

**Carlos Hernández**  
Mayor

**Paul B. Hernández**  
President

**Oscar De la Rosa**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Jacqueline Garcia-Roves**  
**Monica Perez**  
**Jesus Tundidor**  
**Carl Zogby**

**City Council Budget Meeting (VIRTUAL)**  
**Minutes**  
**September 28, 2020**  
**7:00 p.m.**

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**1. CALL TO ORDER**

**A. REPORT:** Council President Hernandez called the meeting to order at 7:24 p.m.

**2. ROLL CALL**

**A. REPORT:** City Clerk, Marbelys Fatjo, called the roll with all Council Members present.

**B. REPORT:** Also present were Mayor Carlos Hernandez and Lorena Bravo, City Attorney.

**3. INVOCATION**

**A. REPORT:** Marbelys Fatjo, City Clerk, led the invocation.

**4. PLEDGE OF ALLEGIANCE**

**A. REPORT:** Council President Hernandez led the Pledge of Allegiance.

**5. MEETING GUIDELINES**

*The following guidelines, which apply to today's City's Council Meeting, have been set by Mayor Carlos Hernandez through the execution of an Order on Emergency Public Meeting Guidelines and Procedures Using Communications Media Technology In Response To COVID-19:*

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 on March 20, 2020, suspending the “Florida’s Government in Sunshine Laws” requirement that a quorum of the legislative body holding a public meeting be met in-person and the meeting be held at a physical location accessible to the public for the duration of the State’s Declaration of Emergency issued on March 9, 2020 as a result of the COVID-19 pandemic affecting the State of Florida. Executive Order 20-69 allows local governments to use communications media technology to hold public meetings during the public health emergency as a result of COVID-19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.
- The following Procedures for Virtual Public Meetings of the City Council using Communications Media Technology in Response to COVID-19 have been adopted as minimum procedures for all emergency public meetings of the City Council, boards and committees of the City of Hialeah effective the execution of **Order on Emergency Public Meeting Guidelines and Procedures using Communications Media Technology in Response to COVID19**, signed by Mayor Carlos Hernandez on April 8, 2020.
- The virtual public meeting shall be broadcast live for members of the public to view on the City’s Facebook page. A Facebook account is not required in order to view this virtual public meeting. In addition, members of the public may hear the meeting live through telephonic conferencing. You can join the meeting via telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to [virtualmeeting@hialeahfl.gov](mailto:virtualmeeting@hialeahfl.gov) by 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours’ notice prior to the meeting is provided by the City. Email comments and questions shall not exceed three (3) minutes when read. Only the first three minutes of e-mail comments and questions received by the deadline will be read into and form part of the public record.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so during the meeting by joining the meeting using Zoom or any other similar web-based meeting platform being used as identified in the notice. The person interested in joining the meeting to participate for this purpose must register with the City Clerk by completing a registration form, providing the information required and submitting the completed form to the City Clerk no later than 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours’ notice prior to the meeting is provided by the City. All registered participants will be muted

during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- All existing laws or rules of procedure applicable to public meetings (i.e. three minute limit on speaking, three in favor and three in opposition on any item on the agenda, lobbyist registration requirements), that are not in conflict with these procedures and can be observed under the circumstances remain in effect and to the greatest extent practicable should be observed.
- Public comments and questions, whether on general matters of public concern or on a matter on the agenda, will be heard at the beginning of the meeting and once heard no other public participation will be permitted.
- Persons making public comments must identify themselves by first and last name and provide their address for the record, prior to speaking.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

## **6. COMMENTS AND QUESTIONS**

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- A. **REPORT:** The Office of the City Clerk did not receive e-mail messages from persons interested in making comments or posing questions on matters of public concern, nor did anyone register to participate in the meeting live using Zoom.
- B. **REPORT:** Council President Hernandez asked anyone watching or listening to the meeting who would like to participate live, to use the raising of the hand feature on Zoom. One member of the public expressed interest in participating:
- (1) Eric Johnson, Local 1102, with a home address exempt from public disclosure per Florida law, spoke regarding the budget and physical assessments for firefighters, as well as the political endorsement of Esteban Bovo. Mr. Johnson thanked Councilwoman Perez for the testing sites, as well as Robert Lloyd-Still, Risk Manager and his staff, Lourdes and Maggie, for their assistance to staff of the Fire Department.

## **7. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA**

- A. **REPORT:** There were no announcement of amendments or corrections to the agenda.

