

## **MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, February 4, 2020  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:32 p.m.
- 2. Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Gutierrez, Councilman Jorge Merida, Chairman Luciano Garcia, and City Attorney Charles Citrin. Mayor Yioiset De La Cruz and Councilman Rolando Piña were absent.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mr. Citrin led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: January 21, 2020** Chairman Garcia made a motion to approve the minutes of January 21, 2020, seconded by Councilman Merida. The motion was unanimously approved
- 7. Public Comments:** None were offered.

## 8. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE PURCHASE OF TWELVE (12) 2020 DODGE DURANGO PURSUIT A WD V8 TO BE USED BY THE POLICE DEPARTMENT; WAIVING COMPETITIVE BIDDING; UTILIZING AN EXISTING GOVERNMENT CONTRACT AS ALLOWED BY SECTION 46-119 OF THE HIALEAH GARDENS CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH ALAN JAY FLEET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Juan Rivera, OMB Director, came forward on behalf of the Police Department. The Police Department is requesting approval for the purchase of twelve (12) 2020 Dodge Durangos. This is a Sheriff's bid contract FSA19-VEL27.0. Mr. Rivera read the details of the purchase into the record. Total price including equipment and radio installations will be \$516,941.08. Funds are available in the budget for this purchase. The old cars will most likely be auctioned off or repaired. Mr. Citrin added that he will present details of the financing for this purchase (\$750,000) from Regions Bank at the next meeting. No other comments or questions. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING THE ENTERING INTO AN AGREEMENT WITH SYNOVOUS BANK FOR A LINE OF CREDIT IN THE AMOUNT OF \$2,000,000 TO BE UTILIZED AS NECESSARY; AUTHORIZING AN AGREEMENT BETWEEN THE CITY AND SYNOVOUS BANK; APPROVING AGREEMENTS RELATED TO SAID SERVICES PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Juan Rivera, OMB Director, came forward once again. He explained that they initially requested proposals from five different banks of which two banks replied. The recommendation is to select Synovous Bank's proposal. Mr. Citrin explained that this was the same bank the City had used previously for a line of credit, it had simply changed their name. The City has never used any of the credit, but the bank offered to increase the existing line of credit back to \$2,000,000. Councilman Gutierrez asked if having this line of credit open would cost the City anything; Mr. Citrin pointed out that there is a commitment fee

of \$5,000 just to have the line open and attorney fees. Chairman Garcia added that the advantage of having a line of credit is that the terms are already stipulated in advance in the case of an emergency where funds are needed. No other comments or questions. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA RELATING TO ZONING; AMENDING THE CITY CODE AND ADDING A SECTION FOR "CANNABIS DISPENSARIES, MEDICAL MARIJUANA TREATMENT FACILITIES, AND INDEPENDENT TESTING LABORATORIES"; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Citrin asked Ms. Martinez-Ruiz to clarify—this ordinance will ban dispensaries but allow the sale of CBD oil products with low-to no THC levels. The ordinance specifies the product has to have less than .08% of THC. This is a first reading and an opportunity for public input would be afforded upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA BANNING SHORT TERM RENTALS OF RESIDENTIAL PROPERTIES; AMENDING THE CITY CODE; AMENDING DEFINITIONS; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Ms. Martinez-Ruiz commented that this ban targets short-term rentals in the form of Airbnb and VRBO rentals. Mr. Citrin mentioned that there is currently a bill in the Florida legislature that attempts to preempt Cities from passing this type of ordinance. The Mayor is currently lobbying against the State passing it, among other things. This is a first reading and an opportunity for public input would be afforded upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF ITS PROMISSORY NOTE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000, TO PROVIDE A REVOLVING LINE OF CREDIT FOR THE CITY; COVENANTING TO BUDGET AND APPROPRIATE FUNDS, FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES, TO REPAY SUCH NOTE; PRESCRIBING THE FORM, TERMS AND DETAILS OF THE NOTE; AWARDING THE NOTE TO SYNOVUS BANK BY NEGOTIATED SALE; APPROVING THE FORM OF A LINE OF CREDIT AGREEMENT BETWEEN THE CITY AND SYNOVUS BANK; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Citrin read the item into the record. This is a first reading and an opportunity for public input would be afforded upon second reading. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(4-0)**

- D) ORDINANCE OF THE CITY OF HIALEAH GARDENS GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF HIALEAH GARDENS, AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia, an employee and stockholder for FPL, recused himself from the voting. He handed the gavel to Councilman Gutierrez and stepped off the dais at 7:44 p.m. Mr. Citrin does not have a conflict. Mr. Rivera explained that this is an extension to the City's existing franchise agreement with FPL. Councilman Gutierrez, serving as Chair, made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(3-0)**

For the record, Mr. Citrin stated that Chairman Garcia returned to the dais as Chairman at 7:45 p.m.

- E) ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH GARDENS, FLORIDA AUTHORIZING THE ISSUANCE OF A SPECIAL OBLIGATION NOTE OF THE CITY OF HIALEAH GARDENS, FLORIDA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$750,000; PROVIDING FOR A SUPPLEMENTAL RESOLUTION SETTING FORTH THE DETAILS OF SAID NOTE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Juan Rivera, OMB Director stated this note serves to upgrade the fleet of the Police Department. The fund will be used towards the HGPD's purchase of the twelve Durangos and four or five Chevy Tahoes, plus the equipment for each individual vehicle. This loan will be tax-exempt. The Chair made a motion to approve the ordinance upon first reading, seconded by Councilman Merida. The item was unanimously approved by individualized voice vote. **(4-0)**

- 10. City Attorney's Report:** No comments were offered.
- 11. Mayor's Report – Miscellaneous:** No comments were offered.
- 12. Council Members Concerns / Reports / Board Appointments:**  
W&S Board Appointments: Councilman Rolando Piña, Councilman Jorge Merida.
- No comments were offered.
- 13. Adjournment:** The meeting was adjourned at 7:50 p.m.

Respectfully submitted by:

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Maria L. Joffe  
City Clerk

**In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's office no later than four days prior to the proceeding. For assistance, the City's telephone number is (305) 558-4114; if hearing impaired the telephone for the Florida Relay Service is (800) 955-8771 (TDD) or (800) 955-8770 (VOICE).**

**Pursuant to Section 286.0105 Florida Statutes, 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, March 3, 2020, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, March 9, 2020, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, March 5, 2020, 11:30 A.M.

**WATER AND SEWER BOARD**

Wednesday, February 26, 2020, 7:00 P.M.

**POLICE PENSION BOARD**

Tuesday, May 5, 2020 5:30 P.M.