

**ORDINANCE NO. 2020-052**

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.

**WHEREAS**, the Mayor of the City of Hialeah, Florida has submitted an Annual Budget for the City of Hialeah with reasonable appropriations for all estimated expenditures necessary to carry on the operations of the city for Fiscal Year 2021; and

**WHEREAS**, the City's Annual Budget for Fiscal Year 2021 is comprised of a budget for each of the following funds: General Fund, Public Works Fund, Streets Fund, Stormwater Fund, Special Revenues Fund, Capital Projects Fund and Debt Service Fund; and

**WHEREAS**, the annual budget for the Public Works Fund shows reasonable appropriations for all program expenses anticipated for Fiscal Year 2021 based upon proposed increases to service rates as provided for herein; and

**WHEREAS**, effective October 1, 2020, the Miami-Dade County Water and Sewers Department will increase the current wholesale water rate from \$1.6904 per 1,000 gallons to \$1.7947 per 1,000 gallons, a 6.17% increase, and the wholesale wastewater or sewer rates will increase from \$3.1954 to \$3.2971 per 1,000 gallons (wet/dry seasons), a 3.18% increase, for Fiscal Year 2021; and

**WHEREAS**, the Department of Public Works is required by outstanding bond and/or loan agreements to maintain certain ratios of operating income to operating expenses; and

**WHEREAS**, the Public Works Fund budget proposes an increase in the water and wastewater service charges of 6.17% and 3.18% respectively beginning October 1, 2020, and proposes no increase in the residential solid waste fees, and

**WHEREAS**, the recently computed (May 2020) utility rate study shared with the City Council concluded that “FY2020 rates do not provide sufficient revenues to recover the cost of service” and further recommends “continuing the practice of passing through cost increases due to general inflation (CPI) and passing through the costs of MDWASD purchased water and wastewater treat costs,” and

**WHEREAS**, notwithstanding Hialeah, Fla. Code §94-153(c), the proposed budget considers no Consumer Price Index increase in the water/sewer or solid waste fees;

**WHEREAS**, the Public Works Fund budget including budgeted revenues and expenditures, has been submitted to the City Council; and

**WHEREAS**, all applicable legal requirements pertaining to public notices and hearings have been satisfied within specified deadlines and prior to final adoption of this ordinance; and

**WHEREAS**, the City Council has examined and carefully considered the proposed Annual Budget for Fiscal Year 2021 at duly assembled meetings and finds it is in the best interest of the health and welfare of the public to adopt the budget for the Public Works Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** The Public Works Fund budget in the amount of \$118,016,068, consisting of the Water and Sewers Division budget in the amount of \$98,636,792 and the Solid Waste Division budget in the amount of \$19,379,276, as provided for in the Annual Budget for the City of Hialeah, Florida for Fiscal Year 2021, commencing on October 1, 2020 and ending on September 30, 2021, and incorporated in this Ordinance by reference, and further provided for in the Budget Summary attached as “Exhibit A”, is hereby confirmed, adopted and approved in all respects.

**Section 3:** The retail water and sewer rates and miscellaneous fees and charges, are attached as “Exhibit 1” hereto and made a part hereof, are hereby confirmed, approved and adopted and shall become effective October 1, 2020.

**Section 4:** The residential solid waste and recyclables fee service charge will remain the same at \$31.99 per month and is hereby confirmed, approved and adopted and shall become effective October 1, 2020.

**Section 5:** Notwithstanding Hialeah, Fla. Code §94-153(c), there shall be no Consumer Price Index increase in the water/sewer or solid waste fees during Fiscal Year 2021.

**Section 6: Repeal of Ordinances in Conflict.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7: Penalties.**

Any person, business, association, corporation, partnership or other legal entity who violates any of the provisions of this ordinance shall be assessed a civil penalty, up to a maximum of \$500.00, within the discretion of the court or administrative tribunal having jurisdiction. Each day that a violation continues shall constitute a separate violation.

**Section 8: Severability Clause.**

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

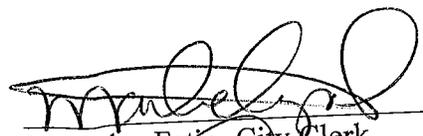
**Section 9: Effective Date.**

This ordinance 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.

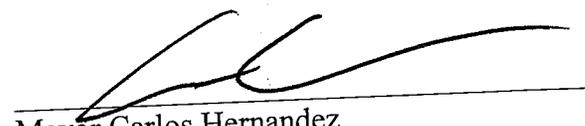
PASSED and ADOPTED this 28 day of September, 2020.

  
Paul B. Hernandez  
Council President

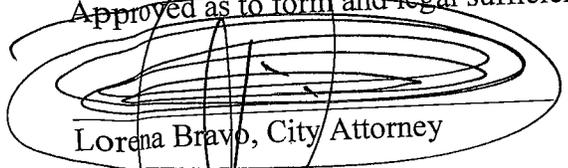
Attest:

  
Marbelys Fatjo, City Clerk

Approved on this 30 day of September, 2020.

  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

  
Lorena Bravo, City Attorney

Ordinance was adopted by 7-0 vote with Councilmembers, Cue-Fuente, De la Rosa, Garcia-Roves, Hernandez, Perez, Tundidor and Zogby voting "Yes."



