

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, September 7, 2021
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 Gutierrez, Councilman Jorge Merida, Councilman Rolando Piña, Chairman Luciano Garcia, Mayor Yioiset De La Cruz, and Deputy City Attorney Aida Martinez-Ruiz. City Attorney Charles Citrin 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: August 17, 2021** Chairman Garcia made a motion to approve the minutes of August 17, 2021, seconded by Councilman Merida. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. First Reading for consideration of the following ordinances:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR POINCIANA PALMS CONCERNING PROPERTY LEGALLY DESCRIBED AS: A PORTION OF TRACT 40 IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT 40, THENCE NORTH 165.01 FEET, THENCE WEST 495.84 FEET, THENCE SOUTH 164.98 FEET, THENCE EAST 496.79 FEET TO THE POINT OF BEGINNING, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA. LESS: THAT PART OF: THE SOUTH HALF OF TRACT 40 AND TRACT 41 LESS THE NORTH 44.50 FEET IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST WHICH IS BOUNDED ON THE SOUTHWESTERLY BY THE TURNPIKE EXTENSION AND BOUNDED ON THE NORTHEASTERLY BY A LINE 160.50 FEET NORTHEASTERLY AND PARALLEL WITH THE CENTERLINE OF CONSTRUCTION FOR SECTION 97090-2518, STATE ROAD 25, TOGETHER WITH ALL RIPARIAN RIGHTS APPORTIONING THERETO. A PORTION OF SAID CENTERLINE OF CONSTRUCTION MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 2, 3, 10 AND 11, ALL IN TOWNSHIP 53 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 89°39'44" WEST A DISTANCE OF 501.31 FEET; THENCE RUN NORTH 50°54'44" WEST A DISTANCE OF 1132.75 FEET; THENCE RUN NORTH 39°00'45" EAST A DISTANCE OF 31.50 FEET TO THE BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE RUN NORTH 50°59'15" WEST A DISTANCE OF 42971.08 FEET TO THE END OF SAID DESCRIBED LINE; THENCE CONTINUE NORTH 02°38'59" WEST A DISTANCE OF 998.92 FEET; THENCE RUN NORTH 02°38'59" WEST A DISTANCE OF 410.79 FEET TO A POINT ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 10, TOWNSHIP 52 SOUTH, RANGE 39 EAST; THENCE SOUTH 89°58'42" WEST A DISTANCE OF 14.43 FEET TO THE CENTER OF SAID SECTION 10. CONTAINING 1,800 SQUARE FEET, MORE OR LESS. APPROXIMATE LOCATION: S.W. INTERSECTION OF THEORETICAL N.W 138 STREET AND N.W 112ND AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2019-001-0430. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Ms. Martinez-Ruiz read the short legal description for the item into the record; she asked that the City Clerk enter the complete legal description into the record in order to assure accuracy. Mr. Frank Nunez, surveyor, came forward representing the applicant and stated his name and address for the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia made a motion to approve the item upon first reading; seconded by Councilman Merida. The item was approved unanimously upon first reading. **(5-0)**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, GRANTING TO PIVOTAL UTILITY HOLDINGS, INC. D/B/A FLORIDA CITY GAS, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE GAS FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENT OF A FRANCHISE FEE TO THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Ms. Martinez-Ruiz read the legal description for the item into the record. Chairman Garcia recused himself from the discussion because he is an employee of FPL which is a subsidiary of Next Era Energy Company; Florida City Gas is also a subsidiary of Next Era Energy Company. Chairman Garcia stepped off the dais at 7:33 p.m. Ms. Martinez-Ruiz explained that this was previously put on the agenda as a resolution [for the franchise agreement]. However, FCG has requested that the City pass it via ordinance. It is the exact same agreement. Vice Chairman Piña made a motion to approve the item upon first reading; seconded by Councilman Merida. The item was approved unanimously upon first reading. **(5-0)**

Chairman Garcia returned to the dais at 7:34 p.m.

