

**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  
September 8, 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 –SEPTEMBER 8, 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:** August 16, 2005
7. **Opening of sealed bids:**
  - PW-05-100 Government Complex Warehouse Building**
  - PW-05-110 Government Water and Sewer Offices**
  - PW-05-120 Hialeah Gardens Police Station**
8. **Proposed Resolution:**
  - A) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AGREEING TO THE FOLLOWING PROVISIONS IN UTILIZING HOME FUNDS IN THE IMPLEMENTATION OF THE SAMARI LAKES EAST CONDOMINIUMS REHABILITATION ASSISTANCE PROGRAM; PROVIDING FOR EFFECTIVE DATE.***
  - B) ***A RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, THE AWARD OF A CONTRACT FOR THE CITY'S BASEBALL UNIFORMS FOR THE PARKS AND RECREATION DEPARTMENT TO MATTY'S SPORTS; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH MATTY'S SPORTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.***
9. **First Reading for consideration of the following ordinances:**
  - A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2005, AND ENDING SEPTEMBER 30, 2006, AT 6.12 MILLS, WHICH IS AN INCREASE OF 20.95% OVER 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.***

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005, AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- C) 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, 2005, AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- D) 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, 2005, AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- E) 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, 2005, AND ENDING SEPTEMBER 30, 2006, PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- F) 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, 2005, AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PARK TRUST FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005, AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- H) ORDINANCE OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE ADOPTION OF A CITY DEFERRED COMPENSATION PLAN PROVIDED BY AIG VALIC 457(b); APPROVING AGREEMENTS RELATED TO THE PLAN; PROVIDING FOR EFFECTIVE DATE.**

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- I) ORDINANCE OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE ADOPTION OF THE VALIC GOVERNMENTAL 401(a) PLAN; APPROVING AGREEMENTS RELATED TO THE PLAN; PROVIDING FOR EFFECTIVE DATE**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR DARON PROPERTIES INC. CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF LOTS 34, 35, 36, 37, 38, 40 AND 41, “FORREST FARMS”, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 7 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA, LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE STATE ROAD 25 (U.S. HIGHWAY 27) AND SUBJECT TO DEDICATIONS, EASEMENTS OR RESTRICTIONS OF RECORD, IF ANY. FOLIOS #: 27-2032-003-0360, 27-2032-003-0370, AND 27-2032-003-0290. LOCATION: 11765 WEST OKEECHOBEE ROAD; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 11765 West Okeechobee Road) (P&Z Vote 5-0; T.R.C. Vote: 6-0)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO PERMIT AN EXTENSION OF THE CHARTER SCHOOL (MATER ACADEMY) WITHIN THE BUSINESS DISTRICT AND SITE PLAN REVIEW FOR ANNEX BUILDING FOR 600 STUDENTS, CONCERNING PROPERTY ADDRESS: 10505 NW 80 AVE. FOLIO #:27-3003-001-0010; PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE. (Location: 10505 N.W. 80 Avenue) (P&Z Vote 5-0; T.R.C. Vote 5-0)**
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR THE CITY OF HIALEAH GARDENS POLICE MAIN STATION CONCERNING PROPERTY LEGALLY DESCRIBED AS: ALL OF THE PORTION OF THE N.W. \_ OF THE N.W. \_ OF 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 N.W. 103<sup>RD</sup> STREET, AS**

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**SHOWN BY THE RIGHT-OF-WAY MAP RECORDED IN PLAT BOOK 60 AT PAGE 53 OF THE PUBLIC RECORD OF MIAMI-DADE COUNTY, FLORIDA; LESS DEDICATIONS, IF ANY. APPROXIMATE LOCATION: NORTHEAST CORNER OF NW 87 AVENUE AND NW 103 STREET. FOLIOS #: 27-3003-001-0120, 27-3003-001-0401, 27-3003-001-0410, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.** (Location: Northeast corner of N.W. 87 Avenue and N.W. 103 Street) (P&Z Vote 5-0; T.R.C. Vote 6-0)

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ARTICLE 6 OF CHAPTER II, PART III OF ORDINANCE NO. 90-33 TO PROVIDE FOR A SUPPLEMENTAL RETIREMENT BENEFIT OF TWENTY-FIVE DOLLARS PER MONTH (\$25.00) FOR EACH YEAR OF SERVICE NOT TO EXCEED \$250.00 PER MONTH; AMENDING ARTICLE 15 OF CHAPTER II, PART V, TO PROVIDE FOR THE INCREASE IN PARTICIPANT CONTRIBUTION FROM FIVE (5) TO NINE (9) PERCENT; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 78 ENTITLED LAND USE REGULATIONS ARTICLE V, DIVISION 2. ZONING DISTRICTS AND LAND DEVELOPMENT REGULATIONS FOR NEWLY ANNEXED AREA, TO ADD A NEW USE ENTITLED HOTELS AND MOTELS UNDER SECTION 140(5) B-2 GENERAL BUSINESS DISTRICT; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

11. **City Attorney's Report**
12. **Mayor's Report – Miscellaneous**
13. **Council Members Concerns/Reports – Board Appointments**
14. **Adjournment**

Agenda certified by:

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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

Thursday, September 22, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 12, 2005, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, October 5, 2005, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, September 27, 2005, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 8, 2005, 6:00 P.M.