

**Mayor**

Yioiset De La Cruz

**City Council Members**

Chairman Luciano "Lucky" García

Vice Chairman Rolando "Roly" Piña

Council member Jorge A. Merida

Council member Jorge Gutierrez

Council member Elmo L. Urra

**MINUTES**

**CITY OF HIALEAH GARDENS  
TUESDAY, September 21, 2022  
CITY COUNCIL CHAMBERS  
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Luciano Garcia called the meeting to order at 7:31 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Elmo L. Urra, Councilman Jorge Gutierrez, Councilman Jorge A. Merida, Councilman Rolando Piña, Mayor Yioiset De La Cruz and City Attorney Charles Citrin.
- 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 6, 2022** Chairman Garcia made a motion to approve the minutes of September 6, 2022. The motion was approved unanimously.
- 7. Public Comments:** None were offered.

## 8. Proposed Resolutions:

- A) RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF HIALEAH GARDENS, FLORIDA, EMPLOYING THE SERVICES OF MR. FRANCISCO MINGO, EXPERIENCED AND INTERESTED CITIZEN IN THE AFFAIRS OF CODE ENFORCEMENT, PURSUANT TO THE REQUIREMENTS OF CHAPTER 162 OF THE FLORIDA STATUTES AND CITY CODE SECTION 2-240; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia explained that this is to fill the post of Special Master, in which the City has had a vacancy for some time. No comments or questions were offered. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

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

Mr. Citrin read the item into the record. Ms. Aida Martinez-Ruiz, serving as Director of Personnel, came forward and explained that she has provided information to the Council comparing various health insurance plans for City employees. The current plan proposed by the City's current insurer, Aetna, has an increase of 39.2% over last year's premiums. In an effort to lower the renewal premium currently offered, the City requested Aetna offer alternate plans. Aetna offered one other plan option that would still incur an increase of 20.3%. Humana offered two plan options with better rates. The plan offered by Avmed was not competitive. United Healthcare and Cigna declined to make offers. Florida Blue did not respond to a request for proposals. Ms. Martinez-Ruiz made the recommendation that the city change insurance companies and utilize the services of Humana's HMO 16 plan at an increase of 12% for the employee health insurance. In an effort to assist employees with deductibles and copayments, she also suggested that the City continue to provide supplemental insurance via Beazley Insurance as there was no rate increase this year. Ms. Martinez-Ruiz explained the comparable details of the Humana plan. Councilman Gutierrez asked when the new plan would go into effect; Ms. Martinez-Ruiz answered that it would go into effect on October 1. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- C) 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.

Mr. Citrin read the item into the record. Ms. Aida Martinez-Ruiz serving as Director of Personnel, came forward once again. There is no change in rate for this contract. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING AND RATIFYING THE AGREEMENT FOR DENTAL AND VISION INSURANCE BETWEEN HUMANA AND THE CITY OF HIALEAH GARDENS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Ms. Aida Martinez-Ruiz, Assistant City Attorney and Director of Personnel, came forward once again. Ms. Martinez-Ruiz explained that Humana offers the dental and vision plans in conjunction with the medical insurance. The dental plan has a slight increase but is still relatively inexpensive. This plan has no cap to how much you can spend which Ms. Martinez-Ruiz saw as an added benefit [taking into consideration how high dental bills can be]. This is paid by employees; the City negotiated on behalf of the employees. Mr. Angel Gonzalez, the City's insurance broker, came forward and stated his name and address for the record. Mr. Gonzalez added that Humana's dental and vision insurance is very comprehensive and is actually better than the Aetna counterpart. Chairman Garcia made a motion to approve the resolution, seconded by Councilman Merida. The resolution was approved unanimously. **(5-0)**

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

Mr. Citrin swore in those in attendance intending to give testimony on any of the following items.

