

MINUTES

**CITY OF HIALEAH GARDENS
TUESDAY, SEPTEMBER 17, 2019
CITY COUNCIL CHAMBERS
10001 NW 87 AVENUE**

- 1. Call to Order:** Chairman Garcia called the meeting to order at 7:30 p.m.
- 2. Roll Call:** Present were Chairman Luciano Garcia, Councilman Jorge Gutierrez, Councilman Jorge Merida, Councilman Elmo Urra, Mayor Yiozet De La Cruz and City Attorney Charles Citrin. Councilman Rolando Piña 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:** Items 9C and 9D were deleted.
- 6. Review of Minutes: September 10, 2019** Chairman Garcia made a motion to approve the minutes of September 10, 2019. The motion was unanimously approved.
- 7. Public Comments:** None were offered.

8. Presentation on the 2020 Census: Commissioner Esteban Bovo, Jr., Chair of the Miami-Dade County 2020 Task Force.

Commissioner Bovo was not yet in attendance; Chairman Garcia tabled the item and postponed the presentation until the Commissioner arrived.

9. Proposed Resolutions:

- A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) 2020 CHEVROLET TAHOE SPORTS UTILITY VEHICLE TO BE USED BY THE ADMINISTRATION 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 STINGRAY CHEVROLET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mr. Juan Rivera, O.M.B. Director, came forward and read his memo for recommendation into the record. He explained the details of the purchase of a 2019 Chevy Tahoe for use of the Administration Department. Funds have already been budgeted for this item. No comments or questions were offered. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

- B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT AND THE CITY OF HIALEAH GARDENS TO ACCEPT A GRANT FROM THE STATE OF FLORIDA FOR THE PURPOSE OF PURCHASING AND INSTALLING MUTUALINK K12 CONSOLE IN EIGHT HIALEAH GARDENS SCHOOLS; INSTRUCTING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS FOR THIS PURPOSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mayor De La Cruz spoke on the item and explained this is a school safety program; it is a \$300,000 grant from the State which will serve to reimburse the monies the City has been spent on equipment for the program. The equipment has been tested numerous time and has been implemented prior to the start of this school year. It is the first program of its kind

in the State of Florida. No comments or questions were offered. Chairman Garcia made a motion to approve the item, seconded by Councilman Merida. The resolution was unanimously approved. **(4-0)**

- C) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE PURCHASE OF A WHEELER REX PIPE MASTER FROM A & B PIPE, A SOLE PROVIDER, TO BE UTILIZED BY THE WATER AND SEWER DEPARTMENT; WAIVING COMPETITIVE BIDDING; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH A & B PIPE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 9C was previously deleted.

- D) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE EXENDITURE OF \$366,634.00 FROM THE WATER AND SEWER DEPARTMENT FOR THE PURPOSE OF RELOCATING CITY OWNED FACILITIES IN CONFLICT WITH PROPOSED FLORIDA DEPARTMENT OF TRANSPORTATION IMPROVEMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 9D was previously deleted.

10. First Reading for consideration of the following ordinance:

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, APPROVING A SITE PLAN TO DEVELOP TWO (2) WAREHOUSES WITH OFFICES AND HEIGHT VARIANCE FOR RUDY & KEITH SITE WAREHOUSES, CONCERNING PROPERTY LEGALLY DESCRIBED AS: TRACT 8, OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1" OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY FOR RIGHT OF WAY PURPOSES IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 27616, PAGE 1887, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT

PORTION OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE WEST 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19. AND THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, AND THAT PORTION OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE NORTH LINE OF THE SOUTH 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19, BOUNDED BY THE EAST LINE OF THE WEST 35.00 FEET OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTH ONE-HALF (S. 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 19 AND BOUNDED BY A 25.00 FEET RADIUS ARC CONCAVE TO THE NORTHEAST, SAID ARC BEING TANGENT TO BOTH OF THE LAST DESCRIBED LINES. TOGETHER WITH TRACT 49, IN SECTION 19, TOWNSHIP 52 SOUTH, RANGE 40 EAST, OF THE "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH NON-EXCLUSIVE DRAINAGE EASEMENT RIGHTS CONTAINED IN THAT EASEMENT AGREEMENT BY AND BETWEEN FO3-4, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOUNDRY COMMERCIAL ACQUISITIONS, LLC, RECORDED _____, 2019 IN OFFICIAL RECORDS BOOK _____, PAGE _____. APPROXIMATE LOCATION: BETWEEN N.W. 107TH AVENUE AND N.W. 109TH AVENUE AND BETWEEN THEORETICAL N.W. 145TH STREET AND PROPOSED N.W. 147TH STREET, HIALEAH GARDENS, FLORIDA. FOLIOS #: 27-2019-001-0080 AND 27-2019-001-0560, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE. (TRC Vote: 6-0; P&Z Vote: 5-0)

