

**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  
November 18, 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.

**AGENDA –NOVEMBER 18, 2003 – 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 5, 2003
7. **Public Comments**
8. **Request for approval to re-advertise invitation to bid for construction of Racquetball and Squash ball courts at Westland Gardens Park:** Mr. Raymond Garcia, Director of Parks and Recreation.
9. **First Reading for consideration of the following ordinances:**
  - A) ***AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AN SPECIAL EXCEPTION USE AND SITE PLAN REVIEW FOR SEVENTEEN (17) ADDITIONAL PARKING SPACES 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 4-0)***
  - B) ***AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING AND TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) THE APPLICATION REQUESTING AN AMENDMENT 02.01.1 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM EU (ESTATE RESIDENTIAL DISTRICT) TO LDR (LOW DENSITY***

**AGENDA –NOVEMBER 18, 2003 – 7:30 P.M. – COUNCIL CHAMBERS**

**RESIDENTIAL DISTRICT). LEGAL DESCRIPTION: TRACT 22 LESS THE WESTERLY 30.00 FEET, ALL OF TRACT 23, AND TRACT 24 LESS THE EAST 30.00 FEET, THE SOUTH 30.00 FEET AND LESS THE WEST 30.00, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF 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 130<sup>TH</sup> & NW 133<sup>RD</sup> STREETS, BETWEEN NW 102<sup>ND</sup> & NW 104<sup>TH</sup> AVENUES. FOLIO'S # 27-2029-001-0240, 27-2029-001-0245, 27-2029-001-0230, 27-2029-001-0250; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (Location: Between N.W. 130 & N.W. 133 Street between N.W. 102 & N.W. 104 Avenues) (T.R.C. Vote: 6-0; P&Z Vote: Denied 3-1 A. Perez in favor)**

- C) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING AND TRANSMITING TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) THE APPLICATION REQUESTING AN AMENDMENT 03.02.1 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM BU (BUSINESS DISTRICT) TO MER (MEDIUM DENSITY RESIDENTIAL DISTRICT). LEGAL DESCRIPTION: 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; PROVIDING FOR SEVERABILITY,**

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**PROVIDING FOR AN EFFECTIVE DATE.** (Location: Northeast of Okeechobee Frontage Road (SR25) Northwest of Canal, South of N.W. 106 Street) (T.R.C. Vote:6-0: P&Z Vote: Denied 3-1 A. Perez in favor)

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

**A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN AND GRANTING SIGN VARIANCES FOR LONG JOHN SILVERS/A&W FAST FOOD DRIVE-THRU ESTABLISHMENT CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 140 FEET OF THE WEST 660 FEET OF TRACT 1, OF FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 OF SECTION 33, 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 FOLIO #27-2033-001-0011. APPROXIMATE LOCATION: BETWEEN NW 121 STREET AND NEW 122 STREET, WEST OF NW 87 AVENUE; PROVIDING FOR EFFECTIVE DATE.** (Location: Between N.W. 121 Street West of N.W. 87 Avenue) (T.R.C. Vote: 6-0; P & Z Vote: 4-0)

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

Agenda certified by:

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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, December 2, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, December 8, 2003, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, December 3, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, November 25, 2003, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, December 3, 2003, 7:00 P.M.