

**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  
AUGUST 17, 2004 – 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:** August 3, 2004
7. **Public Comments**
8. **Opening of sealed bids for the following Request for Proposals (R.F.P.'s):** Mr. Joe Lopez, Public Works Director.  
**PW-03-010 – N.W. 79<sup>th</sup> Avenue (South District) - Drainage Improvements**  
**PW-04-030 – N.W. 87<sup>th</sup> Court - Roadway and Drainage Improvements**  
**PW-04-040 – N.W. 117<sup>th</sup> Street - Roadway and Drainage Improvements**  
**PW-04-080 – N.W. 89<sup>th</sup> Avenue - Roadway and Drainage Improvements**
9. **Proposed Resolutions:**
  - A) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE EXTENSION OF A CONTRACT WITH AVERETT, WARMUS, DURKEE, BAUDER, THOMPSON FOR THE PURPOSES OF THE CITY'S ANNUAL AUDIT FOR THE PERIOD OF ONE YEAR; WAIVING COMPETITIVE BIDDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***
  - B) ***RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY'S SENIOR CENTER'S CONGREGATE AND HOME DELIVERED NUTRITION PROGRAM TO CONSTRUCTION CATERING, INC.; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH CONSTRUCTION CATERING, INC.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.***

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- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE AWARD OF A CONTRACT FOR THE CITY'S ATHLETIC UNIFORMS TO ALL STAR SPORTS SHOP; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ALL STAR SPORTS SHOP; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**10. First Reading for consideration of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW FOR A WORKOUT WAREHOUSE / CARLOS TORRES TO PERMIT A FITNESS CENTER IN AN EXISTING WAREHOUSE WITHIN A COMMERCIAL DISTRICT. LOCATION: 7802 N.W. 103 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**  
(Location: 7802 N.W. 103 St.) (Vote: P&Z 3-0; TRC 4-0)

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING GIRALDO CASTELLON – WAIVER OF PLAT WITH LOT SIZE AND WIDTH VARIANCES CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARENT TRACT: TRACT 2 OF “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. CUT OUT PARCEL A: THE EAST 131.85 FEET OF THE WEST 659.96 FEET OF TRACT 2 OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, OF SECTION 29, TOWNSHIP 52, RANGE 40 EAST, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE NORTH 30.00 FEET THEREOF, FOLIO #27-2029-001-23. APPROXIMATE LOCATION: N.W. 137 STREET, BETWEEN N.W. 98 AVENUE AND N.W. 99 AVENUE. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.** (Location: N.W. 137 St., between N.W. 98 Ave. and N.W. 99 Ave.) (Vote: P&Z 3-0; TRC 3-0)

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- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING ABRAHAM LATRAS – WAIVER OF PLAT WITH LOT SIZE AND WIDTH VARIANCES CONCERNING PROPERTY LEGALLY DESCRIBED AS: PARENT TRACT: TRACT 2 OF “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. CUT OUT PARCEL B: THE EAST 131.85 FEET OF THE WEST 791.81 FEET OF TRACT 2 OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, OF 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, LESS THE NORTH 30.00 FEET THEREOF, FOLIO #27-2029-001-0024. APPROXIMATE LOCATION: N.W. 137 STREET, BETWEEN N.W. 97 AVENUE AND N.W. 99 AVENUE. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 137 St., between N.W. 97 Ave. and N.W. 98 Ave.) (Vote: P&Z 3-0;TRC 4-0)**

**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 SITE PLAN FOR: MnM 4 BROTHERS INC. CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 6, 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 # 27-3003-001-0068. APPROXIMATE LOCATION: EAST OF NW 80 AVENUE AND SOUTH OF NW 103 STREET. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: East of NW 80 Ave. & South of NW 103 St.) (Vote: P&Z 3-0; TRC 6-0)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR OLIVA BRICK. APPROXIMATE LOCATION: NW 99 AVENUE**

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**AND FRONTAGE ROAD. PARTICULARLY DESCRIBED AS: A PORTION OF TRACT 7, OF “FOREST FARMS”, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA FOLIO #27-2032-002-0070 PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: NW 99 Ave. & Frontage Road) (Vote: P&Z 3-0; TRC 6-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING WAIVER OF PLAT AND VARIANCE TO PERMIT A LOT AREA OF 1.136 ACRES WHERE 1.25 ACRES IS REQUIRED FOR JOSE R. SUAREZ & ROLANDO SANTAMARINA. PROPERTY IS LEGALLY DESCRIBED AS: PARENT TRACT: TRACT 19 OF “FLORIDA FRUIT LAND 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, FLORIDA. CUT OUT PARCEL: THE WEST 150.00 FEET OF THE EAST 832.66 FEET OF TRACT 19 OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, OF 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 SUBJECT TO A 30 FOOT EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 30 FEET THEREOF. FOLIO # 27-2029-001-0207. APPROXIMATE LOCATION: NW 135 STREET, BETWEEN NW 102 AVENUE AND NW 104 AVENUE PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. PROVIDING FOR CONDITONS; PROVIDING FOR EFFECTIVE. (Location: NW 135 St. between NW 102 Ave. and NW 104 Ave. (Vote: P&Z 3-0; TRC 6-0)**

12. **City Attorney’s Report**
13. **Mayor’s Report – Miscellaneous**
14. **Council Members Concerns/Reports – Miscellaneous**
15. **Adjournment**

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Agenda certified by:

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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 FUTURE MEETINGS**

CITY COUNCIL

Tuesday, September 14, 2004, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 13, 2004, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Wednesday, September 1, 2004, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, August 24, 2004, 7:00 P.M.

POLICE PENSION BOARD

Thursday, August 26, 2004, 7:00 P.M.