

MINUTES

CITY COUNCIL MEETING
TUESDAY, APRIL 20, 2004

CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE

1. **Call to Order:** Chairman Garcia called the meeting to order at 7:35 p.m.
2. **Roll Call:** Present were Chairman Luciano Garcia, Councilman Manuel Zardon, Councilman Rolando Piña and Councilman Jorge Gutierrez. Also present was City Attorney Charles A. Citrin. Councilman Jorge A. Merida was absent.
3. **Invocation:** Chairman Garcia gave the invocation.
4. **Pledge of Allegiance:** Councilman Piña led the Pledge of Allegiance.
5. **Deletions/Emergency Additions:** Deletion of Item 10.
6. **Review of Minutes: April 6, 2004:** Chairman Garcia made a motion to approve the minutes of April 6, 2004, seconded by Councilman Gutierrez. The motion was approved by unanimous consent.
7. **Public Comments:** None were offered.
8. **Proposed Resolution:**
 - A) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CONTRACTING OF A ROOFING INSPECTOR FOR THE CITY'S BUILDING DEPARTMENT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ARTIEL BARRIOS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

Mr. Citrin read the full resolution into the record. Mrs. Aida Martinez Ruiz came forward and explained that this was the contract with the roofing inspector previously discussed in the last meeting. Chairman Garcia made a motion to approve, seconded by Councilman Gutierrez and the resolution was unanimously approved.

9. First Reading for consideration of the following ordinance:

- A) **ORDINANCE OF THE CITY OF HIALEAH GARDENS, AMENDING ORDINANCE NO 2003-26, CHANGING THE NAME OF THE FINAL PLAT JEANNETTE COVE ONE AND TWO TO THE NAME "JEANNETTE COVE" CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARCEL I: THE EAST 201.42 FEET OF THE NORTH 150 FEET OF THE WEST 431.42 FEET OF TRACT 64, IN SECTION 3, TOWNSHIP 53 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. TOGETHER WITH A NON-EXCLUSIVE PERPETUAL EASEMENT RUNNING WITH THE LAND OVER AND UPON THE FOLLOWING DESCRIBED REAL PROPERTY, TO WIT: THE NORTH 25 FEET OF THE EAST 201.42 FEET OF THE NORTH 150 FEET OF THE WEST 431 FEET OF TRACT 6 4, IN SECTION 3, TOWNSHIP 53 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. PARCEL II: THE WEST 230 FEET OF THE NORTH 150 FEET OF THE WEST 431.42 FEET OF TRACT 64, IN SECTION 3, TOWNSHIP 53 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 DADE COUNTY, FLORIDA. TOGETHER WITH A PERPETUAL EASEMENT RUNNING WITH THE LAND AND OVER AND UPON THE FOLLOWING DESCRIBED REAL PROPERTY, TO WIT: THE NORTH 25 FEET OF THE EAST 201.42 FEET OF THE NORTH 150 FEET OF THE WEST 431.42 FEET OF TRACT 64, IN SECTION 3, TOWNSHIP 3 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 DADE COUNTY, FLORIDA. LESS: A PARCEL OF LAND LYING IN THE CITY OF HIALEAH GARDENS, DADE COUNTY, FLORIDA BEING A PORTION OF TRACT 64, IN SECTION 3, TOWNSHIP 53 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 DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE CENTER OF SAID SECTION 3; THENCE RUN N89 48' 29"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, FOR 22.00 FEET TO A POINT; THENCE RUN S0 00 01'22"E, FOR 70.19 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST: THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 68 11'46", FOR AN ARC DISTANCE OF 41.66 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE RUN N00 01'22"W, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, FOR 102.2 FEET TO THE POINT OF BEGINNING. FOLIO #'S 27-3003-001-4280, 27-3003-001-0900. PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full ordinance into the record. Chairman Garcia stated that this was a first reading and as such, an opportunity for public input will be provided upon second reading. He then made a motion to approve, seconded by Councilman Zardon. The motion was approved by individualized voice vote (4-0).

10. Second Reading / Public Hearing for consideration and final adoption of the following ordinance:

A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING AND APPROVING AMENDMENTS 04-01 TO THE COMPREHENSIVE PLAN INCLUSIVE OF PROPERTY OWNER INITIATED LAND USE APPLICATION #1: CHANGE FROM BU(BUSINESS) TO MER (MEDIUM RESIDENTIAL DENSITY); CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PORTION OF LOTS 4, 5, AND 6, LYING NORTHEASTERLY OF THE RIGHT-OF-WAY LINE OF STATE ROAD 25, AND THAT PORTION OF LOT 13, LYING NORTHWESTERLY OF CANAL C-7, LESS THE NORTH 25.00 FEET THEREOF "NINA GARDENS", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 29, AT PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. AND THE SOUTHEAST OF THE LOT 2 AND ALL OF LOT 3, BEING NORTHEASTERLY ON STATE ROAD 27, LESS RIGHT-OF-WAY PER STATE ROAD DEPARTMENT SECTION 87090-2510, "NINA GARDENS", ACCORDING TO THE

PLAT THEREOF RECORDED IN PLAT BOOK 29 AT PAGE 15 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: NORTHEAST OF OKEECHOBEE FRONTAGE ROAD (SR 25), NORTHWEST OF CANAL, SOUTH OF NW 106 STREET. FOLIO'S # 27-3004-004-0040, 27-3004-004-0050, 27-3004-004-0020; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE.
(DELETED FROM AGENDA)

11. **City Attorney's Report:** Mr. Citrin gave information regarding Miami Dade County's final approval of the City's annexation and reported that he would be coming back to Council with suggestions regarding the consulting contract which was previously approved. He also commended Marcos Piloto, Director of O.M.B., Maria L. Joffee, City Clerk, and Mirtha S. Gonzalez, Chief Zoning Official for their work on the project.
12. **Mayor's Report – Miscellaneous-**The Mayor was not present.
13. **Council Members Concerns/Reports – Miscellaneous -**No comments.
14. **Adjournment:** The meeting was adjourned at 7:45 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 FUTURE MEETINGS:

CITY COUNCIL

Tuesday, May 20, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, May 10 2004, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, May 5, 2004, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, May 25, 2004, 7:00 P.M.

POLICE PENSION BOARD

Monday, May 10, 2004, 7:00 P.M.