

Mayor

Yioset De La Cruz

City Council Members

Chairman Luciano "Lucky" García
Vice Chairman Rolando "Roly" Piña
Council member Jorge A. Merida
Council member Jorge Gutierrez
Council member Elmo L. Urra

PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL.

**AGENDA: REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
Tuesday, August 21, 2012 – 7:30 P.M.**

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.

ATTENTION ALL LOBBYISTS: Chapter 2, Section 2-308 of the City Code of Hialeah Gardens entitled "Lobbying" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyist's laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

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- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Deletions/Emergency Additions**
- 6. Review of Minutes:** August 07, 2012
- 7. Public Comments**
- 8. Proposed Resolution:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CITY TO UTILIZE THE SERVICES THE FIRM OF SUNSHINE UNIVERSAL, LLC, TO ASSIST THE CITY IN APPLYING FOR AN AMERICORPS FEDERAL GRANT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- 9. First Reading for consideration of the following ordinances:**
 - A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APROVING A SITE PLAN FOR DIEGO LLANOS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 7 OF FORREST FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 6 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 7; THENCE S89°43'01" W ALONG THE NORTH LINE OF SAID TRACT FOR 135.00 FEET TO THE POINT OF BEGINNING OF TRACT OF LAND HEREINAFTER DESCRIBED; THENCE S14°13'03" W FOR 221.29 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD

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NO 25, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP NO 87090-2518; THENCE N50°59'15" W ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD FOR 113.76 FEET; THENCE N20°18'59" E FOR 151.90 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 7; THENCE N89°43'01" E ALONG THE NORTH LINE OF SAID TRACT 7 FOR 90.00 FEET; TO THE POINT OF BEGINNING; FOLIO: 27-2032-002-0080, APPROXIMATE LOCATION: BETWEEN WEST OKEECHOBEE ROAD AND NW 120 STREET AND WEST OF NW 99TH AVENUE., HIALEAH GARDENS, FL, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote 3-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF HIALEAH GARDENS APPROVING THE REZONING OF +-10 ACRES APPROXIMATE LOCATED BETWEEN NW 107TH AVENUE AND THEORETICAL NW 109TH AVENUE AND BETWEEN THEORETICAL NW 140 STREET AND THEORETICAL NW 142 STREET, HIALEAH GARDENS, FL. FROM IN-1(LIGHT INDUSTRIAL) TO IN-2 (HEAVY INDUSTRIAL). DECLARING THIS ZONING MAP AMENDED TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF HIALEAH GARDENS PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. FOLIO #: 27-2019-001-0610. (TRC Vote: 5-0; P&Z Vote 3-0)

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 FINAL PLAT FOR LIEBHERR TRACT: LEGAL DESCRIPTION: PARCEL ONE: THE WEST 1/2 OF TRACT 13, FLORIDA FRUIT LAND CO. 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 AND EXCEPT; FROM PARCEL 1: THAT PORTION OF TRACT 13, FLORIDA FRUIT LANDS COMPANY

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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, THAT IS CONTAINED WITHIN THE FOLLOWING DESCRIBED PROPERTY: BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT 13; THENCE N 89°29'33" E ALONG THE SOUTHERLY LINE OF SAID TRACT 13 FOR 40.03 FEET; THENCE N 02°33'09" W ALONG A LINE PARALLEL WITH AND 40.00 FEET EAST OF THE WESTERLY LINE OF SAID TRACT 13, FOR 55.29 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST, THENCE NORTHWESTERLY AND SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 63.00 FEET, THROUGH A CENTRAL ANGLE OF 235°14'26" FOR AN ARC DISTANCE OF 258.66 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 20; THENCE N 89°29'33" E ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 58.96 FEET TO THE POINT OF BEGINNING. PARCEL TWO: TRACT 14, LESS THE EAST 1/2 AND LESS THAT PART COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19; THENCE RUN SOUTH 2°33'57" EAST (BEARINGS ARE BASED ON THE FLORIDA STATE SYSTEM OF PLANE COORDINATES), 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14, OF SAID SUBDIVISION, THENCE NORTH 89°29'39" EAST, 35.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LINE OF DADE COUNTY RIGHT OF WAY AND THE POINT OF BEGINNING; CONTINUE THENCE NORTH 89°29'39" EAST, 97.00 FEET ALONG SAID NORTH BOUNDARY TO A POINT; THENCE SOUTH 18°10'26" WEST (EAST, BY DEED), 273.74 FEET TO A POINT OF INTERSECTION WITH SAID EXISTING EAST RIGHT OF WAY LINE; THENCE NORTH 2°33'57" WEST, 259.49 FEET ALONG SAID EXISTING EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING; FLORIDA FRUIT LAND CO.

