

Mayor
Yioset de la Cruz

City Council Members
Chairman Luciano “Lucky” Garcia
Vice Chairman Rolando “Roly” Piña
Council member Manuel “Manny” Zardon
Council member Jorge A. Merida
Council member Jorge Gutierrez

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

**AGENDA: REGULAR CITY COUNCIL MEETING
September 16, 2003 – 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.

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, 2003 – 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 4, 2003
7. **Public Comments**
8. **Recommendation on Bid No. #03-08 Waste Collection and Recycling Bins and Receptacles:** Mr. Marcos Piloto, O.M.B. Director.
9. **Proposed Resolutions:**
 - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE CONSTRUCTION OF N.W. 133RD STREET BETWEEN 98TH AND 102ND AVENUE; AUTHORIZING THE INSTALLATION OF A RETENTION SWALE AND THE CONSTRUCTION OF 2,000 LINEAR FEET OF ROADWAY IN THE AMOUNT OF \$82,210.00; WAIVING COMPETITIVE BIDDING FOR THE PAVING PORTION OF THE PROJECT NOT TO EXCEED \$22,050.00; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.***
10. **First Reading for consideration of the following ordinances:**
 - A) ***AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR ROSDAY CORPORATION FRONTIER SUBDIVISION. LEGALLY DESCRIBED AS: A PORTION OF THE EAST 185.00 FEET OF THE WEST 845.00 FEET OF TRACT 1, SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO.1", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. FOLIO #: 27-2033-001-0015***

AGENDA –SEPTEMBER 16, 2003 – 7:30 P.M. – COUNCIL CHAMBERS

PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 121 Street and N.W. 122 Street, West of N.W. 87 Avenue) (T.R.C. Vote: 6-0; P & Z Vote: 3-0)

- B) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR FRONTIER DEVELOPMENT, AUTOZONE STORE DEVELOPMENT CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF THE EAST 185.00 FEET OF THE WEST 845.00 FEET OF TRACT 1, SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO.1”, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. FOLIO #: 27-2033-001-0015 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.** (Location: Between N.W. 121 Street and N.W. 122 Street, West of N.W. 87 Avenue) (T.R.C. Vote: 5-0; P & Z Vote: 2-1)
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AN SPECIAL EXCEPTION USE FOR BERNIE MARIBONA TO PERMIT RETAIL OR PERSONAL SERVICE USES IN COMMERCIAL BUILDING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT “A” OF “SECOND ADDITION TO RO-JEN ESTATES”, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 118, PAGE 89 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LOCATION: 12963 WEST OKEECHOBEE ROAD. FOLIO # 27-2029-007-0040 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.** (Location: 12963 West Okeechobee Road) (T.R.C. Vote: 5-0; P & Z Vote 3-0)
- D) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT CHANGING THE LAND USE FROM EU (ESTATE RESIDENTIAL) TO LDR (LOW DENSITY RESIDENTIAL DISTRICT) FOR THE APPROXIMATE 8.37 ACRES PARCEL. LEGAL DESCRIPTION: THE EAST _ OF THE WEST _ OF THE WEST _ OF TRACT 8 AND THE EAST _ OF THE WEST _ OF TRACT 8, FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 1, ACCORDING TO THE PLAT**

AGENDA –SEPTEMBER 16, 2003 – 7:30 P.M. – COUNCIL CHAMBERS

THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA TOGETHER WITH THE EAST _ OF TRACT 8, LESS THE EAST 50 FEET FOR CANAL RIGHT OF WAY, 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. APPROXIMATE LOCATION: NORTH OF NW 130 STREET, BETWEEN NW 97 & NW 99 AVENUES. FOLIO'S: # 27-2029-001-0090, 27-2029-001-0092, 27-2029-001-0080; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (Location: North of N.W. 130 Street, between N.W. 97 & N.W. 99 Avenues) (T.R.C. Vote: 5-0; P & Z Vote: 0-3 Denied)

11. Second Reading/Public Hearing for consideration and final adoption of the following ordinances.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004 AT 6.12 MILLS, SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.**

- B) 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, 2003 AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

- C) 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, 2003 AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

AGENDA –SEPTEMBER 16, 2003 – 7:30 P.M. – COUNCIL CHAMBERS

- D) 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, 2003 AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER DRAIN FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

12. **City Attorney's Report**
13. **Mayor's Report – Miscellaneous**
14. **Council Members Concerns/Reports – Miscellaneous**
15. **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, October 7, 2003, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 14, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, October 8, 2003, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, September 23, 2003 7:00 P.M.

POLICE PENSION BOARD

Wednesday, November 12, 2003, 7:00 P.M.