9. Second / Reading for consideration and final adoption of the following ordinances:

Ms. Martinez-Ruiz swore in those in attendance intending to give testimony on any of the items for public hearing.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN TO DEVELOP A RETAIL SHOPPING CENTER, SPECIAL EXCEPTION USE ALLOWING DUNKIN DONUTS AND CHICK-FIL-A, FAST FOOD ESTABLISHMENTS WITH DRIVE-THROUGH SERVICE FACILITY AND SIGNS VARIANCES AS FOLLOWS; SIGN 1: VARIANCES OF HEIGHT OF 9'3" WHERE 6' IS PERMITTED AND AREA OF 75 SF WHERE 32 SF IS PERMITTED AND SIGNS 1 & 4: VARIANCE OF 36 SF WHERE 32 SF IS PERMITTED FOR HIALEAH SOUTH, CONCERNING PROPERTY LEGALLY DESCRIBED AS:

PARCEL 1

A PORTION OF TRACT 1 AND A PORTION OF THE EAST 1/2 OF TRACT 16, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S 02°34'33" E, ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 1,394.50 FEET TO THE POINT OF BEGINNING OF PARCEL 1; THENCE CONTINUE S 89°40'20" W FOR A DISTANCE OF 586.23 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF SAID TRACT 16; THENCE RUN S 02°36'35" E, ALONG SAID WEST LINE OF THE EAST 1/2 OF TRACT 16, FOR A DISTANCE OF 244.92 FEET; THENCE RUN N 89°40'39" E, ALONG A LINE 20.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID TRACT 16, FOR A DISTANCE OF 655.48 FEET; THENCE RUN N 00°20'24" W FOR A DISTANCE OF 224.83 FEET; THENCE RUN S 89°40'28" W FOR A DISTANCE OF 58.99 FEET; THENCE RUN N 45°19'54" W FOR A DISTANCE OF 28.22 FEET TO THE POINT OF BEGINNING.

PARCEL 2

A PORTION OF TRACT 1 AND A PORTION OF THE EAST 1/2 OF TRACT 16, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 40 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S 02°34'33" E ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED

FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 1,092.48 FEET TO THE POINT OF BEGINNING OF PARCEL 2; THENCE RUN S 00°19'47" E FOR A DISTANCE OF 244.81 FEET TO A POINT ON A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 1; THENCE RUN S 89°40'39" W FOR A DISTANCE OF 223.03 FEET; THENCE RUN N 00°20'24" W FOR A DISTANCE OF 224.83 FEET; THENCE RUN N 89°40'28" E FOR A DISTANCE OF 33.12 FEET; THENCE RUN N 51°07'51" E FOR A DISTANCE OF 32.03 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N 89°40'20" E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 164.91 FEET TO THE POINT OF BEGINNING OF PARCEL 2.

PARCEL 3

A PORTION OF TRACT 1, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SAID SECTION 29, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S. 02°34'33" E., ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S 89°40'20" W ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 359.91 FEET TO THE POINT OF BEGINNING OF PARCEL 3; THENCE RUN S 00°20'20" E FOR A DISTANCE OF 244.87 FEET TO A POINT ON A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 1; THENCE RUN S 89°40'39" W FOR A DISTANCE OF 732.60 FEET TO A SOUTHEAST CORNER OF PARCEL 2; THENCE RUN N 00°19'47" W ALONG THE EAST LINE OF PARCEL 2 FOR A DISTANCE OF 244.81 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N 89°40'20" E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 430.38 FEET; THENCE RUN S 77°55'33" E FOR A DISTANCE OF 50.69 FEET; THENCE RUN N 89°40'00" E FOR A DISTANCE OF 209.49 FEET; THENCE RUN N 45°00'00" E FOR A DISTANCE OF 15.45 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N 89°40'20" E ALONG

THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 32.20 FEET TO THE POINT OF BEGINNING OF PARCEL 3.

