

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. Urrea

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

**AGENDA: REGULAR CITY COUNCIL MEETING
HOLLINGSWORTH HALL SENIOR CENTER
MAY 1, 2007 – 7:30 P.M.
IMMEDIATELY FOLLOWING H.F.A MEETING**

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, 2007
7. **Public Comments**
8. **Recommendation for Police Station Fencing RFP No. PW-07-B110:** Mr. Joe Lopez, Public Works Director.
9. **Proposed Resolutions:**
 - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY TRANSIT SYSTEM SURTAX PROCEEDS LEVIED BY MIAMI-DADE COUNTY ATTACHED HEREIN AS EXHIBIT “A”; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***
 - B) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY FIREWORKS ENTERTAINMENT TO ADD FIRE, INC., FOR THE CITY’S INDEPENDENCE DAY CELEBRATION; UTILIZING AN EXISTING MUNICIPAL CONTRACT FROM THE CITY OF NORTH BAY VILLAGE AS ALLOWED BY ORDINANCE 2002-54; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE AN AGREEMENT WITH ADD FIRE, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.***

AGENDA – MAY 1, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER**10. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR “FDC FLORIDA INVESTMENT INC.”, CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF TRACT “Z” OF “SHOMA COMMERCIAL REPLAT” ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 61 PAGE 100 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA; TOGETHER WITH THE PORTION OF TRACT “Y” OF SAID PLAT; AND TOGETHER WITH A PORTION OF VACATED RIGHT-OF-WAY OF NW 112TH COURT (PER ORDINANCE # 2006-23 ADOPTED AUGUST 1, 2006 M.D.C.). SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID TRACT “Z”, SAID POINT BEING ON THE SOUTHEAST RIGHT-OF-WAY LINE OF N.W. 138TH STREET; THENCE S50° 59’ 15” E ON THE NORTHERLY LINE OF SAID TRACT “Z” AND ITS EASTERLY EXTENSION FOR 327.81 FEET TO THE INTERSECTION WITH A LINE LYING 11.28 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF SAID TRACT “Z”; THENCE S39° 00’ 45” W FOR 225.83 FEET TO THE INTERSECTION WITH THE SOUTHEASTERLY LINE OF TRACT “Y”; THENCE N50° 59’ 15” W ON SAID SOUTHWESTERLY LINE AND ON THE SOUTHERLY LINE OF TRACT “Z” FOR 74.05 FEET S39° 00’ 45” W FOR 35.00’ TO THE INTERSECTION WITH THE CENTERLINE OF THE AFOREMENTIONED VACATED RIGHT-OF-WAY, THENCE N50° 59’ 15” W ON SAID CENTERLINE FOR 253.62 FEET TO THE INTERSECTION WITH THE AFOREMENTIONED SOUTHEAST RIGHT-OF-WAY LINE OF NW 138TH STREET; THENCE N38° 50’ 58” E ON SAID RIGHT-OF-WAY LINE AND ON THE NORTHWESTERLY OF SAID TRACT “Z” FOR 260.83’ FEET TO THE POINT OF BEGINNING, CONTAINING 82,891 SQUARE FEET, 1.9029 ACRES; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)**

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR TRI-GROUP HOLDINGS, LLC. LEGAL DESCRIPTION: TRACT 38 SECTION 19, TOWNSHIP 52 SOUTH, RANGES 40 EAST, OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION N° 1”, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. CUT OF PARCEL: A PORTION OF TRACT 38, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGES 40 EAST, OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION N°1”, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 38; THENCE RUN SOUTH 89° 28’ 42” WEST, A DISTANCE OF 493.00 FEET ALONG THE SOUTH LINE OF SAID TRACT 38 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE (STATE ROAD N° 821); THENCE RUN NORTH 02° 14’ 42” WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 329.96 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT 38; THENCE RUN NORTH 89° 28’ 47” EAST TO A POINT ON THE EAST LINE OF THE SOUTHWEST ¼ OF SAID SECTION 19, A DISTANCE OF 491.11 FEET, SAID POINT BEING THE NORTHEAST CORNER OF SAID TRACT 38; THENCE RUN SOUTH 02° 33’ 09” EAST, A DISTANCE OF 330.01 FEET ALONG THE EAST LINE OF TRACT 38 AND THE EAST LINE OF THE SOUTHWEST ¼ OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST TO THE POINT OF BEGINNING. LESS THE EAST 35 FEET THEREOF FOR PUBLIC RIGHT OF WAY. APPROXIMATE LOCATION: BETWEEN N.W. 140 STREET AND N.W. 112TH AVENUE, HIALEAH GARDENS, FLORIDA, FOLIO #: 27-2019-01-0400; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)**