Mr. Citrin read the item into the record. Mr. Hugo Arza came forward representing the applicant; he stated he would give a presentation upon second reading. Chairman Garcia stated that an opportunity for public input would be given at the next meeting. He then made a motion to approve the item upon first reading, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote. **(4-0)**

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

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

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, ADOPTING A MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, AT 5.1613 MILLS, WHICH IS AN INCREASE OF 8.66 % 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. Mayor De La Cruz commented that the City was able to maintain the same millage rate they have had since 2008. It is one of the lowest millage rates in the County and added that the City's budget is in great condition. Chairman Garcia opened the public hearing at 7:40 p.m. No comments were offered. Public hearing closed at 7:40 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved 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, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Mayor De La Cruz commented that this year the City has the largest surplus (\$4.8 million) in the history of the City, the previous highest being in 2005. Chairman Garcia opened the public hearing at 7:41 p.m. No comments were offered. Public hearing closed at 7:41 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved 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, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened the public hearing at 7:42 p.m. No comments were offered. Public hearing closed at 7:42 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved 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, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened the public hearing at 7:42 p.m. No comments were offered. Public hearing closed at 7:42 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved 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, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened the public hearing at 7:43 p.m. No comments were offered. Public hearing closed at 7:43 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved 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, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened the public hearing at 7:44 p.m. No comments were offered. Public hearing closed at 7:44 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved 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, 2019, AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

Mr. Citrin read the item into the record. Chairman Garcia opened the public hearing at 7:44 p.m. No comments were offered. Public hearing closed at 7:44 p.m. Chairman Garcia made a motion to approve the ordinance, seconded by Councilman Merida. The ordinance was unanimously approved by individualized voice vote.

(4-0)

The Chair congratulated the Mayor on the City's successful budget and on his leadership and hard work in keeping the City financially sound.

Mayor De La Cruz stated that someone would come in and speak on behalf of Commissioner Bovo. Mr. Mark Gomez came forward and thanked the City for prioritizing the 2020 Census. Commissioner Bovo is the Chair of the 2020 Census Task Force. Mr. Gomez handed out some informational flyers to Staff from Federal and County agencies. He explained that these resources would help the City reach a complete count; Hialeah Gardens is currently ranked 4th in highest response rate (approximately 82%). Chairman Garcia asked what happens to the other 20% (undercount) that doesn't report. Mr. Gomez explained that Census agents are assigned to those cases to follow-up. If contact is never made, those people are not counted, which is part of the problem. The undercount is what inhibits full representation and potential federal funding. The goal of the CTF is to minimize that undercount. The City could consider assisting families in reporting full family size. Online tools are now available for completing census materials. County libraries also available for this specific purpose. Chairman Garcia asked what happens to answers that aren't complete—there is no law requiring citizens to report certain information. Mr. Gomez reiterated that their intent is to encourage full completion. He added that their office was happy to assist in anything the City needed for Census purposes.

12. City Attorney's Report: No comments.

- 13. Mayor's Report – Miscellaneous:** Mayor De La Cruz thanked all Departments, especially O.M.B. Juan Rivera, in achieving the City's best budget year thus far. He thanked the City Council and City Attorney for their support.
- 14. Council Members Concerns / Reports / Board Appointments:**
Water & Sewer Board Appointments: Councilman Rolando Piña, Councilman Jorge Merida.
- Councilmen Merida and Gutierrez added their congratulations on the budget as well.
- 15. Adjournment:** The meeting was adjourned at 7:53 p.m.

Respectfully submitted by:

Maria L. Joffee
City Clerk

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 15, 2019, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, October 7, 2019, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, October 3, 2019, 11:30 A.M.

WATER AND SEWER BOARD

Wednesday, October 23, 2019, 7:00 P.M.

POLICE PENSION BOARD

Tuesday, November 5, 2019, 5:30 P.M.