

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, November 7, 2017  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:32 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge A. Merida, Councilman Elmo L. Urra, City Attorney Charles A. Citrin and Mayor Yiozet De La Cruz. Councilman Rolando Piña and Councilman Jorge Gutierrez were 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:** None were offered.
- 6. Review of Minutes: October 3, 2017** Chairman Garcia made a motion to approve the minutes of October 3, 2017. The motion was approved unanimously.
- 7. Public Comments:** No public comments.

- 8. Request for approval of transfer of 2 COP alcohol beverage license for Las Delicias Café, Inc., located at 8725 N.W. 117 Street #12, Hialeah Gardens, Florida.** Owner: Mr. Carlos Morales Perdiz.

Mr. Carlos Morales Perdiz, the applicant was present. Mr. Robert Lorenzo Director of the Business License Tax Department came forward and read staff's recommendation to approve the transfer of the 2COP alcohol beverage license into the record. Based on staff recommendation Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously.

- 9. Request for approval of 2 COP alcohol beverage license for Latin American Food & Pizza, LLC, located at 11093 N.W. 138 Street #124, Hialeah Gardens, Florida,** Owner: Mr. John A. Borrego.

Mr. John Borrego, the applicant was present. Mr. Robert Lorenzo Director of the Business License Tax Department came forward and read staff's recommendation to approve the 2COP alcohol beverage license into the record. Based on staff recommendation Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously.

**10. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF ONE (1) 2017 FORD EXPLORER SPORTS UTILITY VEHICLE: WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUVAL FORD, LLC IN THE AMOUNT OF \$58,222.00; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Andres Delgado, Director of the Water & Sewer Department was present. Mayor De La Cruz took this opportunity to state that the purchase of the vehicle is for the use of the Water & Sewer Department and that the funds had been appropriated in the W&S budget. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF TWO (2) 2017 FORD EXPLORER SPORTS UTILITY VEHICLES: WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUVAL FORD, LLC IN THE AMOUNT OF \$58,222.00; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Juan Rivera, O.M.B. Director came forward and gave details of the purchase for the two vehicles to be used by the Planning and Zoning and Code Compliance Departments. Funds for the purchase had been appropriated in the corresponding budgets. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF DRAINAGE IMPROVEMENTS IN THE CENTRAL DISTRICT OF HIALEAH GARDENS; INSTRUCTING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS FOR THIS PURPOSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mr. Joe Lopez, Public Works Director came forward and reported that funds had been provided to the City in the 2017-2018 State General Appropriations Act under Line Item 1606A in the amount of \$1,200,000 for drainage improvements for the central district of the City. Funding for the project is made available through a cost reimbursement grant requiring a grant agreement with the Department of Environmental Protection. Mr. Lopez went on to give the locations where the primarily drainage improvements will be made beginning in 2018. The City would have three years to execute the project. Mr. Citrin took this opportunity to commend Mayor De La Cruz on his hard work in securing this grant. He added that the Mayor's efforts are sometimes taken for granted and that he knows that the Mayor is constantly working to improve the City. Chairman Garcia reiterated Mr. Citrin's comments and added that the Mayor, by maximizing his relationships in the County and all across the State, goes above and beyond to fight on behalf

of the City and its residents. Chairman Garcia then made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, CO-DESIGNATING THAT PORTION OF NW 107TH AVENUE FROM NW 138TH STREET SOUTH TO OKEECHOBEE ROAD AS "BRIGADE 2506 BOULEVARD"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Mayor De La Cruz stated that the City is co-sponsoring a County resolution to name a portion of N.W. 107<sup>th</sup> Street / Brigade 2506 Boulevard. The Mayor also mentioned that he believes there will be an official street naming ceremony on or about November 18<sup>th</sup>. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR POLYNESIO LAKE RESTAURANT & BAR, LOCATED AT 13155 WEST OKEECHOBEE ROAD, SUITES: 104 AND 105, HIALEAH GARDENS, FLORIDA AND FOLIO #: 27-2030-029-0030 TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES 2COP (BEER AND WINE) TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 3-0)

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

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR TRX2HG; OWNER: TRX2 HIALEAH LLC CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 59, OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION, 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, LESS THAT PORTION OF TRACT 59, CONVEYED TO CITY OF HIALEAH GARDENS BY RIGHT OF WAY DEED RECORDED MARCH

4, 2011 IN OFFICIAL RECORDS BOOK 27606, PAGE 2672. APPROXIMATE LOCATION: BETWEEN N.W 112TH AVENUE AND N.W. 109TH AVENUE AND NORTH OF N.W. 140TH STREET, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0660; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 3-0)

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

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR MATER ACADEMY TO BUILD A STEM PAVILION, OWNER: SCHOOL DEVELOPMENT HG II LLC. LOCATION: 7901 N.W. 103rd STREET, HIALEAH GARDENS, FLORIDA. FOLIO: 27-3003-001-0020, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 2-1)