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- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, APPROVING AND TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) THE APPLICATION REQUESTING AN AMENDMENT 07-01 TO THE FUTURE LAND USE MAP OF PROPERTY OWNER INITIATED FROM EU (ESTATE RESIDENTIAL DISTRICT) TO LDR (LOW DENSITY RESIDENTIAL DISTRICT). LEGAL DESCRIPTION: TRACT 22 LESS THE WESTERLY 30.00 FEET, ALL OF TRACT 23, AND TRACT 24 LESS THE EAST 30.00 FEET, THE SOUTH 30.00 FEET AND LESS THE WEST 30.00, IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF FLORIDA FRUIT LANDS COMPANY'S 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: BETWEEN NW 130TH & NW 133RD STREETS, BETWEEN NW 102ND & NW 104TH AVENUES. FOLIOS: 27-2029-001-0240, 27-2029-001-0245, 27-2029-001-0230, 27-2029-001-0250; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 1-3)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR LA ALAMEDA. LEGAL DESCRIPTION: A PORTION OF TRACT 57, OF FLORIDA FRUIT LAND CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST. DEED LEGAL DESCRIPTION: A PORTION OF LAND OF TRACT 57, OF FLORIDA FRUIT LAND CO. SUBDIVISION, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT 57; THENCE SOUTH 89°42'37" WEST ALONG THE SOUTH LINE OF SAID TRACT 57, A DISTANCE**

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OF 519.58 FEET TO THE SOUTHWESTERLY CORNER OF THE SUBDIVISION OF BILTMORE VILLAS III, AS RECORDED IN PLAT BOOK 135, AT PAGE 91 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA BEING AT THE SAME TIME THE POINT OF BEGINNING OF THE HEREIN AFTER PORTION OF LAND; THENCE CONTINUING SOUTH 89°42'37" WEST, ALONG SAID TRACT 57, A DISTANCE OF 319.00 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 25 (OKEECHOBEE ROAD); THENCE NORTH 50°59'16" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF SAID TRACT 57; THENCE NORTH 89°42'37" EAST, ALONG SAID NORTHERLY LINE OF SAID TRACT 57, A DISTANCE OF 599.33 FEET TO THE NORTHWESTERLY CORNER OF SAID SUBDIVISION OF BILTMORE VILLAS SECTION III; THENCE (THE FOLLOWING 4 COURSES ARE RUNNING ALONG THE WESTERLY BOUNDARY OF SAID PLAT BILTMORE VILLAS SECTION III) SOUTH 02°35'05" EAST A DISTANCE OF 97.76 FEET; THENCE SOUTH 50°59'16" EAST, A DISTANCE OF 19.34 FEET, THENCE CONTINUESOUTH 50°59'16" EAST, A DISTANCE OF 127.20 FEET, THENCE SOUTH 02°35'05" EAST, A DISTANCE OF 139.59 FEET TO THE POINT OF BEGINNING. FOLIO #: 27-2029-001-0430; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR FDC FLORIDA INVESTMENT INC. / SHOPPING CENTER. LEGAL DESCRIPTION: TRACT Z, OF SHOMA COMMERCIAL SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE PLAT BOOK 161 AT PAGE 100 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: CORNER OF 138TH STREET NW AND 112TH COURT. FOLIO #: 27-2030-015-0090, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 4-0)**

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Tabled (11-17-06)

C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE COMPREHENSIVE PLAN AS AMENDED BY THE 2006 EVALUATION AND APPRAISAL REPORT-BASED AMENDMENTS; AUTHORIZING TRANSMITTAL TO REVIEW AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

12. **City Attorney’s Report**

13. **Mayor’s Report – Miscellaneous**

14. **Council Members Concerns/Reports – Board Appointments (Police Pension 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, May 15, 2007, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, May 7, 2007, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, May 10, 2007, 3:30 P.M.

WATER AND SEWER BOARD

Tuesday, May 22, 2007, 7:00 P.M.

POLICE PENSION BOARD

Monday, May 21, 2007, 6:00 P.M.