

Mayor

Yioset De La Cruz

City Council Members

Chairman Luciano "Lucky" Garcia

Vice Chairman Rolando "Roly" Piña

Council member Jorge A. Merida

Council member Jorge Gutierrez

Council member Elmo L. Urra

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

**AGENDA: REGULAR CITY COUNCIL MEETING
HOLLINGSWORTH HALL SENIOR CENTER
JUNE 19, 2007 – 7:30 P.M.**

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 – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Deletions/Emergency Additions**
6. **Review of Minutes:** June 5, 2007
7. **Public Comments**
8. **Presentation by American Cancer Society for Hialeah Gardens Relay for Life Event:** Ms. Nicole Cunningham, Ms. Marla Cervantes, and Mrs. Lilliam Machado
9. **Request for approval of 2COP alcohol beverage license transfer of ownership for Gujor, Inc. dba / El Rincon Criollo, 9605 N.W. 79th Avenue Bays #17 & 18, Hialeah Gardens, Florida:** Ms. Magda Molier, Owner.
10. **Audit Report FY2006-2007:** Mr. Nestor Caballero, Alberni, Caballero and Castellanos, LLP.
11. **Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007, RECOGNIZING A BUDGET EXPENDITURE INCREASE OF \$1,515,135.00 (ONE MILLION FIVE HUNDRED FIFTEEN THOUSAND ONE HUNDRED THIRTY FIVE DOLLARS) FROM THE CITY'S GENERAL FUND SURPLUS AND \$20,000.00 (TWENTY THOUSAND DOLLARS) FROM THE CONTRIBUTION ACCOUNT SURPLUS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) 2006 CHEVROLET DURMAX 36 PASSENGER BUS TO BE USED BY THE HUMAN SERVICES DEPARTMENT; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH FLORIDA TRANSPORTATION SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF TWO (2) 2008 CROWN VICTORIA VEHICLES P71, TO BE USED BY THE POLICE DEPARTMENT; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH DUVAL FORD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF TEN (10) MODEL X-26 ADVANCED TASERS WITH HOLSTERS, EXTENDED BATTERIES AND SOFTWARE TO BE USED BY THE POLICE DEPARTMENT; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH TASER INTERNATIONAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- E) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY COUNCIL, AS

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF HIALEAH FOR ONE YEAR TO REPAIR POLICE VEHICLES FOR THE CITY OF HIALEAH GARDENS AT \$40.00 AN HOUR AND TO ALLOW HIALEAH GARDENS POLICE OFFICERS TO FUEL POLICE VEHICLES AT FIRE STATION NO. 7 AT THE SAME RATE CHARGEABLE TO THE CITY OF HIALEAH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR DENTAL INSURANCE BETWEEN ASSURANT AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

- G) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF A FENCE FOR THE HIALEAH GARDENS POLICE DEPARTMENT TO ISLAND FENCE OF FLORIDA, INC.; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ISLAND FENCE OF FLORIDA, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT FOR THE CONSTRUCTION OF THE CITY HALL BUILDING SHELL; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH E.L.A. IN THE AMOUNT OF \$770,372.46; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

- I) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE RENTAL OF EQUIPMENT TO BE USED FOR THE CITY HALL BUILDING CONSTRUCTION; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AGREEMENTS WITH BOBCAT OF MIAMI, BRIGGS EQUIPMENT AND UNITED RENTALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- J) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT FOR THE PURCHASE AND HAULING OF IMPORT MATERIAL TO BE USED FOR THE CITY HALL BUILDING CONSTRUCTION; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH OVERLAND CARRIERS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- K) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE DISPOSAL OF DEBRIS FROM THE DEMOLITION OF THE FORMER CITY HALL BUILDING; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH LOPEFRA CORPORATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- L) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CONTRACTING OF MCO ENVIRONMENTAL, INC., FOR THE PURPOSE OF COMPLYING WITH REQUESTS FROM DERM FOR ADDITIONAL TESTING AND REPORTING IN THE PROPOSED CONSTRUCTION AREA OF THE GOVERNMENT

