

**Mayor**  
Yioiset de la Cruz

**City Council Members**  
Chairman Luciano "Lucky" Garcia  
Vice Chairman Rolando "Roly" Piña  
Council member Miguel Haddad  
Council member Lucy Valdes  
Council member Manuel "Manny" Zardon

**PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL, COMMUNITY HALL, ESTATES AREA, MOBILE HOME PARK, ALL CONDOMINIUMS, SAMARI TOWERS, BILTMORE ESTATES, SAMARI LAKE VILLAS AND HYDRA VILLAS.**

**AGENDA: REGULAR CITY COUNCIL MEETING  
January 7, 2003 – 7:30 P.M. – COUNCIL CHAMBERS**

NOTE: In compliance with Robert's Rules of Order, all speakers will be heard only on items which are on the agenda and opened by the Chairperson for discussion by the public. Speakers will be limited to five minutes, unless the Chairperson allows more time for presentation.

1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Deletions/Emergency Additions**
6. **Review of Minutes: December 17, 2002**

**AGENDA – JANUARY 7, 2003 – 7:30 P.M. – COUNCIL CHAMBERS**

7. **Recommendation for purchase of equipment for Public Works Department/Streets Division:** Mr. Joe Lopez, Public Works Director.

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

**A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING THE APPLICATION REQUESTING AN AMENDMENT TO THE FUTURE LAND USE MAP INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #02-01.2 FROM EU (ESTATE RESIDENTIAL) TO MOR (MODERATE DENSITY SINGLE FAMILY RESIDENTIAL), PROVIDING A RESTRICTIVE COVENANT RUNNING WITH THE LAND. THE COVENANT WOULD RESTRICT THE FUTURE USE OF THE PROPERTY TO THOSE USES PERMITTED IN THE EU DISTRICT OR TO USE AS A CHURCH. LEGAL DESCRIPTION: THE EAST \_ OF THE WEST \_ OF THE WEST \_ OF TRACT 8 IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST AND THE EAST \_ OF THE WEST \_ OF THE TRACT 8 IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: NW 130<sup>TH</sup> STREET AND NW 98<sup>TH</sup> AVENUE. FOLIO # 27-2029-001-0090 AND # 27-2029-001-0092; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 130<sup>th</sup> Street and N.W. 98<sup>th</sup> Avenue) (T.R.C. Vote: 5-10-02 disapproved 0-6, T.R.C. Vote: 11-20-02 approved 5-0; P&Z Vote: 12-19-02 disapproved 0-3)**

**B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING THE APPLICATION REQUESTING AN AMENDMENT TO THE FUTURE LAND USE MAP INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #02-02.2 FROM MOR (MODERATE DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) TO MER (MEDIUM DENSITY RESIDENTIAL DISTRICT), BU (BUSINESS DISTRICT) AND RELOCATION OF POS (PARKS AND OPEN SPACE) AREAS. LEGAL DESCRIPTION: ALL OF TRACTS 19, 20, 21, 22, 23 LESS THE EAST 35.00 FEET THEREOF; AND PORTIONS OF TRACTS 26, 27, 28, 29, 30 AND 31 LYING EAST OF CONNECTOR ROAD, NORTH AND EAST OF THE BUSINESS ZONED AREA AS SHOWN ON ZONING MAP; ALL LYING AND BEING IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION, AS**

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**RECORDED IN PLAT BOOK 2, AT PAGE 17, IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: NW 92-97 AVENUE (CONNECTOR ROAD), OKEECHOBEE ROAD AND WEST OF NW 92 AVENUE. FOLIO #'S 27-2033-001-0220, 27-2033-001-0210, 27-2033-001-0230, 27-2033-001-0240, 27-2033-001-0241, 27-2033-001-0250, 27-2033-001-0260, 27-2033-001-0300, 27-2033-001-0310, 27-2033-001-0320, 27-2033-001-0330, 27-2033-001-0340, 27-2033-001-0350; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 92 – 97 Avenue (Connector Road), Okeechobee Road and West of N.W. 92<sup>nd</sup> Avenue) (T.R.C. 11-20-02 Vote: approved 5-0); P&Z 12-19-02 Vote: approved 3-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING THE APPLICATION REQUESTING AN AMENDMENT 02-02.1 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM MOR (MODERATE DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT ON THE EAST AND BU (BUSINESS DISTRICT) ON THE WEST TO MER (MEDIUM DENSITY RESIDENTIAL DISTRICT). LEGAL DESCRIPTION: PORTION OF TRACT 25 IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, " FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 25, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: WEST OF NW 94 AVENUE, NORTHEAST OF OKEECHOBEE ROAD (S.R. NO. 25) AND NORTH OF NW 114 STREET. FOLIO # 27-2033-001-0280; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (Location: West of N.W. 94<sup>th</sup> Avenue, N.E. of Okeechobee Road (S.R. No. 25) and North of N.W. 114 Street) (T.R.C. 11-20-02 Vote: approved 5-0; P&Z 12-19-02 Vote: approved 3-0))**
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING THE APPLICATION REQUESTING AN AMENDMENT TO THE FUTURE LAND USE MAP INCLUSIVE OF CITY INITIATED LAND USE APPLICATION #02-02.3 FROM CM (COMMERCIAL DISTRICT), FOLIO # 27-2029-001-0300 AND LDR (LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT), FOLIO #'S 27-2029-001-0305 AND 27-2029-001-0340 TO POS (PARKS AND OPEN SPACE). LEGAL DESCRIPTION: THE EAST \_ OF TRACT 29 AND ALL OF TRACT 30 IN SECTION 29, TOWNSHIP 52**

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**SOUTH, RANGE 40 EAST “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO.1”, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: BETWEEN NW 104 AVENUE AND NW 107 AVENUE, NORTH OF NW 134 STREET. PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 104<sup>th</sup> Avenue and N.W. 107<sup>th</sup> Avenue, North of N.W. 134<sup>th</sup> Street) (T.R.C. 11-20-02 Vote: approved 5-0; P&Z 12-19-02 Vote: approved 3-0)**

**9. Second Reading for consideration and final adoption of the following ordinance:**

- A) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF ITS CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2003, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000, FOR THE PURPOSE OF FINANCING THE PURCHASE OF LAND TO BE USED FOR THE CONSTRUCTION THEREON OF A WATER AND SEWER MAINTENANCE FACILITY, POLICE SUBSTATION AND A CITY PARK, INCLUDING FILLING AND LANDSCAPING, FINANCING ARCHITECTURAL, ENGINEERING, ENVIRONMENTAL, LEGAL AND OTHER PLANNING COSTS RELATED THERETO, AND PAYING COSTS OF ISSUANCE OF THE BONDS; PROVIDING SECURITY FOR THE BONDS, PRESCRIBING THE FORM, TERMS AND DETAILS OF THE BONDS; AWARDING THE BONDS TO SUNTRUST BANK BY NEGOTIATED SALE; DESIGNATING THE BONDS AS “QUALIFIED TAX-EXEMPT OBLIGATIONS” WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; MAKING THEREWITH; REPEALING ALL ORDINANCES, PARTS OF ORDINANCES OR RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**10. Public Comments**

**11. City Attorney’s Report**

**12. Mayor’s Report – Miscellaneous**

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13. **Council Members Concerns/Reports – Miscellaneous**

14. **Adjournment**

Agenda Certified 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 FUTURE MEETINGS:**

CITY COUNCIL

Tuesday, January 21, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 13, 2003 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, January 8, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, January 28, 2003, 7:00 P.M.

POLICE PENSION BOARD

Monday, February 10, 2003, 10:00 A.M.