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

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR INDUSTRIAL PARK / L' AGROPOLI LLC.; OWNER: L' AGROPOLI LLC.; CONCERNING PROPERTY LEGALLY DESCRIBED AS: FOLIO: 27-2019-001-0681: THE WEST 1/2 OF THE NORTH 1/2 OF TRACT 61 OF 'FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", OF SECTION 19, TOWNSHIP 52 SOUTH. RANGE 40 EAST AS RECORDED PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LEGAL DESCRIPTION: FOLIO: 27-2019-001-0686: THE EAST 1/2 OF THE NORTH 1/2 OF TRACT 61 OF 'FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", OF SECTION 19, TOWNSHIP 52 SOUTH. RANGE 40 EAST AS RECORDED PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 5-0)

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

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS AMENDING THE CITY OF HIALEAH GARDENS CODE OF ORDINANCES TO REPEAL CHAPTER 70- FLOODS: TO ADOPT A NEW CHAPTER 70 – FLOODS; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mr. Citrin read the full title of the ordinance into the record. Mr. Joe Lopez, Public Works Director came forward and noted that this follows a State modeled ordinance which ties into requirements by the Florida Building Code. Chairman Garcia stated that this was a first reading and as such an opportunity for public input would be provided upon second reading. He then made a motion to approve, seconded by Councilman Merida. The ordinance was approved by individualized voice vote. **(3-0)**

**12. Second Reading / Public Hearing for consideration and final adoption of following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AMENDMENT P1509-0002 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM BU (GENERAL BUSINESS) TO HDR (HIGH DENSITY RESIDENTIAL) TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) LEGAL DESCRIPTION: 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 OF N.W. 103RD STREET; THENCE SOUTH 89°40'02" 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 NAVILLA SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 154 AT PAGE 97 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE SOUTH 01°45'04" EAST ALONG THE WEST LINE OF SAID TRACT "A" AND TRACT "D" OF SAID PLAT FOR A DISTANCE OF 349.66 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE SOUTH 01°45'04" EAST ALONG SAID WEST LINE OF SAID TRACT "A" AND TRACT "D" OF SAID PLAT FOR A DISTANCE OF 228.41 FEET TO A POINT LOCATED ON THE TOP OF BANK OF SAMARI LAKES; THENCE SOUTH 75°48'52" WEST MEANDERING ALONG THE NORTH TOP OF BANK OF SAID LAKE FOR A DISTANCE OF 196.61 FEET TO A POINT; THENCE SOUTH 88°14'56" WEST FOR A DISTANCE OF 42.00 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 THACT "A" FOR A DISTANCE OF 124.34 FEET TO A POINT; THENCE NORTH 88°14'56" EAST FOR A DISTANCE OF 269.00 FEET TO THE POINT OF BEGINNING, LAYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND HAVING AN AREA OF 63,642 SQ. FT. OR 1.46 ACRES MORE OR LESS. FOLIO: 27-3003-001-0115. APPROXIMATE LOCATION: BETWEEN NW 103 ST. AND SAMARI LAKES (LAKE) AND BETWEEN COMMUNITY FACILITY (CITY HALL) AND HDR (HIGH DENSITY

RESIDENTIAL, SANTA NAVILA); PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.  
(TRC Vote: 6-0; P&Z Vote: 4-0)

Mr. Citrin swore in those individuals who would be providing testimony on the item for Second Reading/ Public Hearing. He then read the full title of the ordinance into the record. Mr. Gilberto Pastoriza, attorney of record for the applicant, Machado Family Ltd., was present. Mr. Joe Lopez, Public Works Director came forward on behalf of Mrs. Mirtha Gonzalez, Chief Zoning Official, and read staff's recommendation for approval into the record. The land use amendment to the Comprehensive Plan was requested for a project to construct a maximum of 100 dwelling units for the elderly. There were no objections to the application after review from the Department of Economic Opportunity (DOE), other than a comment relating to defining characteristics or standards of the term "elderly" which was addressed by staff. Chairman Garcia inquired if the property would be privately owned. Mr. Pastoriza responded that it would be privately owned and managed. He added that the applicant had submitted months ago to the city a covenant, running with the land, that required this property to be developed for the elderly with a 100 unit limitation. Chairman Garcia opened the Public Hearing at 8:02 p.m., no one came forward and he closed the Public Hearing at 8:02 p.m. Chairman Garcia proceeded to make a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(3-0)**

13. **City Attorney's Report:** No comments were offered.
14. **Mayor's Report – Miscellaneous:** No comments were offered.
15. **Council Members Concerns / Reports / Board Appointments:** No comments were offered.
16. **Adjournment:** Chairman Garcia adjourned the meeting at 8:04 p.m.

Respectfully submitted 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, December 5, 2017, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, December 11, 2017, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, December 7, 2017, 11:30 A.M.

**WATER AND SEWER BOARD**

T.B.A.

**POLICE PENSION BOARD**

Tuesday, February 6, 2018, 5:30 P.M.