

Mayor

Yioset De La Cruz

City Council Members

Chairman Luciano "Lucky" García
Vice Chairman Rolando "Roly" Piña
Council member Jorge A. Merida
Council member Jorge Gutierrez
Council member Elmo L. Urra

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

**AGENDA: REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
August 2, 2011– 7:30 P.M.**

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 –August 2, 2011 – 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:** June 21, 2011
- 7. Public Comments**
- 8. Request for approvals of Water and Sewer Department Items:**
Mr. Andres Delgado, Director of Water and Sewer Department
 - Approval of the Water and Sewer Agreements between the City of Hialeah Gardens and The Grand at Doral Two, LTD (The Triangle Hotel).
 - Approval of the Water and Sewer Agreements between the City of Hialeah Gardens and Vicenza at Hialeah Gardens Tracts A, B and C.
 - Approval of the Final Conveyance for PS # 418
- 9. Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE RENEWAL OF THE AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION, STATE OF FLORIDA, AND THE CITY OF HIALEAH GARDENS CONCERNING TURF AND LANDSCAPE MAINTENANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AGENDA –August 2, 2011 – 7:30 P.M. -COUNCIL CHAMBERS

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, RATIFYING THE URBAN QUALIFICATION AGREEMENT FOR THE MIAMI-DADE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS FOR FISCAL YEARS 2012, 2013 AND 2014 BETWEEN MIAMI-DADE COUNTY AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.
- C) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE CONSTRUCTION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZED BY CHAPTER 170, FLORIDA STATUTES, AS MORE PARTICULARLY DESCRIBED IN THE SPECIAL ASSESSMENT ALLOCATION REPORT; EQUALIZING, APPROVING, CONFIRMING, AND LEVYING SPECIAL ASSESSMENTS ON THE PROPERTY SPECIALLY BENEFITED BY SUCH IMPROVEMENTS TO PAY THE COSTS THEREOF; PROVIDING A METHOD FOR ALLOCATING THE TOTAL ASSESSMENTS AMONG THE BENEFITED PARCELS WITHIN THE CITY; CONFIRMING THE CITY'S INTENTION TO ISSUE ITS SPECIAL ASSESSMENT IMPROVEMENT BONDS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.
- D) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE RELOCATION AND RECONSTRUCTION OF AN EXISTING NON-CONFORMING SIGN STRUCTURE PURSUANT TO SECTION 70.20 FLORIDA STATUTES; AUTHORIZING THE EXECUTION OF A CONTRACT BY AND BETWEEN THE CITY OF HIALEAH GARDENS, FLORIDA, CBS OUTDOOR, INC. ("CBS"), A DELAWARE CORPORATION, AND 9880 PALMETTO, LLC, A FLORIDA LIMITED LIABILITY COMPANY; ACCEPTING THE PERMANENT NON-EXCLUSIVE EASEMENT ON PROPERTY OWNED BY 9880 PALMETTO, LCC (THE "AGREEMENT") PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

AGENDA –August 2, 2011 – 7:30 P.M. -COUNCIL CHAMBERS**10. First Reading for consideration of the following ordinance:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING CHAPTER 40 "HIALEAH GARDENS POLICE PENSION TRUST FUND" OF THE CITY CODE BY AMENDING SECTION 40-214 "NORMAL RETIREMENT AGE" AND SECTION 40-281 "CALCULATION OF BENEFIT AMOUNT" TO IMPLEMENT THE PROVISIONS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PBA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING SPECIAL EXCEPTION USE AND SITE PLAN FOR MISS CARUSI LEARNING CENTER. FOLIO #27-3003-052-0010. LOCATION: 8040 N.W. 95TH STREET, HIALEAH GARDENS, FL. UNITS: 11, 12, 13 AND 14, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. **(TRC Vote 5-0; P&Z Vote 3-0)**
- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES BY MODIFYING AND AMENDING ORDINANCE NO. 2008-06, CHAPTER 46-60, TAXATION AND FINANCE, TO ADD A NEW CATEGORY OF BUSINESS CLASSIFICATIONS IN MAJOR GROUP 65, REAL ESTATE, TO WIT: SECTION 6512 OWNERS/OPERATORS OF PROPERTY CONTAINING LEASABLE SPACE IN NONRESIDENTIAL BUILDINGS (SHOPPING CENTERS, INDUSTRIAL BUILDINGS OR WAREHOUSES, AND OFFICE BUILDINGS); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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12. **PUBLIC HEARING** for the purpose of hearing comments and objections as to the propriety and advisability of levying non ad valorem special assessments pursuant to Chapter 170, Florida Statutes (the "Special Assessments") for the purpose of defraying the costs of the construction of roadways, street lighting, water and wastewater facilities and related landscaping, signage and improvements (the "Improvements") to be located in the northwest district of the City, as more particularly described in the Preliminary Special Assessment Allocation Report dated June 2011.
13. **City Attorney's Report**
14. **Mayor's Report – Miscellaneous**
15. **Council Members Concerns / Reports / Board Appointments:**
16. **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, August 16, 2011, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, August 1, 2011, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, August 4, 2011, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, August 24, 2011, 7:00 P.M.

POLICE PENSION BOARD

T.B.A.