

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. Urra

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
SEPTEMBER 18, 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:** August 21, 2007
7. **Public Comments**
8. **Request for approval of 2COP alcohol beverage license for Telemundo Terraza Restaurant/Cafeteria No. 2, 9101 W. Okeechobee Road, Hialeah Gardens, Florida:** Mr. Osvaldo Armero, Owner.
9. **Recommendation of City's Workers Compensation, Liability, Property and Automobile insurance R.F.P. No. 2007-04:** Aida Martinez-Ruiz, Assistant City Attorney.
10. **Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING AN AGREEMENT FOR THE CITY'S LONG AND SHORT TERM DISABILITY AND LIFE INSURANCE BETWEEN LINCOLN FINANCIAL / JEFFERSON PILOT AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
 - B) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS APPROVING AND AUTHORIZING THE ISSUANCE BY THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY (THE "AUTHORITY") OF CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY REVENUE AND REVENUE REFUNDING BONDS, SERIES 2007 (CATHOLIC HEALTH SERVICES OBLIGATED GROUP FACILITIES) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$55,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO BE USED, TOGETHER WITH OTHER AVAILABLE MONEYS, TO (I) REFUND ON A CURRENT BASIS THE \$14,355,000 CITY

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OF NORTH MIAMI HEALTH FACILITIES AUTHORITY REVENUE BONDS, SERIES 1996 (CATHOLIC HEALTH SERVICES OBLIGATED GROUP FACILITIES), WHICH WERE ISSUED TO FINANCE AND REFINANCE IMPROVEMENTS TO THE HEALTH CARE FACILITIES OWNED BY MEMBERS OF THE OBLIGATED GROUP, (II) REFINANCE CERTAIN OUTSTANDING DEBT OF THE OBLIGATED GROUP, (III) FINANCE THE COST OF THE ACQUISITION AND CONSTRUCTION OF A REHABILITATION HOSPITAL KNOWN AS ST. CATHERINE'S WEST REHABILITATION HOSPITAL TO BE LOCATED IN THE CITY OF HIALEAH GARDENS, (IV) FINANCE THE COSTS OF VARIOUS CAPITAL IMPROVEMENTS, (V) PAY FOR THE ROUTINE CAPITAL EXPENDITURES OVER THE NEXT THREE (3) YEARS OF ANY AND ALL OF THE OBLIGATED GROUP, AND (VI) PAY CERTAIN COSTS OF ISSUANCE OF THE SERIES 2007 BONDS TO BE ISSUED UNDER THE PROVISIONS OF A TRUST INDENTURE (THE "BOND INDENTURE") AND A LOAN AGREEMENT, AND TO BE FURTHER SECURED BY A MASTER TRUST INDENTURE, A SUPPLEMENTAL MASTER TRUST INDENTURE NO. 7, A SERIES 2007 NOTE NO. 1 AND A GUARANTY AGREEMENT; PROVIDING THAT THE SERIES 2007 BONDS SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE CITY OF HIALEAH GARDENS OR OF THE STATE OF FLORIDA OR OF ANY OTHER POLITICAL SUBDIVISION THEREOF BUT SHALL BE LIMITED OBLIGATIONS OF THE AUTHORITY PAYABLE SOLELY FROM THE REVENUES PROVIDED THEREFOR UNDER THE BOND INDENTURE; APPROVING AND AUTHORIZING THE SALE AND DELIVERY OF THE SERIES 2007 BONDS TO MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED PURSUANT TO A NEGOTIATED SALE; APPROVING AND AUTHORIZING THE DELEGATION TO THE CHAIRMAN, OR IN HIS ABSENCE, THE VICE CHAIRMAN, THE AUTHORITY TO FIX THE TERMS OF THE SERIES 2007 BONDS AND OTHER DETAILS WITHIN THE PARAMETERS SET FORTH HEREIN; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE AUTHORITY OF A BOND INDENTURE, A LOAN AGREEMENT, AN INTERLOCAL AGREEMENT, AN ESCROW DEPOSIT AGREEMENT AND A BOND PURCHASE AGREEMENT; APPROVING THE EXISTING MASTER TRUST INDENTURE AND THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL MASTER TRUST INDENTURE NO. 7 FOR SERIES 2007 NOTE NO. 1 AND

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SERIES 2007 NOTE NO. 2, A GUARANTY AGREEMENT, A MORTGAGE AND A CONTINUING DISCLOSURE AGREEMENT; PROVIDING FOR CREDIT SUPPORT FOR THE SERIES 2007 BONDS IN THE FORM OF AN IRREVOCABLE, DIRECT-PAY LETTER OF CREDIT TO BE ISSUED BY SUNTRUST BANK, AND THE EXECUTION AND DELIVERY OF A REIMBURSEMENT AND CREDIT AGREEMENT IN CONNECTION WITH THE LETTER OF CREDIT; APPROVING THE USE OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE OFFICIAL STATEMENT; APPROVING THE APPOINTMENT OF U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE UNDER THE BOND INDENTURE AND ESCROW AGENT UNDER THE ESCROW DEPOSIT AGREEMENT; PROVIDING FOR OTHER RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) TRASH DUMP TRUCK; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECTURE AN AGREEMENT WITH INTERNATIONAL TRUCK CORP.; UTILIZING AN EXISTING STATE OF FLORIDA CONTRACT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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 WAIVER OF PLAT FOR CLODOMIRO PEREZ. LEGAL DESCRIPTION: PARENT TRACT: TRACT 3, FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO.1, IN SECTION 29. TOWNSHIP 52 SOUTH, RANGE 40 EAST, 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: N.W. 97TH AVENUE & 135TH STREET, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2029-001-0032; 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, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008 REDUCING THE PREVIOUSLY ADOPTED MILLAGE OF 6.12 TO 4.909 MILLS, WHICH IS A DECREASE OF 9.00% OF THE 5.395 ROLL BACK RATE AS PER HOUSE BILL HB 1B REFORM LEGISLATION OF 2007; PROVIDING FOR EFFECTIVE DATE.
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PARK TRUST FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- E) 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, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- F) 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, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- G) 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, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- H) 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, 2007 AND ENDING SEPTEMBER 30, 2008; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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, October 2, 2007 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 22, 2007, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 25, 2007, 4:00 P.M.

WATER AND SEWER BOARD

Tuesday, September 25, 2007, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.