PARCEL 4

A PORTION OF TRACT 1, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING IN THE NORTHEAST 1/4 OF SAID SECTION 29, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE RUN S. $02^{\circ}34'33''$ E., ALONG THE EAST LINE THEREOF, FOR A DISTANCE OF 65.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 65.00 FEET THEREOF AS SHOWN ON THE RIGHT-OF-WAY MAP OF N.W. 138 STREET APPROVED DECEMBER 6, 2011, FILED FEBRUARY 1, 2012, IN ROAD PLAT BOOK 152 PAGE 83 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S $89^{\circ}40'20''$ W FOR A DISTANCE OF 15.01 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SAID TRACT 1; THENCE RUN S $89^{\circ}40'20''$ W FOR A DISTANCE OF 81.33 FEET ALONG THE NORTH LINE OF TRACT 1 TO THE POINT OF BEGINNING OF PARCEL 4; THENCE RUN S $30^{\circ}59'08''$ E FOR A DISTANCE OF 36.80 FEET; THENCE RUN S $53^{\circ}59'55''$ W FOR A DISTANCE OF 9.14 FEET; THENCE RUN S $02^{\circ}35'25''$ W FOR A DISTANCE OF 78.74 FEET; THENCE RUN N $86^{\circ}55'13''$ E FOR A DISTANCE OF 18.20 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN NORTHERLY, NORTHWESTERLY, AND WESTERLY ALONG THE SAID CIRCULAR CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 6.00 FEET, THROUGH A CENTRAL ANGLE OF $67^{\circ}38'38''$ FOR AN ARC DISTANCE OF 7.08 FEET TO A POINT; THENCE RUN S $07^{\circ}21'36''$ E FOR A DISTANCE OF 137.33 FEET TO A POINT ON A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF TRACT 1; THENCE RUN S $89^{\circ}40'39''$ W FOR A DISTANCE OF 308.48 FEET TO THE EAST LINE OF PARCEL 3; THENCE RUN N $00^{\circ}20'20''$ W FOR A DISTANCE OF 244.87 FEET TO A POINT ON THE NORTH LINE OF TRACT 1; THENCE RUN N $89^{\circ}40'20''$ E ALONG THE NORTH LINE OF TRACT 1 FOR A DISTANCE OF 263.57 FEET TO THE POINT OF BEGINNING OF PARCEL 4. CONTAINING 552,770.14 SQUARE FEET OR 12.69 ACRES MORE OR LESS BY CALCULATIONS. APPROXIMATE LOCATION: S. W. INTERSECTION OF N.W. 138TH STREET AND N.W. 97TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2029-001-0010 AND 27-2029-001-

0171, PROVIDING FOR EFFECTIVE DATE PROVIDING FOR
CONDITIONS. (TRC Vote: 5-0; P&Z Vote: 5-0 on all variances)

Ms. Martinez-Ruiz read the short legal description for the item into the record; she asked that the City Clerk enter the complete legal description into the record in order to assure accuracy [for parcels 1, 2, 3, and 4].

Mr. Hugo Arza, representing the applicant, came forward and stated his name and address for the record; joined by colleague Alejandro Arias and project engineers. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward and read her memorandum for recommendation into the record. Land use is neighborhood retail, zoning is neighborhood business district B-1. Owner is Atlas Hialeah LLC. Applicant is requesting the construction of a retail shopping center with several variances and special exceptions. Mrs. Gonzalez went over all votes (and required conditions) in detail. The only thing pending for this project is the final plat.

Mr. Arza is in agreement with all of the recommendations from City Staff; he thanked Mrs. Gonzalez and Mr. Joe Lopez for all of their help and expressed how collaborative the process has been to get the project to this point. He provided the Council a paper presentation of the project and walked them through the details of the site location, parcel size, etc. The planned use is in alignment with the City designated land use of neighborhood retail. This is precisely what the master plan calls for. Mr. Arza continued to discuss the details of the project as outlined by the paper presentation.

Chairman Garcia asked a question about the 20-ft wide landscaping on the South property line...Mr. Arza emphasized there will be no connectivity to the site from 137th Street/the residential neighborhood to the South. The applicant confirmed that the wall and the buffer are continuous from the East boundary to the West boundary. 137th street may eventually be extended further to the East; there is no current road improvement planned at this point.

Mr. Greg D. Wilfong, engineer, of Kimley-Horn and Associates, came forward and stated his name and address for the record. He explained that the section behind the proposed Racetrac parcel, which is the furthest on the East side, the buffer wall will extend all the way to the edge of 97th. A 50-foot roadway will connect to 97th [for trucks] using a 30-foot portion of existing City right-of-way and 20-foot dedication. Residents will not have access to 97th or to any of the parcels. Only the Fire Department will be able to go through [a gate] if needed.

