

**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  
                                  COUNCIL CHAMBERS  
                                  September 16, 2008 – 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 – SEPTEMBER 16, 2008– 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:** September 2, 2008
7. **Public Comments**
8. **Request for approval of 4 COP alcohol beverage license for Perla Del Sur Restaurant, 9160 N.W. 122<sup>nd</sup> Street Bay 1– 5, Hialeah Gardens, Florida:** Mr. Miguel Angel Toledo, Owner.
9. **Opening of sealed bids for Roadway expansion/drainage improvements of N.W. 122<sup>nd</sup> Street from N.W. 97<sup>th</sup> Avenue to Hialeah Gardens Boulevard (Bid No. PW 08-120):** Mr. Joe Lopez, Public Works Director.
10. **Proposed Resolutions:**
  - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE RENEWAL OF AN AGREEMENT FOR THE CITY'S PROPERTY, LIABILITY, AUTOMOBILE AND WORKER'S COMPENSATION INSURANCE BETWEEN THE FLORIDA LEAGUE OF CITIES AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
  - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR THE CITY'S HEALTH INSURANCE BETWEEN VISTA HEALTH PLAN AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

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- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR THE CITY'S SUPPLEMENTAL HEALTH INSURANCE BETWEEN COLONIAL SUPPLEMENTAL INSURANCE AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

**11. First Reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR METRO BANK OF DADE COUNTY, FOR A TEMPORARY BANK FACILITY, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT "B" OF "DON QUIJOTE PLAZA", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 157, AT PAGE 1, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOLIO #27-2032-015-0020. LOCATION: BETWEEN 98 AVENUE AND OKEECHOBEE ROAD, HIALEAH GARDENS, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 3-0)

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES BY MODIFYING AND AMENDING CHAPTER 46, TAXATION AND FINANCE, TO (1) ADOPT A NEW REVISED AND RESTRUCTURED FEE SCHEDULE AND CLASSIFICATION SYSTEM FOR "OCCUPATIONAL LICENSE TAXES" (HENCEFORTH TO BE KNOWN AS "LOCAL BUSINESS TAXES"), AND (2) TO CONFORM WITH REVISIONS TO FLORIDA STATUTES CHAPTER 5 BY CHANGING ALL REFERENCES IN THE CITY CODE OF ORDINANCES FROM "OCCUPATIONAL LICENSE TAX" TO "LOCAL BUSINESS TAX" AND FROM "OCCUPATIONAL LICENSE" TO "LOCAL BUSINESS TAX RECEIPT"; PROVIDING FOR EFFECTIVE DATE.

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009, AT 4.9 MILLS, WHICH IS A DECREASE OF 2.29% OVER THE ROLL BACK RATE SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PARK TRUST FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PUBLIC SAFETY IMPACT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER UTILITY FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STREETS AND ROADS FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

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- H) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE WATER AND SEWER DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- I) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE CITIZEN'S INDEPENDENT TRANSPORTATION TRUST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
13. **City Attorney's Report**
14. **Mayor's Report – Miscellaneous Board Appointment (Personnel Review Board)**
15. **Council Members Concerns / Reports - Board Appointments (Personnel Review Board and Police Pension Board)**
16. **Adjournment**

Agenda certified by:

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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 MEETINGS**

**CITY COUNCIL**

Tuesday, October 7, 2008, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, October 6, 2008, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, October 9, 2008, 11:30 A.M.

**WATER AND SEWER BOARD**

Tuesday, September 23, 2008, 7:00 P.M.

**POLICE PENSION BOARD**

Monday, December 15, 2008, 5:30 P.M.