

**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 Urra

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

**AGENDA: REGULAR CITY COUNCIL MEETING  
December 6, 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 –DECEMBER 6, 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:** November 15, 2005
7. **Public Comments**
8. **Recognition of Law Enforcement Officers:** Chief Van Toth.
9. **Request for approval of 2COP alcohol beverage license transfer of ownership for Las Hermanas Cafeteria, 10115 W. Okeechobee Road, Hialeah Gardens, Florida 33016. Mr. Jose B. Fabre, Applicant.**
10. **Proposed Resolutions:**
  - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; RECOGNIZING A BUDGET INCREASE OF \$1,000,000.00 (ONE MILLION) FROM THE CITY'S GENERAL FUND SURPLUS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***
  - B) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE CITY OF HIALEAH; PROVIDING FOR AN EFFECTIVE DATE.***
  - C) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING A CHANGE ORDER OF A CONTRACT FOR THE CONSTRUCTION OF SQUASH AND RACQUETBALL COURTS, A CAFETERIA SHELL, ROOF EXTENSION AND EXTERIOR OF EXISTING PARKS AND RECREATION OFFICE BUILDING LOCATED AT WESTLAND GARDENS PARK TO BM CONTRACTING, LLC DUE TO WORK DONE NOT INCLUDED IN BID PRICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.***

**AGENDA –DECEMBER 6, 2005– 7:30 P.M. – COUNCIL CHAMBERS****11. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR OFF STREET PARKING LOT UNDER THE POWER LINE EASEMENT FOR MANUEL A. FIGUEIREDO. LEGAL DESCRIPTION: A PORTION OF TRACT 3 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 #: 27-3003-001-0056. APPROXIMATE LOCATION: CORNER OF NW 80 AVENUE AND NW 103 STREET, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Corner of NW 80 and 103 Street) (TRC Vote: 6-0; P&Z Vote: 5-0)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR SAINT CATHERINE’S REHABILITATION HOSPITAL WEST CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST 264 FEET OF TRACT 1, OF FLORIDA FRUIT 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. FOLIOS #:27-2033-001-0011, 27-2033-001-0012 AND 27-2033-001-0013. APPROXIMATE LOCATION: BETWEEN NW 121 STREET AND NW 122 STREET, EAST OF NW 89 AVENUE, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Between NW 121 Street and NW 122 Street , East of NW 89 Avenue) (TRC Vote: 4-0; P&Z Vote: 5-0)**
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING ORDINANCE 2005-27 FINAL PLAT FOR 9880, LLC., APPROVING A CHANGE OF NAME TO COMMANDER AND JACK SUBDIVISION. LEGAL DESCRIPTION: A PORTION OF TRACT 9 AND 10 OF “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO.1” OF SECTION 3, TOWNSHIP 53**

**AGENDA –DECEMBER 6, 2005– 7:30 P.M. – COUNCIL CHAMBERS**

***SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO #: 27-3003-001-0142. APPROXIMATE LOCATION: WEST OF NW 80 AVENUE AND NORTH OF NW 98 STREET. PROVIDING FOR CONDITONS; PROVIDING FOR EFFECTIVE DATE.*** (Location: West of NW 80 Avenue and North of NW 98 Street)

**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 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)

**13. City Attorney's Report**

**14. Mayor's Report – Miscellaneous –**

**15. Council Members Concerns/Reports – Board Appointments**

**16. 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."

***AGENDA –DECEMBER 6, 2005– 7:30 P.M. – COUNCIL CHAMBERS***

**SCHEDULE OF MEETINGS**

**CITY COUNCIL**

Tuesday, December 20, 2005, 7:30 P.M.

**PLANNING AND ZONING BOARD**

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

**TECHNICAL REVIEW COMMITTEE**

Wednesday, December 7, 2005, 11:30 A.M.

**WATER AND SEWER BOARD**

T.B.A.

**POLICE PENSION BOARD**

T.B.A.