

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 2, 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:** August 5, 2008
7. **Public Comments**
8. **Presentation of Distinguished Public Service Award to Master Daniel Espinosa, and Certificates of Recognition to students of Lion Heart Martial Arts School:** Mayor Yioiset De La Cruz.
9. **Presentation of Distinguished Public Service Awards to Mr. Dwayne Novak and Mr. Raul Cortina of Wal-Mart Super Store:** Mayor Yioiset De La Cruz.
10. **Proposed Resolution:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE FRATERNAL ORDER OF POLICE COMMENCING UPON THE RATIFICATION OF BOTH PARTIES AND EXPIRING ON SEPTEMBER 30, 2010; PROVIDING FOR THE IMPLEMENTATION OF SUCH AGREEMENT; 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, 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

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WITH REVISIONS TO FLORIDA STATUTES CHAPTER 205 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.

- 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.

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- 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.

 - 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.
- 11. Second Reading / Public Hearing for consideration and final adoption of the following ordinance:**
- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR FDC COMMERCIAL PARK CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF TRACT Z OF SHOMA COMMERCIAL REPLAT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161 AT PAGE 100 OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; TOGETHER WITH A PORTION OF TRACT Y OF SAID PLAT; AND TOGETHER WITH A PORTION OF TRACT "C", HOME DEPOT-HIALEAH GARDENS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 166 AT PAGE 62 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. SAID LANDS BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A. FOLIO #: 27-2030-015-0090. LOCATION: 10990 N.W. 138 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

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12. **City Attorney’s Report**
13. **Mayor’s Report – Miscellaneous – Board Appointment (Personnel Review Board)**
14. **Council Members Concerns / Reports - Board Appointments (Personnel Review Board)**
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 MEETINGS

CITY COUNCIL

Tuesday, September 16, 2008, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 8, 2008, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 4, 2008, 11:30 A.M.

WATER AND SEWER BOARD

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

POLICE PENSION BOARD

T.B.A.