

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, September 22, 2020
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

1. **Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:30 p.m.
2. **Roll Call:** Present were Councilman Elmo Urra, Councilman Jorge Merida, Councilman Rolando Piña, Chairman Luciano Garcia, Mayor Yioiset De La Cruz, and Deputy City Attorney Aida Martinez-Ruiz. Councilman Jorge Gutierrez 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:** N/A
6. **Review of Minutes: September 8, 2020** Chairman Piña 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 AND RATIFYING THE AGREEMENT FOR THE CITY'S HEALTH INSURANCE BETWEEN AETNA AND THE CITY OF HIALEAH GARDENS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Ms. Martinez-Ruiz read aloud her recommendation to renew the City's health insurance contract with Aetna. Attached documentation details the conditions and rates of the contract. The City's broker, Mr. Angel Gonzalez, was present and available for questions. Chairman Garcia agreed that the City continue their contract with Aetna; this proposal will be a continuation of the same benefits currently under contract, only with a 4% increase in cost to the City with no additional cost to employees. Mayor De La Cruz added that the City has budgeted for this cost as a 5% increase for the upcoming fiscal year. No further questions or comments from the Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The item was approved unanimously. **(4-0)**

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

Ms. Aida Martinez-Ruiz read the item into the record. Ms. Martinez-Ruiz explained that this is a renewal of the City's existing contract with Beazley for supplemental health insurance. No changes to rates or benefits. No further questions or comments from the Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(4-0)**

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

Ms. Aida Martinez-Ruiz read the item into the record. Ms. Martinez-Ruiz stated that there were some changes on the premiums. Mr. Angel Gonzalez, the City's insurance broker, came forward and stated his name and address for the record. He explained the changes in the contract to the Council. Benefits stay the same; life insurance

policy went up slightly, the short term disability went down, long term disability went up because they had three claims in this past year and several employees aged up. Mr. Gonzalez mentioned that this is a lot for long term disability, but they decided to go back to Umum who in turn reduced the rate to keep the City's business. No further questions or comments from the Councilmembers. The Chair made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(4-0)**

9. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A FINAL PLAT FOR DELIVERY DEPOT SUBDIVISION, LEGAL DESCRIPTION: TRACT "A" THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 TRACT 50, FLORIDA FRUIT LAND COMPANY'S, SUBDIVISION NO 1, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LESS THEREFROM THAT PORTION CONVEYED TO THE CITY OF HIALEAH GARDENS IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 27830, PAGE 1341-1344, PUBLIC RECORDS OF MIAMI DADE COUNTY. FOLIO: 27-2019-001-0575, APPROXIMATE LOCATION: BETWEEN NW 107TH AVENUE AND NW 109TH AVENUE AND NORTH 144TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.
(TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Aida Martinez-Ruiz read the short legal description of the item into the record. She asked that the City Clerk enter the full legal description as written into the record. No applicant present. Chairman Garcia stated that this is a first reading and an opportunity for public input will be given upon second reading. He then made a motion to approve the item upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE ABANDONMENT OF A DEDICATED PORTION OF PLANNED RIGHT OF WAY BETWEEN N.W. 102ND AVENUE AND THEORETICAL NW 101ST AVENUE AND NORTH OF THEORETICAL N.W. 134RD STREET, HIALEAH GARDENS, FLORIDA, LEGALLY DESCRIBED AS: SAID PART OF LAND BEING 7 1/2 FEET OF THE SOUTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF TRACT 13, LESS THE WEST 35 FEET THEREOF, OF "FLORIDA FRUITLAND COMPANY'S SUBDIVISION" ACCORDING TO THE PLAT THEREOF, AS RECORDED PLAT BOOK 2, AT PAGE 17, SECTION 29,

TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY FLORIDA. LYING AND BEING IN TOWN OF HIALEAH GARDENS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE S. W. CORNER OF TRACT 13, ACCORDING TO THE AFORESAID PLAT BOOK AND PAGE. THENCE N 89°41'27" E, ALONG THE SOUTH LINE OF MENTIONED TRACT 13 A DISTANCE OF 35 FEET TO THE POINT OF BEGINNING OF THE PART OF LAND HEREIN DESCRIBED. THENCE CONTINUE THIS COURSE A DISTANCE OF 295.00 FEET. THENCE N 02°37'04" W A DISTANCE OF 7.50 FEET. THENCE S 89°41'27" W A DISTANCE OF 295.00 FEET. THENCE S 02°37'26" E, A DISTANCE OF 7.50 TO THE POINT OF BEGINNING. SAID LANDS SITUATE, LYING AND BEING IN MIAMI- DADE COUNTY, FLORIDA AND CONTAINING 2,213 SQUARE FEET AND/OR 0.051 ACRES MORE OR LESS; FOLIO #: 27-2029-001-0140; PROVIDING FOR CONDITIONS, PROVIDING FOR AN EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: n/a)

Ms. Aida Martinez-Ruiz read the short legal description of the item into the record. She asked that the City clerk enter the full legal description as written into the record. The applicants, Dario and Tracy Gonzalez, came forward and stated their name and address for the record. This is a first reading; an opportunity for public input will be given upon second reading. The Chair made a motion to approve the item upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- C) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR HIALEAH GARDENS TRADE CENTER, CONCERNING PROPERTY LEGALLY DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT 33. SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST. "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA: THENCE RUN S.89°29'07"W. FOR 681.04 FEET; THENCE RUN N.14°24'08"E. FOR 341.33 FEET; THENCE RUN N.89°29'12"E. FOR 581.44 FEET: THENCE RUN S.02°33'09"E. FOR 330.02 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THEREFROM THE EAST 40 FEET THEREOF. AND THAT PORTION OF TRACT 34, SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION", LYING EAST OF THE FLORIDA TURNPIKE EXTENSION AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN IN

THE S.E. CORNER OF SAID TRACT 34: THENCE RUN S.85°29'12"W. FOR 596.48 FEET; THENCE RUN N.16°47'25"W. FOR 343.60 FEET THENCE RUN N.89°29'07"E FOR 681.04 FEET; THENCE RUN S.02°33'09"E. FOR 330.02 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THEREFROM THE EAST 40 FEET THEREOF. AND THE NORTH 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF TRACT 35, LESS THE EAST 40 FEET THEREOF, AND THE EAST 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF TRACT 35 ALL IN SECTION 19, TOWNSHIP 52 SOUTH. RANGE 40 EAST OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION" AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, TOGETHER WITH THE FOLLOWING: THE EAST ONE-QUARTER OF THE WEST ONE-HALF AND THE WEST ONE-QUARTER OF THE EAST ONE-HALF OF TRACT 35, "FLORIDA FRUIT LANDS COMPANY SUBDIVISION, NO. 1", AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, IN THE SOUTHEAST ONE-QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST BEING ALSO A PORTION OF PARCEL 129.1 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SHEET 5 OF 7, SECTION 87005-2312; MOST RECENT UPDATE REVISION APRIL 27, 2006; SAID PART BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, RUN THENCE NORTH 2°33'57" WEST, 1980.08 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE NORTHEAST CORNER OF TRACT 35 OF SAID SUBDIVISION; THENCE SOUTH 89°29'21" WEST, 596.02 FEET ALONG THE NORTH BOUNDARY OF SAID TRACT 35 TO A POINT OF INTERSECTION WITH THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 821 AND THE POINT OF BEGINNING; THENCE SOUTH 19°27'58" EAST ALONG SAID RIGHT-OF-WAY LINE, 348.72 FEET; THENCE NORTH 02°33'51" WEST 330.02 FEET ALONG THE EXISTING EAST LIMITED ACCESS RIGHT-OF-WAY LINE; THENCE SOUTH 89°29'21" WEST, 101.45 FEET ALONG SAID EXISTING LIMITED ACCESS RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. RESERVING UNTO THE GRANTOR ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW BETWEEN THE GRANTOR'S REMAINING RIGHT-OF-WAY AND THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL, FOLIOS: 27-2019-001-0350, 27-2019-001-0360, 27-2019-001-0371 AND 27-2019-001-0373 APPROXIMATE LOCATION: WEST SIDE OF NW 112TH AVENUE BETWEEN THEORETICAL

