

**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  
Wednesday, September 21, 2011 – 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.

**AGENDA –September 21, 2011 – 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 6, 2011
- 7. Public Comments**
- 8. Discussion of construction bids for improvements to NW District:**  
Mr. Joe Lopez, Public Works Director.
  - **PW-11-100 NW District Infrastructure Improvements Roadways**
  - **PW-11-110 NW District Infrastructure Improvements Sewer Collection**
  - **PW-11-120 NW District Infrastructure Improvements Water Distribution**
- 9. Discussion of waiver of Miami-Dade County Section 2-11.1(w) concerning travel expenses:** Mr. Charles A. Citrin, City Attorney.
- 10. Proposed Resolutions:**
  - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE EXTENSION OF A CONTRACT WITH ALBERNI CABALLERO & COMPANY, LLP AS THE CITY AUDITORS; AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION BETWEEN THE CITY OF HIALEAH GARDENS AND ALBERNI CABALLERO & COMPANY, LLP; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
  - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING AND RATIFYING THE AGREEMENT FOR THE CITY'S HEALTH INSURANCE BETWEEN COVENTRY HEALTH CARE PLAN AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

**AGENDA –September 21, 2011 – 7:30 P.M. -COUNCIL CHAMBERS****11. First Reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78 OF THE CODE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AS AMENDED, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY CREATING A NEW SECTION 78-178 ENTITLED "OPT-OUT OF MIAMI-DADE COUNTY CODE FOR BILLBOARDS IN PROXIMITY TO EXPRESSWAYS"; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR DON CAMARON SEAFOOD GRILLE & MARKET RESTAURANT, LOCATED AT 9491 NW 77<sup>th</sup> COURT, HIALEAH GARDENS, FL. TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES 4COP TO BE CONSUMED ON THE PREMISES; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE.
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE ZONING MAP OF THE CITY (CITY INITIATED APPLICATION), APPROVING THE REZONING OF APPROXIMATELY 108.03 ACRES GENERALLY LOCATED ON THE WEST SIDE OF NW 112 AVENUE AND HEFT (HOMESTEAD EXTENSION FLORIDA TURNPIKE) AND NW 138 STREET AND THEORETICAL NW 150 STREET AND BETWEEN EAST OF NW 112 AVENUE AND WEST OF NW 107 AVENUE BETWEEN THEORETICAL NW 147 STREET AND THEORETICAL NW 152 STREET. FOLIOS #: 27-2019-001-0430, 27-2019-001-0420, 27-2019-001-0410, 27-2019-001-0400, 27-2019-001-0395, 27-2019-001-0380, 27-2019-001-0372, 27-2019-001-0371, 27-2019-001-0373, 27-2019-001-0360, 27-2019-001-0350, 27-2019-001-0260, 27-2019-001-0240, 27-2019-001-0231, 27-2019-001-0220, 27-2019-001-0150, 27-

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2019-001-0160, 27-2019-001-0121, 27-2019-001-0130, 27-2019-001-0120, 27-2019-001-0110, 27-2019-001-0100, 27-2019-001-0050, 27-2019-001-0063, 27-2019-001-0062, 27-2019-001-0061, 27-2019-001-0060 AND 27-2019-001-0070; FROM MU-E (MIXED USE ENTERTAINMENT) TO IN-1 (LIGHT 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.

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ESTABLISHING A NW DISTRICT DEBT SERVICE FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, PROVIDING FOR EFFECTIVE DATE.
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ESTABLISHING A NW DISTRICT SPECIAL ASSESSMENT CAPITAL IMPROVEMENT FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, PROVIDING FOR EFFECTIVE DATE.
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012, AT 5.588 MILLS, WHICH IS A DECREASE OF .02% OF 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.
- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

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- G) 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, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- H) 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, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- I) 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, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- J) 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, 2011 AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- K) 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, 2011, AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- L) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE NW DISTRICT DEBT SERVICE FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

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- M) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE NW DISTRICT SPECIAL ASSESSMENT CAPITAL IMPROVEMENT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

**13. City Attorney's Report**

**14. Mayor's Report – Miscellaneous**

**15. Council Members Concerns / Reports / Board Appointments:**

**16. Adjournment**

Agenda certified by:

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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,, October 4, 2011, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, September 26, 2011, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, October 6, 2011, 11:30 A.M.

**WATER AND SEWER BOARD**

Wednesday, September 28, 2011, 7:00 P.M.

**POLICE PENSION BOARD**

T.B.A.