

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, September 4, 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:** August 21, 2012
- 7. Public Comments**
- 8. First Reading for consideration of the following ordinances:**
 - A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013, AT 5.3812 MILLS, WHICH IS 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.
 - B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013; 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, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

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- D) 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, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- E) 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, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- F) 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, 2012 AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- G) 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, 2012, AND ENDING SEPTEMBER 30, 2013; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APROVING A SITE PLAN FOR DIEGO LLANOS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: 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

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NORTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO 25, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY 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; FOLIO: 27-2032-002-0080, APPROXIMATE LOCATION: BETWEEN WEST OKEECHOBEE ROAD AND NW 120 STREET AND WEST OF NW 99TH AVENUE., HIALEAH GARDENS, FL, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote 3-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF HIALEAH GARDENS APPROVING THE REZONING OF +-10 ACRES APPROXIMATE LOCATED BETWEEN NW 107TH AVENUE AND THEORETICAL NW 109TH AVENUE AND BETWEEN THEORETICAL NW 140 STREET AND THEORETICAL NW 142 STREET, HIALEAH GARDENS, FL. FROM IN-1(LIGHT INDUSTRIAL) TO IN-2 (HEAVY INDUSTRIAL). DECLARING THIS ZONING MAP AMENDED TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF HIALEAH GARDENS PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. FOLIO #: 27-2019-001-0610. (TRC Vote: 5-0; P&Z Vote 3-0)
- 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.

Tabled: 08/21/2012

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR YHOAN & NORMA PITALUGA. LEGAL DESCRIPTION: THE EAST 1/2 OF THE WEST 1/2 OF THE WEST OF 1/2 OF TRACT 5, SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN

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PLAT BOOK 2, PAGE 17, RECORDED IN MIAMI-DADE COUNTY, FLORIDA, FOLIO #:27-2029-001-0053. CONTAINING 49,489.16 SQUARE FEET OR 1.1 ACRES, MORE OR LESS. APPROXIMATE LOCATION: NORTH SIDE OF NW 133RD STREET AND BETWEEN THEORETICAL NW 99TH AVENUE AND NW 97TH AVENUE, HIALEAH GARDENS, FL. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

- 10. City Attorney's Report**
- 11. Mayor's Report – Miscellaneous**
- 12. Council Members Concerns / Reports / Board Appointments**
- 13. 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 18, 2012, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 10, 2012, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 6, 2012, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, September 26, 2012, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 6, 2012, 5:30 P.M.