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SUBDIVISION, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. ALSO KNOWN AS: A PORTION OF TRACT 14, OF "FLORIDA LAND 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, LESS THE EAST 1/2 AND LESS A PORTION OF LAND BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 14; THENCE RUN EAST FOR 35.00 FEET; THENCE RUN NORTH FOR 70.50 FEET; THENCE RUN N 18°10'26" E FOR 273.74 FEET; THENCE RUN WEST FOR 132.02 FEET; THENCE RUN SOUTH 329.99 FEET TO THE POINT OF BEGINNING FOR RIGHT-OF-WAY PURPOSES. PARCEL 3: THAT PART OF: THE WESTERLY 35.00 FEET OF TRACT 14, FLORIDA FRUIT LANDS COMPANY SUBDIVISION, NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING ALSO AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°10'26" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET; THENCE NORTH 24°14'53" EAST, 77.58 FEET TO THE POINT OF BEGINNING. TOGETHER WITH: THAT

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PART OF: TRACT 20, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 68, MIAMI-DADE COUNTY, FLORIDA, BEING ALSO A POINT OF PARCEL 125.1R AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION OCTOBER 1, 2003. COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, SAID CORNER LYING SOUTH 89°29'43" WEST, 2637.31 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, RUN THENCE SOUTH 2°33'57" EAST, 659.98 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHWEST CORNER OF TRACT 14 OF SAID SUBDIVISION; THENCE NORTH 89°29'39" EAST, 132.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 14 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821; THENCE SOUTH 18°10'26" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.74 FEET; CONTINUE THENCE SOUTH 02°33'57" EAST 70.50 FEET; THENCE SOUTH 89°29'37" WEST, 35.02 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°33'57" EAST, 329.99 FEET; THENCE SOUTH 89°29'48" WEST ALONG THE SOUTH LINE OF SAID TRACT 20, 114.69 FEET; THENCE NORTH 16°48'45" EAST, 345.43 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT; FROM PARCEL 3: THAT PORTION OF TRACT 20, FLORIDA FRUIT LANDS COMPANY 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, THAT IS CONTAINED WITHIN THE FOLLOWING DESCRIBED PROPERTY: BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT 13; THENCE N 89°29'33" E ALONG THE SOUTHERLY LINE OF SAID TRACT 13 FOR 40.03 FEET; THENCE N 02°33'09" W ALONG A LINE PARALLEL WITH AND 40.00 FEET EAST OF THE WESTERLY LINE OF SAID TRACT 13, FOR 55.29 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST, THENCE NORTHWESTERLY AND

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SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 63.00 FEET, THROUGH A CENTRAL ANGLE OF 235°14'26" FOR AN ARC DISTANCE OF 258.66 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF SAID TRACT 20; THENCE N 89°29'33" E ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 58.96 FEET TO THE POINT OF BEGINNING. FOLIOS #: 27-2019-001-0160 AND 27-2019-001-0150. LOCATION: 15101 NW 112TH AVENUE, HIALEAH GARDENS, FL.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: n/a)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Tabled: 08/07/2012

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR YHOAN & NORMA PITALUGA. LEGAL DESCRIPTION: THE EAST 1/2 OF THE WEST 1/2 OF THE WEST OF 1/2 OF TRACT 5, SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, RECORDED IN MIAMI-DADE COUNTY, FLORIDA, FOLIO #: 27-2029-001-0053. CONTAINING 49,489.16 SQUARE FEET OR 1.1 ACRES, MORE OR LESS. APPROXIMATE LOCATION: NORTH SIDE OF NW 133RD STREET AND BETWEEN THEORETICAL NW 99TH AVENUE AND NW 97TH AVENUE, HIALEAH GARDENS, FL. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

11. City Attorney's Report

12. Mayor's Report – Miscellaneous

13. Council Members Concerns / Reports / Board Appointments

14. Adjournment

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Agenda certified by:

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, September 4, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 10, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 6, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, August 22, 2012, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, August 21, 2012, 5:30 P.M.

Tuesday, November 6, 2012, 5:30 P.M.