## **8. AGENDA**

- A. Second reading and public hearing of proposed ordinance of the Mayor and the City Council of the City of Hialeah, Florida accepting for budget purposes the Miami-Dade County assessment roll; establishing a tax millage rate of 6.3018 mills for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021, which is an increase of 10.2% over the roll back rate of 5.7178; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 7-0**

**ORDINANCE NO. 2020-050**

**REPORT: Council President Hernandez opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Motion to Approve Item 8A made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 7-0.**

- B. Second reading and public hearing of proposed ordinance approving and adopting the General Fund budget for the City of Hialeah, Florida for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 7-0**

**ORDINANCE NO. 2020-051**

**REPORT: Council President Hernandez opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Lorena Bravo, City Attorney, spoke on this item.**

**REPORT: Ines Beecher, Director of the Office of Management and Budget, City of Hialeah, 501 Palm Avenue, Hialeah, FL, spoke on this item.**

**REPORT: Mayor Hernandez spoke on this item.**

**REPORT: Motion to Approve Item 8B made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 7-0.**

- C. Second reading and public hearing of proposed ordinance approving and adopting the budget for the Public Works Fund of the City of Hialeah, Florida, for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; approving water and sewer rate increases, as provided for herein, to maintain proper ratios of operating revenues and operating expenses as required by outstanding bond/loan agreements; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 7-0**

**ORDINANCE NO. 2020-052**

**REPORT: Council President Hernandez opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Mayor spoke on this item.**

**REPORT: Armando Vidal, Director of the Department of Public Works, City of Hialeah, spoke on this item.**

**REPORT: Lorena Bravo, City Attorney, spoke on this item.**

**REPORT: Jose Sanchez, Streets Director, City of Hialeah, spoke on this item.**

**REPORT: Council Member Perez requested a resolution instructing the City Attorney to obtain a quote for a rate study and scope of services for franchise fee. Motion failed for lack of a second. Lorena Bravo, City Attorney, advised that a resolution was not necessary, as the Mayor had authorized staff to obtain the quote.**

**REPORT: Motion to Approve Item 8C made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 7-0.**

**REPORT: At 8:43 p.m. Council Member Cue-Fuente advised that she needed to log off Zoom and could no longer be part of this meeting.**

**REPORT: At 8:43 p.m. Council President Hernandez asked Council Vice President De la Rosa to chair to meeting while Council President Hernandez was away from his computer.**

- D. Second reading and public hearing of proposed ordinance approving and adopting the budget for the Streets Fund of the City of Hialeah, Florida, for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call.**

**ORDINANCE NO. 2020-053**

**REPORT: Council Vice President De la Rosa opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Motion to Approve Item 8D made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call. Council President Hernandez recorded his vote as “Yes” after the item was approved.**

- E. Second reading and public hearing of proposed ordinance approving and adopting the budget for the Stormwater Fund of the City of Hialeah, Florida, for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.  
**APPROVED 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call.**  
**ORDINANCE NO. 2020-054**

**REPORT: Council Vice President De la Rosa opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Motion to Approve Item 8E made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call. Council President Hernandez recorded his vote as “Yes” after the item was approved.**

- F. Second reading and public hearing of proposed ordinance approving and adopting the budget for the Special Revenues Fund of the City of Hialeah, Florida, for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.  
**APPROVED 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call.**  
**ORDINANCE NO. 2020-055**

**REPORT: Council Vice President De la Rosa opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Motion to Approve Item 8F made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call. Council President Hernandez recorded his vote as “Yes” after the item was approved.**

- G. Second reading and public hearing of proposed ordinance approving and adopting the budget for the Capital Projects Fund of the City of Hialeah, Florida, for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for

violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call.**

**ORDINANCE NO. 2020-056**

**REPORT: Council Vice President De la Rosa opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Motion to Approve Item 8G made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call. Council President Hernandez recorded his vote as “Yes” after the item was approved.**

- H. Second reading and public hearing of proposed ordinance approving and adopting the budget for the Debt Service Fund of the City of Hialeah, Florida, for fiscal year 2021, commencing on October 1, 2020 and ending on September 30, 2021; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call.**

**ORDINANCE NO. 2020-057**

**REPORT: Council Vice President De la Rosa opened the item for public participation. No member of the public expressed interest in participating live.**

**REPORT: Motion to Approve Item 8H made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Member Cue-Fuente absent and Council President Hernandez not present during roll call. Council President Hernandez recorded his vote as “Yes” after the item was approved.**

**REPORT: Mayor Hernandez thanked the City Council for their support on the budget.**

**REPORT: Discussion regarding returning to in-person meetings of the City Council.**

**REPORT: Council President Hernandez adjourned the meeting at 9:07 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, October 13, 2020 at 7:00 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Monday, September 28, 2020 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of  
9/29/2020 5:04 PM

8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).