

Mayor
Yioset De La Cruz

City Council Members
Chairman Luciano “Lucky” Garcia
Vice Chairman Rolando “Roly” Piña
Council member Manuel “Manny” Zardon
Council member Jorge A. Merida
Council member Jorge Gutierrez

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

**AGENDA: REGULAR CITY COUNCIL MEETING
April 5, 2005 – 7:30 P.M. – COUNCIL CHAMBERS**

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 –APRIL 5, 2005– 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:** March 15, 2005
7. **Public Comments**
8. **Proposed Resolutions:**
 - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING A NEW FEE SCHEDULE FOR THE CONTRACT WITH TRI-COUNTY ENGINEERING INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***
 - B) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AMENDING RESOLUTION NO. 2023 BY AUTHORIZING AN INCREASE TO THE TOTAL CONTRACT PRICE FOR ROADWAY IMPROVEMENTS TO N.W. 87TH COURT; AUTHORIZING THE INCREASED PAYMENT TO ACOSTA TRACTORS, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***
 - C) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING RESOLUTION NO. 2024 BY AUTHORIZING AN INCREASE TO THE TOTAL CONTRACT PRICE FOR ROADWAY IMPROVEMENTS TO N.W. 117TH STREET; AUTHORIZING THE INCREASED PAYMENT TO ACOSTA TRACTORS, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

AGENDA –APRIL 5, 2005– 7:30 P.M. – COUNCIL CHAMBERS

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE AWARD OF A CONTRACT FOR ROADWAY IMPROVEMENTS TO N.W. 89TH AVENUE FROM 110TH TERRACE TO 114 STREET; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXTEND AN AGREEMENT WITH ACOSTA TRACTORS, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- E) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE AWARD OF A CONTRACT FOR ROADWAY IMPROVEMENTS TO N.W. 92ND AVENUE; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXTEND AN AGREEMENT WITH ACOSTA TRACTORS, INC.; WAIVING COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- F) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR ROADWAY IMPROVEMENTS TO N.W. 80TH COURT FROM SAMARI LAKES CONDOMINIUM TO N.W. 103RD STREET; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXTEND AN AGREEMENT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC.; WAIVING COMPETITIVE BIDDING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- G) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) STERLING DUMP TRUCK; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ATLANTIC TRUCK CENTER, INC; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**
- H) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) ACTERRA DUMP TRUCK; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN**

AGENDA –APRIL 5, 2005– 7:30 P.M. – COUNCIL CHAMBERS

AGREEMENT WITH ATLANTIC TRUCK SALES PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- A) AN ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR SAINT CATHERINE’S REHABILITATION CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST 264 FEET OF TRACT 1, OF FLORIDA LAND COMPANY’S SUBDIVISION NO. 1, OF SECTION 33, 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, LESS AND EXCEPTING THEREFORE THE NORTH 80 FEET; AND ALSO LESS RIGHT-OF-WAY DEDICATED TO THE CITY OF HIALEAH GARDENS PER OFFICIAL RECORDS BOOK 20429, PAGE 903 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LOCATION: BETWEEN NW 121ST STREET AND NW 122ND STREET EAST OF NW 89 AVENUE. FOLIO’S # 27-2033-001-0011, 27-2033-001-0012 AND 27-2033-001-0013; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between NW 121 Street and NW 122 Street East of NW 89 Avenue) (P&Z Vote: 4-0; TRC Vote: 5-0)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING SPECIAL EXCEPTION USE AND SITE PLAN FOR A CHILD CARE CENTER (MAGIC KIDS LEARNING CENTER II) IN EMERALD PLAZA SHOPPING CENTER. APPLICANT: MARIO FERRO. LEGAL DESCRIPTION: THE WEST _ OF TRACT 16, LESS THE NORTH 80.00 FEET AND LESS THE WEST 35.00 FEET, SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LOCATION: 9160 NW 122 STREET. FOLIO # 27-2033-001-0171. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 9160 NW 122 Street) (P&Z Vote: 4-0, TRC: 6-0)**

AGENDA –APRIL 5, 2005– 7:30 P.M. – COUNCIL CHAMBERS

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, MIAMI-DADE COUNTY, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT CITY INITIATED APPLICATION CHANGING THE LAND USE FROM POS (PARK AND OPEN SPACE) TO CF (COMMUNITY FACILITIES) FOR THE APPROXIMATE 1.6 ACRES PARCEL. LEGAL DESCRIPTION: A PORTION OF THE FOLLOWING DESCRIBED PARCEL: ALL OF THE THAT PORTION OF THE N.W. _ OF THE N.W. _ OF THE SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI DADE COUNTY, FLORIDA, LYING SOUTH OF THE SOUTHERLY RIGHT-OF WAY OF CANAL C-7 EXTENSION AND LYING NORTH OF THE NORTHERLY RIGHT-OF WAY LINE OF THE N.W. 103RD STREET, AS SHOWN BY THE RIGHT-OF-WAY MAP RECORDED IN PLAT BOOK 60 AT PAGE 53 OF THE PUBLIC RECORD OF DADE COUNTY, FLORIDA; LESS DEDICATIONS, IF ANY. APPROXIMATE LOCATION: NORTHEAST CORNER OF N.W. 87 AVE AND N.W. 103 STREET. FOLIO'S # 27-3003-001-0120, 27-3003-001-0401 AND 27-3003-001-0410; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (Location: Northeast corner of NW 87 Avenue and NW 103 Street) (P&Z Vote: 4-0; TRC 6-0)**
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING A TENTATIVE PLAT FOR CITY OF HIALEAH GARDENS CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF THAT PORTION OF THE N.W. _ OF THE N.W. _ OF THE SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, DADE COUNTY, FLORIDA, LYING SOUTH OF THE SOUTHERLY RIGHT-OF WAY OF CANAL C-7 EXTENSION AND LYING NORTH OF THE NORTHERLY RIGHT-OF WAY LINE OF THE N.W. 103 STREET, AS SHOWN BY THE RIGHT-OF-WAY MAP RECORDED IN PLAT BOOK 60 AT PAGE 53 OF THE PUBLIC RECORD OF DADE COUNTY, FLORIDA; LESS DEDICATIONS, IF ANY. APPROXIMATE LOCATION: NORTHEAST CORNER OF N.W. 87 AVE AND N.W. 103 STREET. FOLIO'S # 27-3003-001-0401, 27-3003-001-0410, 27-3003-001-0120. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Northeast corner of NW 87 Avenue and NW 103 Street) (P&Z Vote: 4-0; TRC 6-0)**

AGENDA –APRIL 5, 2005– 7:30 P.M. – COUNCIL CHAMBERS

- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS APPROVING A SITE PLAN FOR OFF STREET PARKING LOT UNDER POWER LINE EASEMENT FOR MANUEL A. FERNANDEZ CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 3 AND 4, OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1” IN SECTION 3, TOWNSHIP 53 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. FOLIO # 27-3003-001-0057. APPROXIMATE LOCATION: EAST OF NW 80 AVENUE AND SOUTH OF NW 103 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: East of N.W. 80 Avenue and South of N.W. 103 Street) (Vote: P&Z 4-0; T.R.C. 5-0) (Tabled 3-15-05)**

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."

AGENDA –APRIL 5, 2005– 7:30 P.M. – COUNCIL CHAMBERS

SCHEDULE OF MEETINGS

CITY COUNCIL

Tuesday, April 19, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, April 11, 2005, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, April 6, 2005, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, April 26, 2005, 7:00 P.M.

POLICE PENSION BOARD

Wednesday, April 6, 2005, 10:00A.M.