

Mayor
Yioiset de la Cruz

City Council Members
Chairman 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
May 21, 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. Speakers will be limited to five minutes, unless the Chairperson allows 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: May 7, 2002**

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7. PROPOSED RESOLUTIONS:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE SELECTION OF FIRST SOUTHWEST COMPANY AS FINANCIAL ADVISOR TO THE CITY; AUTHORIZING A CONTRACT BETWEEN THE CITY OF HIALEAH GARDENS AND FIRST SOUTHWEST COMPANY FOR FINANCIAL ADVISOR SERVICES; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR EFFECTIVE DATE.**

8. FIRST READING for consideration of the following proposed ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING ANDRES MARQUEZ – WAIVER OF PLAT; CONCERNING PROPERTY LEGALLY DESCRIBED AS: WAIVER OF PLAT. LEGAL DESCRIPTION: PARENT TRACT: TRACT 19 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. CUT OUT PARCEL: THE WEST 159.03 FEET OF THE EAST 364.60 FEET OF TRACT 19 OF “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION 1”, OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. SUBJECT TO A 30 FEET EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 30 FEET THEREOF. FOLIO #27-2029-001-0209. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**

(Location: Between N.W. 135th St. and N.W. 102 Ave.) (T.R.C. 6-0, P&Z 3-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A SITE PLAN REVIEW AND VARIANCES FOR CATAMAR LTD/ACOLITE SIGN CO. CONCERNING PROPERTY LOCATION:**

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9950 N.W. 77 AVENUE, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 9950 N.W. 77th Ave.) (T.R.C. 4-0, P&Z 3-0)

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR CINGULAR WIRELESS TO ADHERE A 10 FEET HIGHER EXTENSION OF EXISTING 90 FEET FLAG POLE TELECOMMUNICATION TOWER FACILITY AS PER SECTION 78.345(a) (1); LOCATION: 11300 N.W. 87 COURT. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.** (Location: 11300 N.W. 87th Ct.) (T.R.C. 6-0, P&Z 3—0)
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR NORCA 1 AND NORCA 2: TENTATIVE PLAT. LEGAL DESCRIPTION: PARCEL 1: 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 MIAMI DADE COUNTY, FLORIDA. LESS A PARCEL OF LAND LYING IN THE CITY OF HIALEAH GARDENS, MIAMI 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 MIAMI 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 S00 01’22” E, FOR 70.19 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE NORTHWEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS**

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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 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 102.62 FEET TO THE POINT OF BEGINNING. PARCEL 2: NORTH 150 FEET OF THE EAST 201.42 FEET TO THE WEST 431.42 FEET OF TRACT 64 IN SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, OF "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 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, OF "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. PROPERTY DESCRIBED AS FOLLOWS: LOCATION: EAST OF N.W. 82 AVENUE SOUTH OF N.W. 98 STREET. FOLIO #27-3003-001-4280 AND #27-3003-001-0900. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: East of N.W. 82nd Ave. South of N.W. 98th St.) (T.R.C. 6-0, P&Z 3-0)

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR MIAMI-DADE FIRE RESCUE CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS 29, 30 AND 31, OF "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1" SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, 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: SOUTHEAST CORNER OF N.W. 87 AVENUE AND N.W. 103 STREET. FOLIO #27-3003-001-0402. PROVIDING**

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FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Southeast corner of N.W. 87 Ave. and N.W. 103 St.)
(T.R.C. 5-0, P&Z 5-0)

- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR IBIS COVE #1 (NORCA #1) CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST 230 FEET OF NORTH 150 FEET OF THE WEST 431.42 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 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 53 SOUTH, RANGE EAST, “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO. 1”, ACCORDING THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. LESS A PARCEL OF LAND LYING IN THE CITY OF HIALEAH GARDENS, MIAMI 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 MIAMI 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 SECTION 3, 422.00 FEET TO A POINT; THENCE RUN S00 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 35.00 FEET AND CENTRAL ANGLE 68 11’46”, FOR AN ARC DISTANCE OF 41.66 FEET TO THE POINT OF**

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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 102.62 FEET TO THE POINT OF BEGINNING. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: East of N.W. 82nd Ave., South of N.W. 98th St.) (T.R.C. 4-0, P&Z 0-5)

- G) 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. (Location: East of N.W. 82 Ave., South of N.W. 98 St.) (T.R.C. 4-0, P&Z 0-5)**

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9. PUBLIC HEARING and Second Reading for consideration and final adoption of the following ordinances:

A) ORDINANCE 2002-04

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) (T.R.C. 6-0, P & Z 3-0)

10. City Attorney's Report

11. Mayor's Report – Miscellaneous

12. Council Members Concerns/Reports – Miscellaneous

13. Public Comments

14. 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."

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SCHEDULE OF FUTURE MEETINGS:

CITY COUNCIL

Tuesday, June 4, 2002, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 10, 2002, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, June 5, 2002, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, May 28, 2002, 7:30 P.M.

POLICE PENSION BOARD

Monday, August 5, 2002, 10:00 A.M.