

Mayor
Yioset de la Cruz

City Council Members
Chairman Luciano “Lucky” Garcia
Vice Chairman Rolando “Roly” Piña
Council member Manuel “Manny” Zardon
Council member Jorge A. Merida
Council member Jorge Gutierrez

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

**AGENDA: REGULAR CITY COUNCIL MEETING
October 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.

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:** September 16, 2003 and September 19, 2003
7. **Public Comments**
8. **Appointment of representative for Election Canvassing Board:** Mr. Charles A. Citrin, City Attorney.
9. **Proposed Resolutions:**
 - A) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE ENTERING INTO A TEMPORARY LICENSE AGREEMENT WITH LNC GOVERNMENT RELATIONS FOR TEN (10) WASTE CONTAINERS WITH SPACE FOR ADVERTISING TO BE PLACED IN DIFFERENT AREAS AROUND THE CITY; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH LNC GOVERNMENT RELATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***
 - B) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE MAYOR TO EXECUTE A RETAINER AGREEMENT BETWEEN CHARLES A. CITRIN, ESQUIRE AND THE CITY OF HIALEAH GARDENS, ATTACHED HERETO AS EXHIBIT “A”; PROVIDING FOR EFFECTIVE DATE.***

AGENDA –OCTOBER 7, 2003 – 7:30 P.M. – COUNCIL CHAMBERS**10. First Reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL, AMENDING ORDINANCE 2002-51 INITIATING AND REQUESTING A PROPOSED BOUNDARY CHANGE OF THE CITY OF HIALEAH GARDENS, FLORIDA, IN ORDER TO ANNEX PROPERTY BEARING THE AMENDED LEGAL DESCRIPTION CONTAINED IN COMPOSITE EXHIBIT “1”; AUTHORIZING THE MAYOR AND THE CITY CLERK AND OTHER PROPER CITY OFFICERS AND OFFICIALS TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGE TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, AND AUTHORIZING THE CITY CLERK TO TRANSMIT COPIES OF THIS ORDINANCE TO THE CLERK OF THE COMMISSION REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

11. Second Reading/Public Hearing for consideration and final adoption of the following ordinances:

- A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR ROSDAY CORPORATION FRONTIER SUBDIVISION. LEGALLY DESCRIBED AS: A PORTION OF THE EAST 185.00 FEET OF THE WEST 845.00 FEET OF TRACT 1, SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. FOLIO #: 27-2033-001-0015 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 121 Street and N.W. 122 Street, West of N.W. 87 Avenue) (T.R.C. Vote: 6-0; P & Z Vote: 3-0)**
- B) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING SIGN VARIANCES FOR FRONTIER DEVELOPMENT, AUTOZONE STORE DEVELOPMENT CONCERNING PROPERTY LEGALLY**

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DESCRIBED AS: A PORTION OF THE EAST 185.00 FEET OF THE WEST 845.00 FEET OF TRACT 1, SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-2033-001-0015 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 121 Street and N.W. 122 Street, West of N.W. 87 Avenue) (T.R.C. Vote: 5-0; P & Z Vote: 2-1)

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AN SPECIAL EXCEPTION USE FOR BERNIE MARIBONA TO PERMIT RETAIL OR PERSONAL SERVICE USES IN COMMERCIAL BUILDING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT “A” OF “SECOND ADDITION TO RO-JEN ESTATES”, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 118, PAGE 89 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LOCATION: 12963 WEST OKEECHOBEE ROAD. FOLIO # 27-2029-007-0040 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.** (Location: 12963 West Okeechobee Road) (T.R.C. Vote: 5-0; P & Z Vote 3-0)
- D) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT CHANGING THE LAND USE FROM EU (ESTATE RESIDENTIAL) TO LDR (LOW DENSITY RESIDENTIAL DISTRICT) FOR THE APPROXIMATE 8.37 ACRES PARCEL. LEGAL DESCRIPTION: THE EAST _ OF THE WEST _ OF THE WEST _ OF TRACT 8 AND THE EAST _ OF THE WEST _ OF TRACT 8, FLORIDA FRUIT LANDS COMPANY 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 THE EAST _ OF TRACT 8, LESS THE EAST 50 FEET FOR CANAL RIGHT OF WAY, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE**

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COUNTY, FLORIDA. APPROXIMATE LOCATION:
NORTH OF NW 130 STREET, BETWEEN NW 97 & NW 99
AVENUES. FOLIO'S: # 27-2029-001-0090, 27-2029-001-
0092, 27-2029-001-0080; PROVIDING FOR
SEVERABILITY, PROVIDING FOR AN EFFECTIVE
DATE. (Location: North of N.W. 130 Street, between N.W. 97 & N.W.
 99 Avenues) (T.R.C. Vote: 5-0; P & Z Vote: 0-3 Denied)

12. **City Attorney's Report**
13. **Mayor's Report – Miscellaneous**
14. **Council Members Concerns/Reports – Miscellaneous**
15. **Adjournment**

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 FUTURE MEETINGS:

CITY COUNCIL

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

PLANNING AND ZONING BOARD

Monday, October 14, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

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

WATER AND SEWER BOARD

Tuesday, October 22, 2003 7:00 P.M.

POLICE PENSION BOARD

Wednesday, November 12, 2003, 7:00 P.M.