Mr. Arza continued and explained they took great care in preventing any intrusion of traffic in either direction. Traffic study was completed and the project meets the levels of service that the City requires. Applicant respectfully requests the Council's approval this evening.

Chairman Garcia opened the public hearing at 7:49 p.m.; no comments were offered. Public hearing closed at 7:49 p.m. Councilman Pina asked if the tenants shown on the presentation are the confirmed tenants; Mr. Arza explained that the bullet point list of tenants are confirmed. Renderings of Pet Supermarket—not confirmed but probably in talks. The leasing of space continues to evolve during the project. Approval is not contingent on any specific tenants, turnover is inevitable. Chairman Garcia asked for an estimated timeline—the engineer, Mr. Greg D. Wilfong stated that construction will begin within the next 6-9 months. It will take about a year to completely build out.

Chairman Garcia made a motion to approve the ordinance; seconded by Councilman Merida. The ordinance was approved unanimously. **(5-0)**

Tabled 8/17/2021

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR ZOE'S TRACT CONCERNING PROPERTY LEGALLY DESCRIBED AS: THE WEST 264 FEET OF TRACT 16, LESS THE NORTH 65 FEET AND ALSO LESS THE WEST 15 FEET THEREOF FOR STREET PURPOSES OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" OF IN SECTION 29, 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. SAID TRACT OF LAND CONTAINING 65,958 SQUARE FEET (1.5142 ACRES), MORE OR LESS. APPROXIMATE LOCATION: S.E. INTERSECTION OF N.W 138 STREET AND N.W 102ND AVENUE, HIALEAH GARDENS, FLORIDA. FOLIO #: 27-2029-001-0172. PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 5-0; P&Z Vote: n/a)

Item B remained tabled.

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, 2021 AND ENDING SEPTEMBER 30, 2022, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 7.11% 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 and explained that they are maintaining the same millage rate as the previous year; the increase is due to increases in property values. Property values are set by the County, not by the City. The City itself is not raising taxes. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:53 p.m. No one came forward and he closed the public hearing at 7:53 p.m. Chairman Garcia made a motion to approve the item upon first reading; 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:54 p.m. No one came forward and he closed the public hearing at 7:54 p.m. Chairman Garcia made a motion to approve the item upon first reading; 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:54 p.m. No one came forward and he closed the public hearing at 7:54 p.m. Chairman Garcia made a motion to approve the item upon first reading; 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:55 p.m. No one came forward and he closed the public hearing at 7:55 p.m. Chairman Garcia made a motion to approve the item

upon first reading; 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:55 p.m. No one came forward and he closed the public hearing at 7:55 p.m. Chairman Garcia made a motion to approve the item upon first reading; 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:56 p.m. No one came forward and he closed the public hearing at 7:56 p.m. Chairman Garcia made a motion to approve the item upon first reading; 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, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Ms. Martinez-Ruiz read the item into the record. This is a first reading; an opportunity for public input will be afforded upon second reading. Chairman Garcia opened the public hearing at 7:57 p.m. No one came forward and he closed the public hearing at 7:57 p.m. Chairman Garcia made a motion to approve the item upon first reading; 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:

Mayor De La Cruz spoke on the budget; the City is coming in on a surplus of roughly \$4.2 - \$4.5 million. The City also received Covid-related federal funding of \$5.8 million which is putting the surplus at roughly \$10.5 million. The City should continue to receive Covid-related funds through 2024, totaling at \$11 million. Mayor De La Cruz suggested putting this money into infrastructure improvements (Okeechobee water mains), as well as making up for lost revenues. Roughly \$690,000 was lost in the Water & Sewer Department because of unpaid water bills (City couldn't shut off water due to Covid policies). This is the largest surplus the City has ever seen. Larger than the total budget that the City had in 2000; best budget that the City has ever had. \$5.8 million of Covid funding is already in the bank as of last week.

13. Council Members Concerns / Reports / Board Appointments: N/A

Police Pension Board Appointment – Pending

Water & Sewer Board Appointment (J. Merida) – (E. Urra) - Pending

14. Adjournment: The meeting was adjourned at 8:01 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 5, 2021, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 18, 2021, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 7, 2021, 11:00 A.M.

WATER AND SEWER BOARD

Wednesday, September 22,, 2021, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 9, 2021, 5:30 P.M.