

**Mayor**  
Yioset de la Cruz

**City Council Members**  
Chairman Luciano “Lucky” Garcia  
Vice Chairman Rolando “Roly” Piña  
Council member Miguel Haddad  
Council member Lucy Valdes  
Council member Manuel “Manny” Zardon

**PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL, COMMUNITY HALL, ESTATES AREA, MOBILE HOME PARK, ALL CONDOMINIUMS, SAMARI TOWERS, BILTMORE ESTATES, SAMARI LAKE VILLAS AND HYDRA VILLAS.**

**AGENDA: REGULAR CITY COUNCIL MEETING  
September 3, 2002–7:30 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.

1. **Call to Order**
2. **Roll Call**
3. **Invocation**
4. **Pledge of Allegiance**
5. **Ceremonial Check Presentation of Funding for Storm Water Management Project:** State Representative Ralph Arza.
6. **Presentation by D.E.A. of forfeiture funds:** Mr. Ernesto Perez, A.S.A.C.

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7. **Deletions/Emergency Additions**
8. **Review of Minutes:** July 16, 2002
9. **Discussion of deposit to City of Hialeah Gardens by Mr. Miguel Haddad:** Mr. Ralph Ventura, Esq. (Tabled Item).
10. **Request for approval of water and sewer extension agreements between the City of Hialeah Gardens and Southern Residential Properties, Inc.:** Mr. Albert Nielson, Director.
11. **Request to waive competitive bidding for the purchase of a Wacker Roller Model #RD25 from Kelly Tractor:** Mr. Joe Lopez, Director, Public Works Department.
12. **Request for approval of line item changes to existing budget:** Mr. Marcos Piloto, Director, O.M.B.
13. **FIRST READING for consideration of the following proposed ordinances:**
  - A) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003 AT 6.12 MILLS, SO AS TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.***
  - B) ***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, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***
  - C) ***ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE PARK TRUST FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.***

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- D) 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, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE C.O.P. GRANT FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- F) 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, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER DRAIN FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**
- H) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; PROVIDING FOR EFFECTIVE DATE.**
- I) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, PROVIDING FOR PURCHASE FROM MANUEL A. HERRAN, TRUSTEE OF THAT CERTAIN PROPERTY DESCRIBED AS:**

**TRACT 31, IN THE NORTHWEST \_ OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40, EAST, FLORIDA FRUIT LANDS 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;**

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**FOR A PURCHASE PRICE OF \$1,500,000.00; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO CONCLUDE THE PURCHASE AND/OR FINANCING RELATED TO THE PURCHASING OF SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.**

**14. PUBLIC HEARING and Second Reading for consideration and final adoption of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT AND FINAL PLAT FOR HIALEAH GARDENS FAST FOODS, LLC., CONCERNING PROPERTY LEGALLY DESCRIBED: THE WEST 210.00 FEET OF THE EAST 745.00 FEET OF SAID TRACT 61 “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO. 1 OF SECTION 03, 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 DADE COUNTY, FLORIDA LESS THE SOUTH 182.00 FEET AND LESS THE NORTH 25.00 FEET FOR STREET RIGHT-OF-WAY, AND LESS THE RIGHT-OF-WAY OF STATE ROAD NO 25 (US HIGHWAY 27) AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87090-2540. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: SE Corner NW 95<sup>th</sup> Street & Frontage Road)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR CACOPHONY CORP., TEMPORARY OFFICE TRAILER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 48, OF SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST OF FLORIDA FRUIT LAND’S SUBDIVISION, ACCORDING TO THE PLAT THEREOF; RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: West Okeechobee Road & NW 94<sup>th</sup> Avenue) (P&Z 3-0, T.R.C. 6-0)**

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- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING VARIANCES AND SITE PLAN FOR JOSE A. FERNANDEZ’S RESIDENCE AT S.E. CORNER OF NW 102 AVENUE AND 131 STREET; CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 10, BLOCK 1 OF SPLIT RAIL SEC. 1 PB 108-3 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIO #27-2029-002-0100. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: SE Corner of NW 102<sup>nd</sup> Avenue & 131<sup>st</sup> Street) (P&Z 3-0, T.R.C. 6-0)**
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING VARIANCES AND SITE PLAN FOR RAFAEL & DELIA BLANCO’S RESIDENCE AT N.W. 131 STREET AND 99<sup>TH</sup> AVENUE CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 5 IN BLOCK 1 OF SPLIT RAIL SECTION ONE, ACCORDING TO THE PLAT BOOK 108 AT PAGE 3, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIO #27-2029-002-0050. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: NW 131<sup>st</sup> Street & NW 99<sup>th</sup> Avenue) (P&Z 3-0, T.R.C. 6-0)**

15. **Public Comments**
16. **City Attorneys Report**
17. **Mayor’s Report – Miscellaneous**
18. **Council Members Concerns/Reports – Miscellaneous**
19. **Adjournment**

Agenda Certified by:

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Maria L. Joffee  
City Clerk

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"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 17, 2002, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, September 9, 2002, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, September 4, 2002, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, September 24, 2002, 7:30 P.M.

POLICE PENSION BOARD

Monday, November 4, 2002, 10:00 A.M.