

Mayor

Yiofet De La Cruz

City Council Members

Chairman Luciano "Lucky" García

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
 DECEMBER 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.

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1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Deletions/Emergency Additions**
6. **Review of Minutes:** December 2, 2008
7. **Public Comments**
8. **Request for transfer of ownership for 2COP alcohol beverage license for Gujor Inc. /dba/ El Rincon Criollo, 9605 N.W. 79 Avenue Bay No. 17 – 18, Hialeah Gardens, FL:** Ms. Zenaida Castillo, Owner.
9. **Opening of sealed bids for DVD duplication of the City's 60th Anniversary commemorative video: (RFP No. 2008-09):** Mr. Marcos Piloto, O.M.B. Director.
10. **Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF (1) 2009 CROWN VICTORIA VEHICLE; WAIVING COMPETITIVE BIDDING; 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 GUS MACHADO FORD; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.
 - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) 2008 DODGE RAM 1500 VEHICLE; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH RIVERA DODGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) 2009 FORD EXPLORER SPORTS UTILITY VEHICLE TO BE USED BY THE PARKS DEPARTMENT; WAIVING COMPETITIVE BIDDING; 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 GUS MACHADO 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 TWO (2) 2009 FORD F-150 TRUCKS AND ONE (1) 2009 FORD F-150 XL 4X2 CREW CAB TRUCK TO BE USED BY THE MAINTENANCE DEPARTMENT; WAIVING COMPETITIVE BIDDING; 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 GUS MACHADO FORD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO AGREEMENTS WITH SELECTED CONTRACTORS FOR THE REHABILITATION OF QUALIFIED OWNER-OCCUPIED CONDOMINIUM UNITS AT THE SAMARI LAKE EAST CONDOMINIUMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND

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ENDING SEPTEMBER 30, 2008. RECOGNIZING A BUDGET INCREASE OF \$2,155,400.00 (TWO MILLION ONE HUNDRED FIFTY FIVE THOUSAND FOUR HUNDRED) AS A RESULT OF A REQUIRED DEVELOPER CONTRIBUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

G) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH GROUND KEEPERS, INC. FOR THE PURCHASE OF BAHIA SOD TO BE USED THROUGHOUT THE BASEBALL FIELDS LOCATED AT WESTLAND GARDENS PARK; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH GROUND KEEPERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING AND RATIFYING THE ENTERING INTO AN AGREEMENT WITH SOIL TECH DISTRIBUTORS, INC., FOR THE PURCHASE OF CLAY TO BE USED THROUGHOUT THE BASEBALL FIELDS LOCATED AT WESTLAND GARDENS PARK; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING CITY OF FT. LAUDERDALE CONTRACT; RATIFYING THE DECISION TO ENTER INTO AN AGREEMENT WITH SOIL TECH DISTRIBUTORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

11. First Reading for consideration of the following ordinances:

A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR HIALEAH REY PIZZA INC., ROMA HOLDING #4, LLC. LOCATED AT 8790 N.W. 122 STREET, HIALEAH GARDENS, FL 33018, TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES (WINE AND BEER) TO BE

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CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (P&Z Vote: 4-0; TRC Vote: 6-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR LOS JARDINES ESTATES CORPORATION CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 22, LESS THE WEST 30.00 FEET THEREOF, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIÓN N° 1, IN 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. TOGETHER WITH: TRACT 23, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIÓN No. 1, IN 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. TOGETHER WITH: TRACT 24, LESS THE WEST 30.00 FEET, LESS THE SOUTH 30.00 FEET AND LESS THE EAST 30.00 FEET THEREOF, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIÓN No. 1, IN 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. FOLIOS: 27-2029-001-0230, 27-2029-001-0245, 27-2029-001-0240 AND 27-2029-001-0250, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (P&Z Vote: n/a; TRC Vote: 4-0)

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, CREATING A SECTION ENTITLED "OUTDOOR EVENTS" IN THE CITY LAND DEVELOPMENT REGULATIONS BY CREATING SECTION 78-103; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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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:

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, January 6, 2009, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, January 12, 2009, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, January 8, 2009, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, January 27, 2009, 7:00 P.M.

POLICE PENSION BOARD

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