

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, MARCH 7, 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; City Attorney Charles A. Citrin; Councilman Rolando Piña; Councilman Jorge Gutierrez; and Mayor Yiozet De La Cruz were all present.
- 3. Invocation:** Chairman Garcia 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: February 21, 2017:** Chairman Garcia made a motion to approve the minutes of February 21, 2017 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

- 8. Request for approval of transfer of 2 COP alcohol beverage license for La Estrella #2 Inc., located at 8074 N.W. 103 Street #5, Hialeah Gardens, Florida.** Owner: Mr. Osmel Lopez Sanchez.

Applicant Osmel Lopez Sanchez was present. Mr. Robert Lorenzo, Director of Business Tax Receipts, was present, came forward, and gave staff recommendation for approval as applicant is aware of all City requirements. No one was present to address the item. Motion to approve was made by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved.

- 9. Request for approval of transfer of 2 COP alcohol beverage license for El Valle BBQ, Inc. located at 8108 N.W. 103 Street, Hialeah Gardens, Florida.** Owner: Mr. Marcelino Gamez.

Applicant Marcelino Gamez was present. Mr. Robert Lorenzo came forward and gave staff recommendation for approval as applicant is aware of all City requirements. Motion to approve was made by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved.

- 10. Second Reading/Public Hearing for consideration and final adoption 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)

Chairman Garcia asked those that would be testifying on items for public hearing were sworn in by Mr. Citrin, who then proceeded to read the full title of the ordinance into the record. Mr. Raul Tiza was present for the applicant. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and gave a recommendation for approval of the tentative plat. TRC had approved the application with conditions, all of which had been addressed by applicant. The public hearing was opened at 7:37 p.m., as no one came forward, the hearing was closed at 7:37 p.m. A motion to approve was made by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. (5-0)

- 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 stated that the ordinance would be tabled as the impact statement had not been received prior to this meeting, he then proceeded to read the full title of the ordinance into the record. A motion to table the item was made by Chairman Garcia, seconded by Councilman Merida. The motion was unanimously approved.

**Tabled 02/21/2017**

- C) 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)

Item C will remain tabled.

**Tabled 02/07/2017, 02/21/2017**

- D) 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)

Chairman Garcia motioned to remove Item D from table, seconded by Councilman Merida. The motion was unanimously approved. Mr. Raul Tiza was present for the applicant. Mrs. Gonzalez, Chief Zoning Official came forward and gave staff recommendation for approval of the tentative plat, the project will still need to go through the process of site plan approval. All conditions from TRC were addressed by the applicant. Chairman Garcia opened the public hearing at 7:40 p.m., as no one came forward, the hearing at closed at 7:40 p.m. A motion to approve was made by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. (5-0)

**Tabled 02/07/2017, 02/21/2017**

- E) 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)

Item E will remain tabled.

### **ORGANIZATIONAL MEETING**

#### **11. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS CERTIFYING THE RESULTS OF THE SCHEDULED GENERAL ELECTION ON MARCH 7, 2017; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. The resolution serves to certify that Mayor De La Cruz was unopposed and thereby will serve for another four year term. The Mayor will have served 20 years after this term. A motion to approve was made by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS CERTIFYING THE RESULTS OF THE SCHEDULED GENERAL ELECTION ON MARCH 7, 2017; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. This resolution serves to certify that both Councilmen Roly Piña and Jorge Gutierrez were unopposed and will each serve four year terms. Councilman Piña has served since 6 months after the Mayor first took office and Councilman Gutierrez has served for 13 years. A motion to approve was made by Chairman Garcia and seconded by Councilman Merida. The motion was unanimously approved.

**12. Swearing in ceremony for Mayor Yioiset De La Cruz, Councilman Rolando Piña and Councilman Jorge Gutierrez:** Mr. Charles A. Citrin, City Attorney.

Mr. Citrin introduced Miami-Dade County Court Judge Betty Capote and asked that she swear in the elected officials. Councilman Gutierrez was sworn in first by Judge Capote followed by Councilman Piña. Judge Capote concluded with swearing in Mayor De La Cruz. A photo opportunity was afforded at this time. At this time, Mr. Luis Diaz was sworn in as Chief of Police by Mr. Citrin. Chairman Garcia congratulated the Mayor, Chief, and Councilmen. He commended all of them for being dedicated family members and fathers, and for the excellent jobs they have done for the residents of Hialeah Gardens. Being unopposed is a testament of their hard work on behalf of the City and he thanked them all on behalf of the Council. Councilman Gutierrez gave thanks to all present and especially his family. Councilman Piña echoed everyone's sentiments and thanked his family who was present as well. He thanked the Mayor, Chief Zardon, and Chief Diaz. Mayor De La Cruz offered his appreciation to everyone and said they are his extended family. He also thanked the residents of the City. He thanked his wife Jenny and his sons Joseph and Jonathan as well as his Mom and the memory of his Dad. He stated that he is looking forward to serving another four years.

**13. Reorganization of the City Council's hierarchical order:** Mr. Charles A. Citrin, City Attorney.

Councilman Piña nominated Chairman Garcia as Chairman. The nomination was seconded by Councilman Merida and was unanimously approved. Chairman Garcia then nominated Councilman Piña as Vice Chairman. The nomination was seconded by Councilman Merida and was unanimously approved. Chairman Garcia nominated Councilman Merida as Finance Chairman. The nomination was seconded by Councilman Gutierrez and was unanimously approved.

**14. Board Appointments: Planning and Zoning Board and Water and Sewer Board.** None offered were offered at this time.

**15. City Attorney's Report:** Mr. Citrin mentioned that he has served this City for 16 years and will celebrate his 45<sup>th</sup> law school reunion soon. In all of his years in representation, he has never had a client who has given love and respect like this City has. He stated this is the best run City he has ever come across and stated that Mayor De La Cruz is an excellent administrator.

**16. Mayor's Report – Miscellaneous:** No report offered.

**17. Council Members Concerns / Reports / Board Appointments:** Chairman Garcia thanked everyone in the audience.

**18. Adjournment:** The meeting was adjourned at 8:00 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, April 4, 2017, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, April 10, 2017, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, April 6, 2017, 11:30 A.M.

**WATER AND SEWER BOARD**

Wednesday, April 26, 2017, 7:00 P.M.

**POLICE PENSION BOARD**

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