

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 15, 2007 – 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:** May 1, 2007
7. **Public Comments**
8. **Request for approval to retain the services of a qualified engineering firm (approved by Miami Dade County) to conduct hydraulic study of water supply and water pressure in the annexed area:** Mr. Albert Nielson, Water and Sewer Department Director.
9. **Approval of Water and Sewer Extension Agreement between Triangle Property Venture, Inc., and the City of Hialeah Gardens to serve Jeanette Cove First Addition located at N.W. 98 Street and N.W. 82 Avenue:** Mr. Albert Nielson, Water and Sewer Department Director.
10. **Proposed Resolution:**
 - A) ***RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH MIAMI-DADE COUNTY IN WHICH THE CITY (THROUGH THE WATER AND SEWER DEPARTMENT) AGREES TO PAY MIAMI-DADE COUNTY ONE HUNDRED THOUSAND (\$100,000) DOLLARS OVER FIVE (5) YEARS IN FIVE (5) EQUAL ANNUAL INSTALLMENTS OF TWENTY THOUSAND (\$20,000) DOLLARS EACH BEGINNING OCTOBER 1, 2007 AND EACH OCTOBER 1 THEREAFTER FOR FOUR ADDITIONAL YEARS IN FULL AND COMPLETE SATISFACTION OF THE CITY'S OBLIGATION TO REPAY "IN WHOLE OR IN PART THE "OVERSIZING CREDIT" DESCRIBED IN THE FEBRUARY 20, 1996, CONTRACT BETWEEN THE CITY AND MIAMI DADE COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.***

AGENDA – MAY 15, 2007– 7:30 P.M. – HOLLINGSWORTH HALL SENIOR CENTER**11. First Reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A NEW INGRESS AND EGRESS ON OKEECHOBEE ROAD FOR IMPACT DEVELOPMENT OF SOUTH FLORIDA LLC. LEGAL DESCRIPTION: TRACT “B-B” “SHOMA COMMERCIAL REPLAT” ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 161 AT PAGE 100 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: NW 138TH STREET & OKEECHOBEE FRONTAGE ROAD (SR 25), HIALEAH GARDENS, FLORIDA, FOLIO #: 27- 2030-015-0110; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0, P&Z Vote: 4-0)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AN AMENDED TENTATIVE PLAT FOR VICENZA AT HIALEAH GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS 19,20,21,22,28,29,30 AND 31, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF “FLORIDA FRUITS LANDS COMPANY’S SUBDIVISION No1” ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF SAID SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE S. 02° 39’ 03” E. ALONG THE EAST LINE OF SAID NORTHWEST ONE QUARTER (N.W. ¼) OF SAID SECTION 33, A DISTANCE OF 659.55 FEET TO ITS INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 19; THENCE S. 89° 36’ 11” W., ALONG LAST DESCRIBED EASTERLY EXTENSION AND THE ALONG THE NORTH LINE OF SAID TRACT 19 A DISTANCE OF 785.03 FEET TO THE POINT OF BEGINNING; THENCE S 02° 39’ 03” E, A DISTANCE OF 1029.30 FEET; THENCES 89 36’ 25” W., A DISTANCE OF 504.60 FEET; THENCE N. 50° 58’ 30” W., A DISTANCE OF 1136.51 FEET; THENCE N. 39° 01’ 30” E., ALONG THE SOUTHEASTERLY LINE OF THE N.W. 92-97**

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AVENUE CONNECTOR ROAD, A DISTANCE OF 823.62 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID TRACT 31; THENCE N. 89° 36' 06" E., ALONG THE NORTH LINE OF SAID TRACT 31, A DISTANCE OF 271.68 FEET TO THE NORTHEAST CORNER OF SAID TRACT 31; THENCE S. 02° 41' 23" E. ALONG THE EAST LINE OF SAID TRACT 31, FOR A DISTANCE OF 329.75 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 31, ALSO BEING THE NORTHWEST CORNER OF SAID TRACT 19, THENCE N. 89° 36' 11" E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 534.17 FEET TO THE POINT OF BEGINNING. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0, P&Z Vote: 4-0)

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AN AMENDED FINAL PLAT FOR VICENZA AT HIALEAH GARDENS, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACTS 19,20,21,22,28,29,30 AND 31, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF "FLORIDA FRUITS LANDS COMPANY'S SUBDIVISION No1" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS. COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER (N.W. 1/4) OF SAID SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST; THENCE S. 02° 39' 03" E. ALONG THE EAST LINE OF SAID NORTHWEST ONE QUARTER (N.W. 1/4) OF SAID SECTION 33, A DISTANCE OF 659.55 FEET TO ITS INTERSECTION WITH THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT 19; THENCE S. 89° 36' 11" W., ALONG LAST DESCRIBED EASTERLY EXTENSION AND THEN ALONG THE NORTH LINE OF SAID TRACT 19 A DISTANCE OF 785.03 FEET TO THE POINT OF BEGINNING; THENCE S 02° 39' 03" E, A DISTANCE OF 1029.30 FEET; THENCE S 89° 36' 25" W., A DISTANCE OF 504.60 FEET; THENCE N. 50° 58' 30" W., A DISTANCE OF 1136.51 FEET; THENCE N. 39° 01' 30" E., ALONG THE SOUTHEASTERLY LINE OF THE N.W. 92-97 AVENUE CONNECTOR ROAD, A DISTANCE OF 823.62**

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FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID TRACT 31; THENCE N. 89° 36' 06" E., ALONG THE NORTH LINE OF SAID TRACT 31, A DISTANCE OF 271.68 FEET TO THE NORTHEAST CORNER OF SAID TRACT 31; THENCE S. 02° 41' 23" E. ALONG THE EAST LINE OF SAID TRACT 31, FOR A DISTANCE OF 329.75 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 31, ALSO BEING THE NORTHWEST CORNER OF SAID TRACT 19, THENCE N. 89° 36' 11" E, ALONG THE NORTH LINE OF SAID TRACT 19, A DISTANCE OF 534.17 FEET TO THE POINT OF BEGINNING; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 5-0, P&Z Vote: 4-0)

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 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**

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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)

13. City Attorney's Report
14. Mayor's Report – Miscellaneous
15. Council Members Concerns/Reports – Board Appointments (Police Pension Board)
16. Adjournment

Agenda certified by:

Maria L. Joffee
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, June 5, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, June 11, 2007, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, June 7, 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.