

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
November 1, 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.

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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:** October 18, 2005
7. **Public Comments**
8. **Request for approval of 2COP alcohol beverage license transfer of ownership for Megano Corporation, Inc., 8725 N.W. 117 Street #12, Hialeah Gardens, Florida 33016. Owner: Mr. Domingo Antonio Rodriguez.**
9. **Recognition of Law Enforcement Personnel:** Chief Van Toth.
10. **Opening of sealed bids:**
 - PW-05-100 Government Complex Warehouse Building**
 - PW-05-110 Government Water and Sewer Offices**
11. **Proposed Resolution:**
 - A) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE CITY MAYOR TO APPLY FOR THE FEDERAL DRUG CONTROL AND SYSTEM IMPROVEMENT PROGRAM GRANT AVAILABLE THROUGH THE MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES TO APPLY FOR, RECEIVE, EXPEND FUNDS AND EXECUTE AGREEMENTS WITH THE PURPOSE OF CREATING A “DRUG CONTROL AND SYSTEM IMPROVEMENT” PROGRAM, PROVIDING FOR AN EFFECTIVE DATE.**
12. **First Reading for consideration of the following ordinances:**
 - A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA; AMENDING THE CITY CODE CHAPTER 42 SECTION 1 (SOLID WASTE, DEFINITIONS); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR OFF STREET PARKING LOT UNDER POWER LINE EASEMENT FOR EL DEALER INC. / GUSTAVO JARAMILLO CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 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 #: 27-3003-001-0052. LOCATION: 10163 – 10195 NW 80 AVENUE PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIV DATE. (Location: 10163 – 10195 N.W. 80 Avenue) (TRC Vote: 6-0; P&Z Vote: 3-0)**
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR: SUSSET INDUSTRIAL PARK, INC., CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT J, SHOMA COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 160, AT PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. APPROXIMATE LOCATION: WEST OF NW 107 AVENUE AND NORTHEAST OF OKEECHOBEE ROAD (FRONTAGE ROAD). FOLIO #: 27-2030-014-0100, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: West of N.W. 107 Avenue and N.E. of Okeechobee Road) (TRC Vote: 5-0; P&Z Vote: 3-0)**
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A WAIVER OF PLAT FOR KASALTA VILLAS INC., LEGAL DESCRIPTION: PORTIONS OF TRACTS 33, 34 AND 35 IN SECTION 33, 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. CUT OUT PARCEL: PORTIONS OF TRACTS 33, 34 AND 35, IN SECTION 33, 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 TH EPUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST**

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CORNER OF SAID TRACT 33, THENCE N89°36'39"E, ALONG THE NORTH LINE OF SAID TRACT 33, FOR 501.08 FEET TO THE POINT OF BEGINNING OF A PARCEL OF LAND HEREIN AFTER DESCRIBED; THENCE CONTINUE N89°36'39" E, ALONG THE NORTH LINE OF SAID TRACT 33, FOR 308.12 FEET; THENCE S02°41'22"E FOR 776.42 FEET; THENCE S38°51'39" W FOR 163.09 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD # 25 (U.S. HIGHWAY 27); THENCE N 51°08'21" W, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, FOR 266.84 FEET; THENCE N02°42'22" W, FOR 733.85 FEET, TO THE POINT OF BEGINNING, FOLIO #: 27-2033-001-0381. APPROXIMATE LOCATION: BETWEEN NW 114 STREET AND WEST OKEECHOBEE ROAD, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between N.W. 114 Street and West Okeechobee Road) (TRC Vote: 6-0; P&Z Vote: 3-0)

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE #2005-28 TENTATIVE PLAT FOR JANNETTE COVE III, APPROVING A CHANGE OF NAME TO JEANETTE COVE II CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE EAST 200 FEET OF TRACT 33 LESS THE NORTH 100 FEET "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1" OF 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; LESS THE EAST 27 FEET OF THE NORTH 53.20 FEET THEREOF, SUBJECT TO DEDICATIONS, LIMITATIONS, RESERVATIONS, RESTRICTIONS OR EASEMENTS OF RECORD, IF ANY; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**
- B) ORDINANCE AMENDING CHAPTER 58 SECTION 58-38(11) OF THE CODE OF ORDINANCES ESTABLISHING A NEW FEE UNDER SCHEDULE OF PERMIT FEES; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.**

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C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, RETROACTIVELY REPEALING CITY ORDINANCE NO. 2005-35, WHICH AMENDED ARTICLE 6 OF CHAPTER II, PART III OF ORDINANCE NO. 90-33 TO PROVIDE A SUPPLEMENTAL RETIREMENT BENEFIT OF TWENTY-FIVE DOLLARS PER MONTH (\$25.00) FOR EACH YEAR OF SERVICE NOT TO EXCEED \$250.00 PER MONTH, AND WHICH FURTHER AMENDED ARTICLE 15 OF CHAPTER II, PART V, TO PROVIDE FOR AN INCREASE IN THE PARTICIPANT CONTRIBUTION RATE FROM FIVE PERCENT (5%) TO NINE PERCENT (9%) OF SALARY; AND PROVIDING FOR AN EFFECTIVE DATE.

14. **City Attorney’s Report⁴**
15. **Mayor’s Report – Miscellaneous**
16. **Council Members Concerns/Reports – Board Appointments**
17. **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, November 15, 2005, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 14, 2005, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, November 2, 2005, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, November 22,, 2005, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.