

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, September 8, 2020
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:32 p.m.
- 2. Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Merida, Councilman Jorge Gutierrez, Councilman Rolando Piña, Chairman Luciano Garcia, Mayor Yioset De La Cruz, and Deputy City Attorney Aida Martinez-Ruiz.
- 3. Invocation:** Chairman Garcia gave the invocation.
- 4. Pledge of Allegiance:** Mayor De La Cruz led the pledge of allegiance.
- 5. Deletions/Emergency Additions:** N/A
- 6. Review of Minutes: August 4, 2020** Chairman Garcia made a motion to approve the minutes of August 4, 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, 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.

Ms. Martinez-Ruiz read the item into the record. This is a renewal of an ongoing contract that allows the City to maintain the right-of-ways along Frontage Road that belong to the State. The State reimburses the City for landscape maintenance. No comments or questions from Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING ENTERING INTO A MUTUAL AID AGREEMENT WITH THE CITY OF MIAMI, FLORIDA, REGARDING LAW ENFORCEMENT ISSUES AND NEEDS; AUTHORIZING THE ENTERING INTO AN AGREEMENT BY THE MAYOR; RATIFYING THE PROVISIONS OF SUCH AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Ms. Martinez-Ruiz spoke on behalf of Captain Michael Lopez and briefly explained the item. This is a renewal of an existing mutual aid agreement with the City of Miami. No comments or questions from Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, ENTERING INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HIALEAH GARDENS AND THE POLICE BENEVOLENT ASSOCIATION WHICH PROVIDES FOR A ONE PERCENT (1%) INCREASE TO SWORN LAW ENFORCEMENT PERSONNEL AS PROVIDED BY THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT; PROVIDING FOR IMPLEMENTATION OF SUCH CONTRACT; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. Ms. Martinez-Ruiz spoke on behalf of Captain Michael Lopez once again and briefly explained the item. This is money that has been received by the counties from the federal government; the 1% would be reimbursed by the county under the CARES Act. Should that money not reach the

City, this contract would be null and void. The increase would be retroactive to March 1, 2020 until December 31, 2020, unless it gets extended. The 1% increase is calculated from the police officers' base salary only. No comments or questions from Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE 2020 MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY; AUTHORIZING THE MAYOR TO IDENTIFY AND PRIORITIZE HAZARD MITIGATION GRANT PROGRAM PROJECTS TO BECOME A PART OF THE LOCAL AND STATEWIDE HAZARD MITIGATION STRATEGY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The County reached out to the City to adopt the LMS as a requirement from the State. At this time, the City does not have any projects in the pipeline that would fall under this grant. No comments or questions from Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(5-0)**

9. First Reading for consideration of the following ordinance:

- A) ORDINANCE AMENDING CHAPTER 46, TAXATION AND FINANCE, ARTICLE V "IMPACT FEES," INCORPORATING THE RECENT PASSAGE OF FLORIDA STATUTE 163.31801 (FLORIDA IMPACT FEE ACT); PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Florida Legislature reviewed this issue the previous year; cities must ensure that impact fees are utilized for their intended purpose (i.e., infrastructure, transportation etc.) The City's legal counsel suggested entering this amendment into our Code. Impact fees are intended for new construction and the City has not had any recent large developments. Mayor De La Cruz added that City has minimal impact fees and they have always used them the way they are supposed to in the past. No comments or questions from Councilmembers. The Chair opened the public hearing at 7:39 p.m. No one came forward; public hearing closed at 7:39 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

10. First Reading / Public Hearing for consideration 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, 2020 AND ENDING SEPTEMBER 30, 2021, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 8.58 % 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.

Ms. Martinez-Ruiz read the item into the record. Mayor De La Cruz spoke on the item. He stated that the City has not increased property taxes and the millage rate has remained the same for the past seven years. Any increase in the amount of property taxes would be due to an increase in residential property values. The Chair opened a public hearing at 7:40 p.m. No one came forward; public hearing closed at 7:40 p.m. The Chair made a motion to approve the item, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING THE ANNUAL BUDGET FOR THE GENERAL FUND FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Chair opened the public hearing at 7:41 p.m. No one came forward; public hearing closed at 7:41 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Chair opened the public hearing at 7:42 p.m. No one came forward; public hearing closed at 7:42 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Chair opened the public hearing at 7:42 p.m. No one came forward; public hearing closed at 7:42 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Chair opened the public hearing at 7:43 p.m. No one came forward; public hearing closed at 7:43 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Chair opened the public hearing at 7:44 p.m. No one came forward; public hearing closed at 7:44 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

- 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, 2020, AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. The Chair opened the public hearing at 7:45 p.m. No one came forward; public hearing closed at 7:45 p.m. The Chair made a motion to approve, seconded by Councilman Merida. The item was approved unanimously by individualized voice vote. **(5-0)**

11. City Attorney's Report – N/A

12. Mayor's Report – Miscellaneous – No comments

- 13. Council Members Concerns / Reports / Board Appointments:**
Councilman Piña appointed Ms. Rebeca Acosta to the Water & Sewer Board.
- 14. Adjournment:** The Chair adjourned the meeting at 7:45 p.m.

Respectfully submitted by:

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, October 1, 2020, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 5, 2020, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 1, 2020, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, September 23, 2020, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 10, 2020 5:30 P.M.