

**Mayor**

Yioset De La Cruz

**City Council Members**

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

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

**AGENDA: REGULAR CITY COUNCIL MEETING  
December 5, 2006 – 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.

**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.

**AGENDA –DECEMBER 5, 2006 – 7:30 P.M. – COUNCIL CHAMBERS**

1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Deletions/Emergency Additions**
6. **Review of Minutes:** November 21, 2006
7. **Public Comments**
8. **Proposed Resolution:**
  - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) ACTERRA DUMP TRUCK; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ATLANTIC TRUCK CENTER; WAIVING COMPETITIVE PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***
9. **First Reading for consideration of the following ordinances:**
  - A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA GRANTING A SIGN VARIANCES OF HEIGHT AND TOTAL AREA FOR HOME DEPOT USA CONCERNING LEGALLY DESCRIBED AS: ALL OF TRACTS R, S, T, U, V, W, X & Y OF “SHOMA COMMERCIAL REPLAT” ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161 AT PAGE 100 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACT “Y” OF SAID PLAT. TOGETHER WITH A PORTION OF NORTHWEST 112<sup>TH</sup> COURT DEPICTED ON SAID PLAT. TOGETHER WITH ALL OF TRACT “Q” (LAKE MAINTENANCE / ACCESS TRACT) OF “SHOMA COMMERCIAL” ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160 AT PAGE 69 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. FOLIOS #: 27-2030-015-0010, 27-2030-015-0020, 27-2030-015-***

**AGENDA –DECEMBER 5, 2006 – 7:30 P.M. – COUNCIL CHAMBERS**

**0030, 27-2030-015-0040, 27-2030-015-0050, 27-2030-015-0060, 27-2030-015-0070, AND 27-2030-015-0080. APPROXIMATE LOCATION: OKEECHOBEE ROAD AND NW 138 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**

**B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CITY CODE CHAPTER 56 SECTION 23 (ADDITIONAL REQUIREMENTS), PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OR TENTATIVE PLAT FOR LA ALAMEDA CONGREGATION OF JEHOVAHS WITNESSES. LEGAL DESCRIPTION: PARENT TRACT: A PORTION OF TRACT 57, OF FLORIDA FRUIT LAND CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST. DEED LEGAL DESCRIPTION: A PORTION OF LAND OF TRACT 57, OF FLORIDA FRUIT LAND CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 57; THENCE SOUTH 89°42'37" WEST ALONG THE SOUTH LINE OF SAID TRACT 57, A DISTANCE OF 519.58 FEET TO THE SOUTHWESTERLY CORNER OF THE SUBDIVISION OF BILTMORE VILLAS III, AS RECORDED IN PLAT BOOK 135, AT PAGE 91 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA BEING AT THE SAME TIME THE POINT OF BEGINNING OF THE HEREINAFTER PORTION OF LAND; THENCE CONTINUING SOUTH 89°42'37" WEST, ALONG SAID TRACT 57, A DISTANCE OF 319.00 FEET TO THE INTERSECTION WITH THE NOTRHERLY RIGHT OF WAY LINE OF STATE ROAD 25 (OKEECHOBEE ROAD); THENCE NORTH 50°59'16" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF**

**AGENDA –DECEMBER 5, 2006 – 7:30 P.M. – COUNCIL CHAMBERS**

**SAID TRACT 57; THENCE NORTH 89°42'37" EAST, ALONG SAID NORTHERLY LINE OF SAID TRACT 57, A DISTANCE OF 599.33 FEET TO THE NORTHWESTERLY CORNER OF SAID SUBDIVISION OF BILTMORE VILLAS SECTION III; THENCE (THE FOLLOWING 4 COURSES ARE RUNNING ALONG THE WESTERLY BOUNDARY OF SAID PLAT BILTMORE VILLAS SECTION III) SOUTH 02°35'05" EAST A DISTANCE OF 97.76 FEET; THENCE SOUTH 50°59'16" EAST, A DISTANCE OF 19.34 FEET, THENCE CONTINUE SOUTH 50°59'16" EAST, A DISTANCE OF 127.20 FEET, THENCE SOUTH 02°35'05" EAST, A DISTANCE OF 139.59 FEET TO THE POINT OF BEGINNING. APPROXIMATE LOCATION: BETWEEN NW 122 STREET AND WEST OKEECHOBEE ROAD, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between 122 Street & West Okeechobee Road) (T.R.C. 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

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 MEETINGS**

**CITY COUNCIL**

Tuesday, December 19, 2006, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, December 11, 2006, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, December 7, 2006, 11:30 A.M.

**WATER AND SEWER BOARD**

T.B.A.