

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, SEPTEMBER 20, 2016  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Jorge A. Merida and Councilman Elmo L. Urra. Also present were Mayor Yiozet De La Cruz and City Attorney Charles A. Citrin. Councilman Rolando Piña was absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the Pledge of Allegiance.
- 5. Deletions / Emergency Additions:** None were offered.
- 6. Review of Minutes: September 6, 2016.** Chairman Garcia made a motion to approve the minutes of September 6, 2016 seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

**8. Presentation of Proclamation to Mr. Jerry Rivero, CEO, The Jerry Rivero Fund for Amyotrophic Lateral Sclerosis (ALS).**

Mayor De La Cruz took this opportunity to present a proclamation to Mr. Jerry Rivero, proclaiming September 20, 2016 as "The Jerry Rivero Fund Day" in the City of Hialeah Gardens. The Mayor made comments regarding the challenges this disease has presented to Jerry and all those that suffer from it. He congratulated Jerry for his strength and courage and for his efforts, through the Jerry Rivero Fund, in working to find a cure for ALS. A photo opportunity was provided at this time.

**9. Proposed Resolutions:**

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING AND RATIFYING THE AGREEMENT FOR THE CITY'S HEALTH INSURANCE BETWEEN AVMED AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Ms. Aida Martinez-Ruiz, Director of Personnel, came forward and provided details of the proposals received by the City through its insurance broker, Millennium Benefits. AvMed the City's current provider presented a plan which remained competitive with an increase of 8% over last year's plan. Ms. Martinez-Ruiz also mentioned at this time that there would be no increase in the City's supplemental health insurance which is provided by Allstate. After a review of all proposals, Ms. Martinez-Ruiz recommended renewing the health and supplemental coverage with the current carriers. Representatives from Millennium Benefits were present to answer any questions. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS APPROVING AND RATIFYING THE AGREEMENT FOR THE CITY'S SUPPLEMENTAL HEALTH INSURANCE BETWEEN ALL STATE INSURANCE AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. He mentioned that this is for the City's supplemental insurance which was discussed during the previous resolution. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING AN AGREEMENT FOR THE CITY'S LONG AND SHORT TERM DISABILITY AND LIFE INSURANCE BETWEEN CIGNA AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the full title of the resolution into the record. Ms. Martinez-Ruiz recommended renewing the City's long and short term disability and life insurance with Cigna as they had provided a two year guarantee for the same rate. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved.

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR ACE TRANSPORT MIAMI, LLC.; OWNER: ACE TRANSPORT MIAMI, LLC / RODOLFO ALVAREZ; CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 8 OF "FLORIDA FRUITS LANDS COMPANY'S SUBDIVISION NO. 1" OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 17, LESS THE LANDS DEDICATED AS PER OFFICIAL RECORD BOOK 27616, PAGE 1887 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA. (WARRANTY DEED, DATED FEBRUARY 4TH, 2010, RECORDED IN OFFICIAL RECORDS BOOK 27171, PAGE 3432, MIAMI-DADE COUNTY RECORDS) AND CONTAINING 360,697 SQUARE FEET OR 8.28 ACRES, MORE OR LESS BY CALCULATIONS. FOLIO: 27-2019-001-0080, APPROXIMATE LOCATION: BETWEEN N.W 107TH AVENUE AND N.W. 109TH AVENUE AND NORTH SIDE OF N.W 146TH STREET, HIALEAH GARDENS, FLORIDA.; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Rodolfo Alvarez the applicant was present and came forward. Chairman Garcia stated that this was a first reading and as such public input would be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR LUIS DELIVERIES, INC.; OWNER: LUIS ALBERTO RAMIREZ; CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE SOUTH ½ OF TRACT 12, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF SUBDIVISION FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. FOLIO: 27-2019-001-0120, APPROXIMATE LOCATION: BETWEEN NW 109TH AVENUE AND NW 112TH AVENUE AND NORTH OF THEORETICAL 149TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Mr. Manny Reus, architect for the project was present and came forward. Chairman Garcia stated that this was a first reading and as such public input would be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING SPECIAL EXCEPTION USE AND SITE PLAN FOR LBA CHARTER SCHOOL. FOLIO #: 27-2030-015-0110. LOCATION: 11093 NW 138TH STREET, SUITES 201, 202, 203, 204, 205, 206, 207, 208 AND 209, HIALEAH GARDENS, FLORIDA, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: 3-0)

Mr. Citrin read the full title of the ordinance into the record. Ms. Melissa Tapanes-Llahues, Esq., for the applicant was present and came forward. Chairman Garcia stated that this was a first reading and as such public input would be provided upon second reading. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was unanimously approved by individualized voice vote. **(4-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 9.73% OVER THE ROLL BACK RATE SO AS

TO PROVIDE THE NECESSARY REVENUE TO MEET THE DETERMINED BUDGETARY NEEDS OF THE CITY OF HIALEAH GARDENS, FLORIDA; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Mayor De La Cruz commented that the millage rate will remain the same as last year's with no increase. Chairman Garcia opened the Public Hearing at 7:45 p.m. No comments were offered and the Public Hearing was closed at 7:45 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:45 p.m. No comments were offered and the Public Hearing was closed at 7:45 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- C) 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, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:46 p.m. No comments were offered and the Public Hearing was closed at 7:46 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE STORM WATER UTILITY FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:47 p.m. No comments were offered and the Public Hearing was closed at 7:47 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- E) 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, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:47 p.m. No comments were offered and the Public Hearing was closed at 7:47 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- F) 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, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:48 p.m. No comments were offered and the Public Hearing was closed at 7:48 p.m. Chairman Garcia made a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- G) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE CITIZEN'S INDEPENDENT TRANSPORTATION TRUST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the full title of the budget ordinance into the record. Chairman Garcia opened the Public Hearing at 7:49 p.m. No comments were offered and the Public Hearing was closed at 7:49 p.m. Chairman Garcia took this opportunity Chairman to congratulate the Mayor once again for his work during the budget process and for all his hard work throughout the years. Chairman Garcia also thanked the department heads in attendance for their work, dedication and leadership in their respective departments which has contributed to the City's success. He then made

a motion to approve, seconded by Councilman Merida. The motion was approved unanimously by individualized voice vote. **(4-0)**

- 12. City Attorney's Report:** Mr. Citrin extended his congratulations to Mr. Jerry Rivero for his personal efforts in the fight against ALS and wished him well and continued strength.
- 13. Mayor's Report – Miscellaneous –** Mayor De La Cruz thanked the Council for their continued. He expressed his appreciation to Chief Manuel Zardon for his work on the recent police contract with the PBA which was negotiated in record time and for the new leadership he has brought to the Department. The Mayor also thanked the department heads in attendance.
- 14. Council Members Concerns / Reports / Board Appointments:** The Council thanked the Mayor and the department staff for their work.
- 15. Adjournment –** The meeting was adjourned at 7:52 p.m.

Respectfully submitted 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."**

**SCHEDULE OF MEETINGS**

**CITY COUNCIL**

Tuesday, October 18, 2016, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, November 7, 2016, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, October 6, 2016, 11:30 A.M.

**WATER AND SEWER BOARD**

Wednesday, October 26, 2016, 7:00 P.M.

**POLICE PENSION BOARD**

Tuesday, November 1, 2016, 5:30 P.M.