

Mayor
Yioiset 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 17, 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. **Deletions/Emergency Additions**
6. **Review of Minutes:** September 3, 2002
7. **Recommendation on proposals submitted for Westland Gardens Park improvements:** Mr. Ray Garcia, Director, Department of Parks and Recreation.

AGENDA – SEPTEMBER 17, 2002 – 7:30 P.M. – COUNCIL CHAMBERS

8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE TEAMSTERS LOCAL 769 “WHITE COLLAR” BEGINNING OCTOBER 1, 2001 UNTIL SEPTEMBER 30, 2002; PROVIDING FOR IMPLEMENTATION OF SUCH CONTRACT; PROVIDING FOR EFFECTIVE DATE.**
- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF HIALEAH GARDENS AND THE TEAMSTERS LOCAL 769 “BLUE COLLAR” BEGINNING OCTOBER 1, 2001 UNTIL SEPTEMBER 30, 2002; PROVIDING FOR IMPLEMENTATION OF SUCH CONTRACT; PROVIDING FOR EFFECTIVE DATE.**
- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS AUTHORIZING THE PURCHASE OF ONE (1) WACKER RD 25, WAIVING COMPETITIVE BIDDING; USING THE EXISTING CONTRACTS WITH THE CITY OF LAUDERHILL WHICH HAD USED COMPETITIVE BIDDING; APPROVING AGREEMENTS RELATED TO SAID PURCHASES; PROVIDING FOR EFFECTIVE DATE.**

9. FIRST READING for consideration of the following proposed ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR BETTY AND LOWELL DUNN. LEGAL DESCRIPTION: A PORTION OF TRACT 59, 60 AND 61 OF “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO. 1”, AS RECORDED IN PLAT BOOK 2 AT PAGE 17, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, CITY OF HIALEAH GARDENS, MIAMI DADE COUNTY, FLORIDA; CONTAINING 297,621 SQUARE FEET AND OR 6.83 ACRES MORE OR LESS; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.**

(Location: U.S. No. 27(Okeechobee Road) S.R. No. 25 between N.W. 108th Street and N.W. 110th Lane) (P & Z 4-0, T.R.C. 5-0)

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- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING A TENTATIVE PLAT FOR PALMETTO 103 PROPERTIES L.L.C. LEGAL DESCRIPTION: A PORTION OF TRACT 9 AND 10 OF “FLORIDA FRUIT LANDS COMPANY’S SUBSDIVISION NO. 1”, OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40EAST, MIAMI DADE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY. FOLIO #27-3003-001-0142. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 98th Street and 80th Avenue) (P & Z 4-0, T.R.C. 4-0)**
- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA APPROVING A TENTATIVE PLAT FOR CONSENSUS CORP. LEGAL DESCRIPTION: THAT PORTION OF TRACT 25, “FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO. 1”, IN SECTION 33, TOWNSHIP 52 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 25, AND SUBJECT TO DEDICATIONS, LIMITATIONS, RESERVATIONS, EASEMENTS, OR RESTRICTIONS OF RECORD, IF ANY, FOLIO #27-2033-001-0280; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: Okeechobee Road and North of N.W. 114th Street) (P & Z 4-0, T.R.C. 6-0)**
- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, SITE PLAN REVIEW FOR BJ’S GAS/GARDENS COMMERCIAL PROJECT. LEGAL DESCRIPTION: BJ’S PLAT, PLAT BOOK 155-58 T-20479 TRACT D. LOCATION: 8005 N.W. 95th STREET. FOLIO #27-3003-037-0040; PROVIDING FOR CONDITION; PROVIDING FOR EFFECTIVE DATE. (Location: 8005 N.W. 95th Street) (P & Z 4-0, T.R.C. 6-0)**

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- E) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA GRANTING VARIANCES, AND SITE PLAN REVIEW FOR: FELIX ACOSTA FOR A PROPOSED WAREHOUSE, CONCERNING PROPERTY LEGALLY DESCRIBED AS: LOT 6, OF FORREST FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, AT PAGE 67 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA. FOLIO #27-2032-003-0014. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: West of 97th Avenue, Between Okeechobee Road and N.W. 122nd Street) (P & Z 4-0, T.R.C. 6-0)**
- F) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING SITE PLAN REVIEW FOR: YOUTH CO-OP CHARTER SCHOOL, PREFABRICATED MODULAR BUILDING WITH ADDITIONAL PARKING. LEGAL DESCRIPTION: THE PORTION OF THE SOUTH _ OF TRACT 1, FORREST FARMS, AS RECORDED IN PLAT BOOK 12, AT PAGE 6, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA, LYING NORTHEASTERLY OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 (OKEECHOBEE ROAD). LOCATION: 12051 W. OKEECHOBEE ROAD. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: 12051 W. Okeechobee Road) (P & Z 4-0, T.R.C. 6-0)**
- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING VARIANCES AND SITE PLAN FOR VILLAS DE VALENCIA. LEGAL DESCRIPTION: A PORTION OF TRACTS 10 AND 23, OF “FLORIDA FRUIT LAND COMPANY’S SUBDIVISION NO. 1”, 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 #27-3003-001-0139. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (Location: N.W. 98th Street and Okeechobee Road) (P & Z 4-0, T.R.C. 6-0)**

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10 . PUBLIC HEARING and Second Reading for consideration and final adoption of the following 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.***
- 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.***

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- 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 SEVERABILITY; 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;
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.
(Location: N.W. 107th Avenue and N.W. 136th Street)**

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11. **Public Comments**
12. **City Attorneys Report**
13. **Mayor's Report – Miscellaneous**
14. **Council Members Concerns/Reports – Miscellaneous**
15. **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 FUTURE MEETINGS:

CITY COUNCIL

Tuesday, October 1, 2002, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 7, 2002, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 2, 2002, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, October 23, 2002, 7:30 P.M.

POLICE PENSION BOARD

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