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

COMPLEX; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MCO ENVIRONMENTAL, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- M) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING A CHANGE ORDER FOR THE CONSTRUCTION OF N.W. 122ND STREET BETWEEN 97TH AVENUE AND FRONTAGE ROAD; AUTHORIZING THE NECESSARY ADDITIONAL CONCRETE WORK IN ORDER TO COMPLETE THE PROJECT; AUTHORIZING A CHANGE ORDER WITH BARREIRO CONCRETE CORP., IN AN AMOUNT NOT TO EXCEED \$14,736.97; WAIVING OF COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

12. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR FELIX ACOSTA. LEGAL DESCRIPTION: PARENT TRACT: ALL OF TRACT 3, LESS THE WEST 330 FEET THEREOF, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO 1", OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: N.W. 97 AVENUE AND 135 STREET, HIALEAH GARDENS, FLORIDA, FOLIO #: 27-2029-001-0030; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 4-0; P&Z Vote n/a)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF ADOPTING THE STANDARD INDUSTRIAL CLASSIFICATION MANUAL NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) TO CLASSIFY ALL OCCUPATION AND ECONOMIC

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

ACTIVITIES IN THE ENTIRE CITY; TO ADOPT A NEW OCCUPATIONAL LICENSE FEE SCHEDULE FOR THE ENTIRE CITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA GRANTING A SIGN VARIANCE OF POLE MOUNTED SIGN FOR TRIANGLE CREATIONS CONCERNING LEGALLY DESCRIBED AS: LOTS 5 AND THE UNRECORDED PLAT OF "CONGRESS INDUSTRIAL PARK", BEING A PORTION, OF TRACT 8, FLORIDA FRUIT LAND CO.'S SUBDIVISION OF NE. ¼ OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-3003-001-0091. APPROXIMATE LOCATION: 9800 N.W. 77 AVE. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 5-0; P&Z Vote 3-0)**

B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR TRI-GROUP HOLDINGS, LLC. LEGAL DESCRIPTION: TRACT 38 SECTION 19, TOWNSHIP 52 SOUTH, RANGES 40 EAST, OF "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION N° 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. CUT OF PARCEL: A PORTION OF TRACT 38, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGES 40 EAST, OF "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION N°1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 38; THENCE RUN SOUTH 89° 28' 42" WEST, A DISTANCE OF 493.00 FEET ALONG THE SOUTH LINE OF SAID TRACT 38 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE HOMESTEAD

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

EXTENSION OF THE FLORIDA TURNPIKE (STATE ROAD N° 821); THENCE RUN NORTH 02° 14' 42" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 329.96 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 38; THENCE RUN NORTH 89° 28' 47" EAST TO A POINT ON THE EAST LINE OF THE SOUTHWEST ¼ OF SAID SECTION 19, A DISTANCE OF 491.11 FEET, SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 38; THENCE RUN SOUTH 02° 33' 09" EAST, A DISTANCE OF 330.01 FEET ALONG THE EAST LINE OF TRACT 38 AND THE EAST LINE OF THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST TO THE POINT OF BEGINNING. LESS THE EAST 35 FEET THEREOF FOR PUBLIC RIGHT OF WAY. APPROXIMATE LOCATION: BETWEEN N.W. 140 STREET AND N.W. 112TH AVENUE, HIALEAH GARDENS, FLORIDA, FOLIO #: 27-2019-001-0400; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote: 4-0; P&Z Vote: n/a)**

14. **City Attorney's Report**
15. **Mayor's Report – Miscellaneous**
16. **Council Members Concerns/Reports – Board Appointments (Police Pension Board)**
17. **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."

AGENDA – JUNE 19, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER

SCHEDULE OF MEETINGS

July - Recess

CITY COUNCIL

Tuesday, August 7, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, August 13, 2007, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, August 2, 2007, 3:30 P.M.

WATER AND SEWER BOARD

Tuesday, June 26, 2007, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.