NW 143RD STREET AND THEORETICAL NW 146TH STREET,
HIALEAH GARDENS, FL., PROVIDING FOR CONDITIONS;
PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 4-0; P&Z Vote: 3-0)

Ms. Aida Martinez-Ruiz read the short legal description of the item into the record. She asked that the City clerk enter the full legal description as written into the record. Mr. Adam Rydzewski, for the applicant, came forward and stated his name and address for the record. This is a first reading; an opportunity for public input will be given upon second reading. The Chair made a motion to approve the item upon first reading, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

10. Second Reading / Public Hearing for consideration and final adoption of the following ordinance:

Ms. Martinez-Ruiz swore in those intending to give testimony on the following items.

- A) ORDINANCE AMENDING CHAPTER 46 ENTITLED TAXATION AND FINANCE ARTICLE V ENTITLED IMPACT FEES, REFLECTING 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. Aida Martinez-Ruiz read the item into the record and stated that this ordinance was discussed at the previous meeting and served to incorporate legislative changes made by the State. Chairman Garcia 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. **(4-0)**

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

Ms. Martinez-Ruiz swore in those intending to give testimony on the following items.

- 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. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:47 p.m. No one came forward; public hearing closed at 7:47 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. Mayor De La Cruz added that they have kept the millage rate the same for the last few years; it is the lowest it has been since 1984. Any increase seen on property tax notices are due to increases in property value throughout the County. The item 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:48 p.m. No one came forward; public hearing closed at 7:48 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:48 p.m. No one came forward; public hearing closed at 7:48 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:49 p.m. No one came forward; public hearing closed at 7:49 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:49 p.m. No one came forward; public hearing closed at 7:49 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance 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, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:50 p.m. No one came forward; public hearing closed at 7:50 p.m. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance 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, 2020, AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Aida Martinez-Ruiz read the item into the record. Chairman Garcia opened the public hearing at 7:51 p.m. No one came forward; public hearing closed at 7:51 p.m. The Chair thanked Mr. Juan Rivera, Finance Director, for all of his hard work on the budget. The Chair made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was approved unanimously by individualized voice vote. **(4-0)**

- 12. City Attorney's Report:** Ms. Martinez-Ruiz thanked the Council for letting her call in her attendance to the meeting.
- 13. Mayor's Report – Miscellaneous:** Mayor De La Cruz thanked the City Council for their continued support. He also thanked Mr. Rivera for his work on the budget and for another successful fiscal year. This has been one of the most successful budgets the City has had; they did not raise the millage rate but still concluded the

year with a surplus of \$6 million, the highest the City has ever had. The City accomplished a lot with this budget; the City will soon open a new library, has purchased 16 new police vehicles, completed a massive upgrade to the drainage system in the Central District, and is building a new Senior Center which should be completed by 2021.

14. Council Members Concerns / Reports / Board Appointments:

Police Pension Board Trustees Appointments by City Council

Trustee Jorge A. Gutierrez Term Expires 9/30/2020

Trustee Erik Espinosa Term Expires 9/30/2020

The Council voted unanimously to reappoint the above trustees to continue serving on the Police Pension Board for another two years term.

Mayor De La Cruz added a final note about the City's upcoming annexation project, which will be discussed at the following Council meeting.

15. Adjournment: The meeting was adjourned at 7:55 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 20, 2020, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, November 17, 2020, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 8, 2020, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, October 28, 2020, 7:00 P.M.

POLICE PENSION BOARD

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