

Mayor
Yioset de la Cruz

City Council Members
Chairperson Luciano "Lucky" Garcia
Vice Chairman Rolando "Roly" Piña
Council member Miguel Haddad
Council member Lucy Valdes
Council member Manuel "Manny" Zardon

PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL, COMMUNITY HALL, ESTATES AREA, MOBILE HOME PARK, ALL CONDOMINIUMS, SAMARI TOWERS, BILTMORE ESTATES, SAMARI LAKE VILLAS AND HYDRA VILLAS.

**AGENDA: REGULAR CITY COUNCIL MEETING
March 19, 2002 - 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 and will be limited to five minutes, unless the Chairperson allows for more time for presentation.

1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Deletions/Emergency Additions**
6. **Review of Minutes:** March 5, 2002
7. **Citizens' Miscellaneous:** Requests to place items on future agenda(s)

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8. **Discussion of concerns:** Mr. and Mrs. Sergio Menendez, 9900 N.W. 137 Street Hialeah Gardens, FL .
9. **Discussion of PBA contract:** Mr. Charles A. Citrin, City Attorney.
10. **FIRST READING for consideration of the following proposed ordinances:**
 - A) ***AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING A TENTATIVE PLAT FOR GARDENS COMMERCIAL HOLDING, LTD., CONCERNING PROPERTY DESCRIBED AS: REPLAT OF A PORTION OF TRACT “E”, B.J.’S PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 155 AT PAGE 58 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LYING AND BEING IN SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (P & Z Vote: 3-0, T.R.C. Vote 3-0) Location: South of N.W. 98th Street and Frontage Road)***
 - B) ***AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING A SITE PLAN FOR IBIS COVE 2 (NORCA 2) CONCERNING PROPERTY LEGALLY DESCRIBED AS: 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 431.42 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, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (P & Z Vote: 3-0, T.R.C. Vote: 5-0) Location: East of N.W. 82nd Avenue and South of N.W. 98th Street***

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- C) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING VARIANCES AND SITE PLAN FOR WENDY'S FAST FOOD DRIVE-IN RESTAURANT CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT "E", B.J.'S PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 155, AT PAGE 58, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (P & Z Vote: 3-0, T.R.C. Vote: 4-0) Location: West of N.W. 95th Street, South of N.W. 80th Avenue, North of Frontage Road or West Okeechobee Road, East of N.W. 98th Street**
- D) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR ENRIQUE BEHAR CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST _ OF TRACT 4, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" OF SECTION 29, 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 THE WEST 30 FEET THEREOF. FOLIO 27-2029-001-0041, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (P & Z Vote: 3-0, T.R.C. Vote: 6-0) Location: N.W. 135th Street and N.W. 99th Avenue)**

11. PUBLIC HEARING and reconsideration of the following ordinances:

ORDINANCE 2002-04

AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO PERMIT A GARDENS ACADEMY OF EXCELLENCE CHARTER SCHOOL AND SITE PLAN REVIEW FOR GARDENS ACADEMY OF EXCELLENCE CHARTER SCHOOL; SANTA NAVILA SUBDIVISION PB 154-97T-20340 TRACT A LOT SIZE 2.107 ACRES M/L FAU 27-3003-001-0118 OR 17998-3141 0298 2(3); PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 103 St. between Santa Navila and Hialeah Gardens City Hall)

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ORDINANCE 2002-07

AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING VARIANCES AND SITE PLAN REVIEW FOR: MACO COMMERCE CENTER MDT, LLC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: W _ OF TRACT 25 LESS W 40' FOR ROAD RIGHT-OF-WAY AND W _ OF THE S _ OF TRACT 26, LESS THE WEST 40 FEET THEREOF FOR ROAD RIGHT-OF-WAY BOTH OF THE FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1 SECTION 29, 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. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(Location: Northeast corner of Okeechobee Rd. and N.W. 107 Ave.)

12. **Recommendation for payroll services provider:** Mr. Marcos Piloto, Director, O.M.B.
13. **Recommendation for construction of restrooms and concession stand at Westland Gardens and Golden Eagle Parks:** Mr. Ray Garcia, Director, Parks and Recreation Department.
14. **City Attorney's Report**
15. **Mayor's Report – Miscellaneous**
16. **Council Members Concerns/Reports – Miscellaneous**
17. **Adjournment**

An Executive Meeting will be held immediately following the adjournment of the council meeting in the Council Chambers to discuss the on-going litigation concerning Ricardo Vazquez v. City of Hialeah Gardens, Case No. 99-15782 CA 01. Those present will include the City Council, City Attorney, Assistant City Attorney and attorney Neil Flaxman.

Agenda Certified By:

Maria L. Joffe
City Clerk

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"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, March 19, 2002, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, April 1, 2002, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, April 3, 2002, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, March 26, 2002, 7:30 P.M.