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR H&M SELF STORAGE TO DEVELOP A NEW LIMITED ACCESS SELF-STORAGE FACILITY. FOLIO #27-2030-014-0020, EXISTING ADDRESS: 10953 NW 138TH STREET, HIALEAH GARDENS, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.  
**(TRC Vote: 4-0; P&Z Vote: 3-0)**

Mr. Citrin read the item into the record. Mr. Fernando Silva, the applicant, came forward and stated his name and address for the record. Mrs. Mirtha Gonzalez, Chief Zoning Official, came forward to read her recommendation for approval into the record. Land use is IN, industrial use. Zoning district is IN-1, light industrial district. The applicant is proposing a site plan review to develop a limited access self-storage facility. All conditions have been met since TRC approval. Mr. Silva agreed to all conditions put forth by Staff. Chairman Garcia opened a public hearing at 7:45 p.m.; no one came forward. Public hearing closed at 7:45 p.m. No further comments or questions. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading by individualized voice vote. **(5-0)**

**Tabled 09/06/2022**

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR ARH HOLDINGS TO DEVELOP A NEW OFFICE BUILDING. APPROXIMATE LOCATION: S.E INTERSECTION ON N.W. 119TH STREET AND N.W. 88TH AVENUE, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2033-002-0240 AND 27-2033-002-0250; PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.  
(TRC Vote: 5-0; P&Z Vote: 5-0)

Chairman Garcia asked if the applicant was present; no one came forward. Item to remain tabled until the applicant is present.

**10. 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, 2022 AND ENDING SEPTEMBER 30, 2023, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 10.55% 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 item into the record. Chairman Garcia opened a public hearing at 7:46 p.m.; no one came forward. Public hearing closed at 7:46 p.m. Mayor De La Cruz commented that the millage rate is staying the same as it has been for the last seven years—if residents experience an increase in taxes, it has to do with increases in property value [from the County]. No further comments or questions. The Chair made a motion to approve the item, seconded by

Councilman Merida. The ordinance was approved unanimously upon second reading 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, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened a public hearing at 7:48 p.m.; no one came forward. Public hearing closed at 7:48 p.m. No questions or comments were offered. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading 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, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened a public hearing at 7:48 p.m.; no one came forward. Public hearing closed at 7:48 p.m. No questions or comments were offered. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading 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, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened a public hearing at 7:49 p.m.; no one came forward. Public hearing closed at 7:49 p.m. No questions or comments were offered. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading 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, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened a public hearing at 7:49 p.m.; no one came forward. Public hearing closed at 7:50 p.m. No questions or comments were offered. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading 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, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened a public hearing at 7:50 p.m.; no one came forward. Public hearing closed at 7:50 p.m. No questions or comments were offered. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading by individualized voice vote. Mayor De La Cruz added comments regarding this item; the City buys their water from the County, and the County has increased the selling rate by roughly \$200,000/year. The City has decided to cover this full amount instead of passing the increase along to the residents which will save them about \$25 per household. **(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, 2022, AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened a public hearing at 7:50 p.m.; no one came forward. Public hearing closed at 7:50 p.m. Chairman Garcia took the opportunity to thank the Mayor for his leadership in administering the City's finances. The City is in an ideal financial position and is an example of fiscal responsibility amongst other municipalities and within the State. He continued and thanked Mr. Juan Rivera, OMB Director, for his work on the budget, and all of the department heads for their respective work within the City.

No further questions or comments. The Chair made a motion to approve the item, seconded by Councilman Merida. The ordinance was approved unanimously upon second reading by individualized voice vote. **(5-0)**

**11. City Attorney's Report:** Mr. Citrin stated he was happy to be back in attendance at the meetings and thanked Ms. Martinez-Ruiz for being accommodating and helpful as Deputy City Attorney.

**12. Mayor's Report – Miscellaneous:** N/A

**13. Council Members Concerns / Reports / Board Appointments**

Police Pension Board Appointments:

- Council Appointment - Pending
- Mr. Jorge Gutierrez, Sr. - Term expires 9/30/2022

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

Councilmen Urra, Gutierrez, and Piña expressed their agreement with the Chair's comments about the budget.

**14. Adjournment:** The meeting was adjourned at 7:55 p.m.

Agenda certified 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, November 1, 2022, 7:30 P.M.

**PLANNING AND ZONING BOARD**

Monday, November 7, 2022, 7:30 P.M.

**TECHNICAL REVIEW COMMITTEE**

Thursday, November 10, 2022, 11:00 A.M.

**WATER AND SEWER BOARD**

T.B.D.

**POLICE PENSION BOARD**

Tuesday, November 1, 2022, 5:30 P.M.