was unanimously approved. **(3-0)** Mr. Citrin asked to have a representative from the board be present for the next meeting.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR DELIVERY DEPOT WAREHOUSE, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST ½ OF THE EAST ½ OF THE WEST ½ OF TRACT 50, FLORIDA FRUIT LAND COMPANY SUBDIVISION, PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF THE PUBLIC

RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO: 27-2019-001-0575, APPROXIMATE LOCATION: BETWEEN NW 107TH AVENUE AND NW 109TH AVENUE AND NORTH 144TH STREET, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin swore in all those that would be testifying on items for public hearing. Mr. Citrin read the full title of the ordinance into the record. The applicant was not present. Chairman Garcia made motion to table the item. The motion was seconded by Councilman Merida. The motion was unanimously approved. **(3-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS ADOPTING REQUIREMENTS RELATING TO PROPERTY OWNERS' RESPONSIBILITY FOR MAINTENANCE REPAIR AND RESTORATION OF SWALES ADJACENT TO THEIR PROPERTIES; ADDING DEFINITION OF "SWALE"; PROVIDING INCLUSION IN THE CODE; PROVIDING SEVERABILITY; AND PROVIDING EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Mr. Joe Lopez, Public Works Director, came forward. This ordinance delegates maintenance of the abutting swale to the property owner. The public hearing was opened at 7:38 p.m. The hearing was closed at 7:38 p.m. Chairman Garcia made motion to table the item. The motion was seconded by Councilman Merida. The motion was unanimously approved. **(3-0)**

Tabled 02/07/2017

- C) 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 HE 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)

This item remains tabled.

Tabled 02/07/2017

- D) 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)

This item remains tabled.

10. **City Attorney's Report:** Mr. Citrin stated that the covenant regarding the elderly housing project was received today and that he will be reviewing it and in order to report back at the next Council meeting.
11. **Mayor's Report – Miscellaneous:** No comments.

- 12. **Council Members Concerns/Reports/Board Appointments:** No comments.
- 13. **Adjournment:** The meeting was adjourned at 7:38 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**

Tuesday, March 21, 2017, 7:30 P.M.

**PLANNING AND ZONING BOARD**

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

**TECHNICAL REVIEW COMMITTEE**

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

**WATER AND SEWER BOARD**

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

**POLICE PENSION BOARD**

Tuesday, May 2, 2017, 5:30 P.M.