

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
July 2, 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: June 18, 2002**

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7. **Request for approval of a water extension agreement between Hialeah Gardens Fast Food LLC. (Burger King) and the City of Hialeah Gardens:** Mr. Albert Nielson, Director Water & Sewer Department.
8. **Discussion of deposit to City of Hialeah Gardens by Mr. Miguel Haddad:** Mr. Ralph Ventura, Esq. (Tabled Item)
9. **PROPOSED RESOLUTIONS:**

- A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR DENTAL INSURANCE BETWEEN GUARDIAN AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR EFFECTIVE DATE.***
- B) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) CHEVY SILVERADO 3500 HD CHASSIS CAB TRUCK; WAIVING COMPETITIVE BIDDING; USING THE EXISTING CONTRACTS TO THE STATE WHICH HAD USED COMPETITIVE BIDDING; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR EFFECTIVE DATE.***
- C) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE RECONSTRUCTION OF N.W. 80TH AVENUE BETWEEN NW 98TH STREET AND N.W. 103RD STREET INCLUDING A PORTION OF N.W. 98TH STREET; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GONZALEZ PAVEMENT EQUIPMENT, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVER ABILITY ; AND PROVIDING FOR AN EFFECTIVE DATE.***

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10. **FIRST READING** for consideration of the following proposed ordinance:

- A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR GARDENS COMMERCIAL HOLDINGS LTD.'S PLAT CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT GARDENS COMMERCIAL HOLDINGS, LTD., A FLORIDA LIMITED PARTNERSHIP, UNDER THE UNIFORM PARTNERSHIP LAWS OF THE STATE OF FLORIDA, HAS CAUSED TO BE MADE THE ATTACHED PLAT OF "BJ'S PLAT REPLAT", THE SAME BEING A REPLAT OF A PORTION OF TRACT "E", "BJ'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, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TRACT "E", "BJ'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, LESS THE FOLLOWING DESCRIBED PARCEL: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT "E"; THENCE SOUTH 00 DEGREES 11 MINUTES 12 SECONDS EAST FOR 369.92 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 14 SECONDS EAST FOR 66.05 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 46 SECONDS EAST FOR 138.00 FEET (SAID LAST MENTIONED THREE COURSES BEING COINCIDENT WITH THE EASTERLY BOUNDARY LINE OF SAID TRACT "E"); THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS WEST FOR 84.83 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 33 SECONDS EAST FOR 44.94 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 15 SECONDS WEST FOR 72.68 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 45 SECONDS WEST FOR 287.04 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 48 SECONDS EAST FOR 18.68 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 43 SECONDS WEST FOR 56.14 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS EAST FOR 31.67 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 46 SECONDS WEST FOR 120.00 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 14 SECONDS EAST, ALONG THE***

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NORTH BOUNDARY LINE OF SAID TRACT “E”, FOR 40.92 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN THE SOUTHEAST _ OF SECTION 03, TOWNSHIP 53 SOUTH, RANGE 40 EAST, CITY TO HIALEAH GARDENS, MIAMI DADE COUNTY, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: South of N.W. 98th Street, Northeast of Frontage Road or West Okeechobee Road, Southwest of the existing BJ’s building at Hialeah Gardens)

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

A) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING MIGUEL HADDAD – WAIVER OF PLAT. LEGAL DESCRIPTION: THE EAST _ OF THE WEST _ OF THE WEST _ OF TRACT 6, OF FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1, IN 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, LESS THE NORTH 30 FEET FOR ROAD RIGHT OF WAY. FOLIO #27-2029-001-0061. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.*
(Location: N.W. 133rd Street and East of 102nd Avenue) (P&Z 3-0 T.R.C. 4-0)

B) *ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A SITE PLAN REVIEW AND VARIANCES FOR CLEAR CHANNEL OUTDOOR, INC., AS SUCCESSOR-IN-INTEREST TO AK MEDIA GROUP, INC., CONCERNING THE RELOCATION OF BILLBOARD SIGN LEGALLY DESCRIBED AS: TRACT C AND A PORTION OF TRACT D. ALSO A PORTION OF TRACT A, WAL-MART AT HIALEAH GARDENS, CITY OF HIALEAH GARDENS, MIAMI DADE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 156, AT PAGE 6 SHEET NO. 2 MIAMI DADE COUNTY FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.*
(Location: State Road 826 (Palmetto Expressway) and Wal-Mart at Hialeah Gardens) (P&Z 3-0, T.R.C. 3-0)

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- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR GARDENS COMMERCIAL HOLDING/GARDENS SQUARE PLAZA, CONCERNING PROPERTY LEGALLY DESCRIBED: 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, LESS THE FOLLOWING DESCRIBED PARCEL: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT "E"; THENCE SOUTH 00 DEGREES 11 MINUTES 12 SECONDS EAST FOR 369.92 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 14 SECONDS EAST FOR 66.05 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 46 SECONDS EAST FOR 138.00 FEET (SAID LAST MENTIONED THREE COURSES BEING COINCIDENT WITH THE EASTERLY BOUNDARY LINE OF SAID TRACT "E"); THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS WEST FOR 84.83 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 33 SECONDS EAST FOR 44.94 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 15 SECONDS WEST FOR 72.68 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 45 SECONDS WEST FOR 287.04 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 48 SECONDS EAST FOR 18.68 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 43 SECONDS WEST FOR 56.14 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS EAST FOR 31.67 FEET; THENCE NORTH 00 DEGREES 09 MINUTES 46 SECONDS WEST FOR 120.00 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 14 SECONDS EAST, ALONG THE NORTH BOUNDARY LINE OF SAID TRACT "E", FOR 40.92 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN THE SOUTHEAST _ OF SECTION 03, TOWNSHIP 53 SOUTH, RANGE 40 EAST, CITY TO HIALEAH GARDENS, MIAMI DADE COUNTY, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: South of N.W. 98th Street, Northeast of Frontage Road or West Okeechobee Road, Southwest of the existing BJ's building at Hialeah Gardens) (P&Z 3-0 T.R.C. 4-0)**
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA. GRANTING A SPECIAL EXCEPTION USE TO PERMIT A CHARTER SCHOOL AND SITE PLAN**

AGENDA – JULY 2, 2002 – 7:30 P.M. – COUNCIL CHAMBERS

**REVIEW FOR MATER ACADEMY CHARTER SCHOOL,
CONCERNING PROPERTY ADDRESS: 7901 N.W. 103rd
STREET. FOLIO #27-3003-001-0020; PROVIDING FOR
EFFECTIVE DATE. (Location: 7901 N.W. 103rd Street)
(P&Z 3-0 T.R.C. 6-0)**

12. City Attorney's Report
13. Mayor's Report – Miscellaneous
14. Council Members Concerns/Reports – Miscellaneous
15. Public Comments
16. 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, July 16, 2002, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, July 08, 2002, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, July 03, 2002, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, July 23, 2002, 7:30 P.M.

POLICE PENSION BOARD

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