

Mayor

Yioset 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
Tuesday, May 1, 2012 – 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:** April 17, 2012
- 7. Public Comments**
- 8. Proposed Resolutions:**
 - A) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA, EMPLOYING THE SERVICES OF MR. ARMANDO ABREU, EXPERIENCED AND INTERESTED CITIZEN IN THE AFFAIRS OF CODE ENFORCEMENT, PURSUANT TO THE REQUIREMENTS OF CHAPTER 162 OF THE FLORIDA STATUTES AND CITY CODE SECTION 2-240; PROVIDING FOR EFFECTIVE DATE.
 - B) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA SUPPLEMENTING ORDINANCE NO. 2012-08 ENACTED BY THE CITY ON MAY 1, 2012, WHICH AUTHORIZED THE BORROWING BY THE CITY OF NOT TO EXCEED \$4,100,000, SUCH BORROWING TO BE EVIDENCED BY A UTILITIES SYSTEM REVENUE NOTE, SERIES 2012 OF THE CITY, FOR THE PURPOSE OF (A) FINANCING ALL OR A PART OF THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM AND (B) PAYING THE COSTS OF ISSUANCE OF THE NOTE; ACCEPTING THE PROPOSAL OF TD BANK, N.A. TO PROVIDE THE CITY WITH A LOAN IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,100,000 FOR SUCH PURPOSE; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH SAID BANK

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PURSUANT TO WHICH THE CITY WILL ISSUE THE NOTE TO SECURE THE REPAYMENT OF SAID LOAN AND WILL PLEDGE TO THE PAYMENT OF THE NOTE CERTAIN PLEDGED FUNDS, INCLUDING THE NET REVENUES OF SUCH SYSTEM, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS AND ACCOUNTS CREATED UNDER SUCH LOAN AGREEMENT AND THE EARNINGS ON SUCH INVESTMENTS; AUTHORIZING THE ISSUANCE OF THE NOTE IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,100,000 PURSUANT TO THE LOAN AGREEMENT TO SECURE THE REPAYMENT OF SAID LOAN; DESIGNATING SUCH NOTE FOR THE EXCEPTION TO THE PROVISIONS CONTAINED IN THE INTERNAL REVENUE CODE OF 1986 WHICH DENY FINANCIAL INSTITUTIONS ANY DEDUCTIONS FOR INTEREST EXPENSE ALLOCABLE TO TAX-EXEMPT OBLIGATIONS; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS IN CONNECTION WITH SAID LOAN; AND PROVIDING AN EFFECTIVE DATE.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CITY MAYOR TO ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM CONTRACT AWARD MDCACP, COUNTY PRISONER PROCESSING PROJECT INTERFACE, A-FORM, FY 2012: PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE NORTHWEST DISTRICT ROADWAY IMPROVEMENTS; AUTHORIZING AN AGREEMENT WITH NORTAX EQUIPMENT CO. INC. FOR THE PURCHASE OF A JOHN DEERE 225D EXCAVATOR, JOHN DEERE 544K WHEEL LOADER, JOHN DEERE 350GLC EXCAVATOR, JOHN DEERE 225D EXCAVATOR IN A TOTAL AMOUNT OF \$645,797.00; WAIVING OF COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT WITH THE FLORIDA SHERIFFS ASSOCIATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE NORTHWEST DISTRICT ROADWAY IMPROVEMENTS; AUTHORIZING AN AGREEMENT WITH CWI PIPELINE, INC. FOR THE PURCHASE OF A VERMEER MODEL T-755 ROCK TRENCHER IN THE AMOUNT OF \$140,000.00; WAIVING OF COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ENTERING INTO AN AGREEMENT WITH INSTITUFORM TECHNOLOGIES, INC FOR REPAIRING MAINS THAT WERE IDENTIFIED AS PART OF THE INFILTRATION AND FLOW STUDY MANDATED BY THE SECOND CONSENT DECREE AND OVERSEEN BY MIAMI-DADE COUNTY DERM; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH INSTITUFORM TECHNOLOGIES, INC; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING MUNICIPAL CONTRACT WITH THE CITY OF HIALEAH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR TRIANGLE VENTURE SUBDIVISION, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PORTION OF TRACT 33 LYING NORTHEASTERLY OF STATE ROAD S.R. 25 (U.S. 27) LESS THE NORTH 100.00 FEET THEREOF, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" IN SECTION 3, TOWNSHIP 53 SOUTH , RANGE 40 EAST , ACCORDING TO THE PLAT THEREOPF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE EAST 200.06 FEET. FOLIO: 27-3003-001-0431; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 5-0; P&Z Vote: 5-0)

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78 ENTITLED LAND USE REGULATIONS ARTICLE VI, TRANSPORTATION, PARKING AND LOADING REQUIREMENTS, TO ADD RATIO OF PARKING SPACES NEEDED FOR INDUSTRIAL USES ENTITLED WAREHOUSE / INDUSTRIAL UNDER SECTION 78-141 (b) TABLE OF OFF-STREET PARKING REQUIREMENTS ; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

10. Second Reading / Public Hearing for consideration and final adoption of the following ordinances:**Tabled: 11/01/2012**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT OR TENTATIVE PLAT FOR DIEGO LLANOS. LEGAL DESCRIPTION: A PORTION OF TRACT 7 OF FORREST FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 6 OF THE PUBLIC RECORDS OF MIAMI - DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 7; THENCE S89°43'01"W ALONG THE NORTH LINE OF SAID TRACT FOR 135.00 FEET TO THE POINT OF BEGINNING OF TRACT OF LAND HEREINAFTER DESCRIBED; THENCE S14°13'03"W FOR 221.29 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD No. 25, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY

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MAP No. 87090-2518; THENCE N50°59'15"W ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID STATE ROAD FOR 113.76 FEET; THENCE N20°18'59"E FOR 151.90 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 7; THENCE N89°43'01"E ALONG THE NORTH LINE OF SAID TRACT 7 FOR 90.00 FEET; TO THE POINT OF BEGINNING. CONTAINING 0.409 ACRES MORE OR LESS. APPROXIMATE LOCATION: BETWEEN WEST OKEECHOBEE ROAD AND NW 120 STREET AND WEST OF NW 99TH AVENUE, HIALEAH GARDENS, FLORIDA, FOLIO: 27-2032-002-0080; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 6-0; P&Z Vote: n/a)

- B) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA; AUTHORIZING THE BORROWING BY THE CITY OF NOT TO EXCEED \$4,100,000, SUCH BORROWING TO BE EVIDENCED BY A UTILITY SYSTEM REVENUE NOTE OF THE CITY, FOR THE PURPOSE OF (A) FINANCING ALL OR A PART OF THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM AND (B) PAYING THE COSTS OF ISSUANCE OF THE NOTE; AUTHORIZING THE ISSUANCE OF THE NOTE IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,100,000; PLEDGING TO THE PAYMENT OF THE NOTE CERTAIN PLEDGED FUNDS, INCLUDING THE NET REVENUES OF SUCH SYSTEM, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS AND ACCOUNTS CREATED UNDER THE RELATED LOAN AGREEMENT AND THE EARNINGS ON SUCH INVESTMENTS; MAKING CERTAIN OTHER COVENANTS FOR THE BENEFIT OF THE HOLDER OF THE NOTE; AND PROVIDING AN EFFECTIVE DATE.

11. City Attorney's Report**12. Mayor's Report – Miscellaneous****13. Council Members Concerns / Reports / Board Appointments****14. Adjournment**

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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, May 15, 21012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, May 7, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, May 3, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, May 23, 2012, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, May 1, 2012, 5:30 P.M.