BUDGET SUMMARY				RESUMEN DEL PRESUPUESTO					
CITY OF HIALEAH, FLORIDA - FISCAL YEAR 2020-2021				CIUDAD DE HIALEAH, FLORIDA-AÑO FISCAL 2020-2021					
THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF HIALEAH ARE 10.2% MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES				EL PRESUPUESTO OPERACIONAL SUGERIDO DE LA CIUDAD DE HIALEAH ES 10.2% MAS QUE EL TOTAL DEL LOS GASTOS OPERACIONALES DEL AÑO ANTERIOR					
		General	Public Works	Streets	Stormwater	Special	Capital	Debt Service	Total
Millage Per \$1,000		Fund	Fund	Fund	Fund	Revenue Funds	Project Funds	Funds	All Funds
<b>ESTIMATED REVENUES</b>									
Taxes:	Millage Per: \$1,000								
Ad Valorem taxes	6.3018	\$74,726,338	-	-	-	-	-	-	\$74,726,338
Franchise Taxes		\$13,265,000	-	-	-	-	-	\$2,220,102	\$15,485,102
Utility Taxes		\$20,750,000	-	-	\$3,600,000	-	-	-	\$24,350,000
Fines and Forfeitures		\$1,692,500	-	-	-	-	-	-	\$1,692,500
State and local shared revenues		\$27,862,000	-	\$4,314,548	-	\$7,726,724	-	\$3,911,990	\$43,815,262
Licenses and Permits		\$6,200,000	-	-	-	\$7,434,723	-	-	\$13,634,723
Charges for Services		\$1,058,900	\$94,296,476	-	-	\$8,520,145	-	-	\$103,875,521
Government grants and other revenues		\$5,732,900	\$16,637,100	\$965,866	-	\$7,598,548	\$10,947,682	-	\$41,882,096
<b>TOTAL SOURCES</b>		<b>\$151,287,638</b>	<b>\$110,933,576</b>	<b>\$5,280,414</b>	<b>\$3,600,000</b>	<b>\$31,280,140</b>	<b>\$10,947,682</b>	<b>\$6,132,092</b>	<b>\$319,461,542</b>
Transfers In		3,000,000	-	-	-	-	-	-	\$3,000,000
Reserves		-	7,082,492	-	-	-	-	-	\$7,082,492
Fund Balance/Net Assets		\$7,171,799	-	-	-	-	-	-	\$7,171,799
<b>TOTAL - REVENUE, TRANSFERS, AND BALANCES</b>		<b>\$161,459,437</b>	<b>\$118,016,068</b>	<b>\$5,280,414</b>	<b>\$3,600,000</b>	<b>\$31,280,140</b>	<b>\$10,947,682</b>	<b>\$6,132,092</b>	<b>\$336,715,833</b>
<b>EXPENDITURES</b>									
Police Department		\$62,841,895	-	-	-	\$1,284,342	-	-	\$64,126,237
Fire Department		\$46,173,536	-	-	-	\$7,826,529	-	-	\$54,000,065
911 Communications Division		\$6,059,441	-	-	-	\$1,179,624	-	-	\$7,239,065
Education & Community Services		\$2,124,316	-	-	-	\$2,072,140	-	-	\$4,196,456
Library Division		\$1,921,304	-	-	-	-	-	-	\$1,921,304
Streets Division		-	-	\$5,280,414	-	\$4,000,000	\$10,947,682	\$3,911,990	\$24,140,086
Stormwater Division		-	-	-	\$3,600,000	-	-	-	\$3,600,000
Fleet Maintenance Division		\$3,709,602	-	-	-	-	-	-	\$3,709,602
Transit Division		-	-	-	-	\$3,726,724	-	-	\$3,726,724
Construction & Maintenance		\$3,519,100	-	-	-	-	-	-	\$3,519,100
Parks & Recreation		\$11,136,257	-	-	-	\$3,062,442	-	-	\$14,198,699
Milander Auditorium		\$809,054	-	-	-	-	-	-	\$809,054
Communications and Special Events		\$1,409,838	-	-	-	-	-	-	\$1,409,838
Human Resources		\$1,107,692	-	-	-	-	-	-	\$1,107,692
Finance Department		\$2,411,266	-	-	-	-	-	-	\$2,411,266
Community Development		\$3,287,824	-	-	-	\$5,427,881	-	-	\$8,715,705
Office of The Mayor		\$724,833	-	-	-	-	-	-	\$724,833
Information Technology		\$2,660,812	-	-	-	-	-	-	\$2,660,812
Office of Retirement		\$802,619	-	-	-	-	-	-	\$802,619
Office of Management & Budget		\$396,675	-	-	-	-	-	-	\$396,675
Affordable Housing		-	-	-	-	\$2,700,458	-	-	\$2,700,458
Office of the City Clerk		\$1,390,925	-	-	-	-	-	-	\$1,390,925
Law Department		\$1,759,451	-	-	-	-	-	-	\$1,759,451
Risk Management		\$536,943	-	-	-	-	-	-	\$536,943
General Government		\$6,676,054	-	-	-	-	-	\$2,220,102	\$8,896,156
Solid Waste Division		-	\$19,379,276	-	-	-	-	-	\$19,379,276
Water & Sewer Combined Services		-	\$22,174,551	-	-	-	-	-	\$22,174,551
W&S Reverse Osmosis Water Plant		-	\$10,435,100	-	-	-	-	-	\$10,435,100
Water Utility Services		-	\$19,840,070	-	-	-	-	-	\$19,840,070
Sewer Utility Services		-	\$46,187,071	-	-	-	-	-	\$46,187,071
<b>TOTAL EXPENDITURES</b>		<b>\$161,459,437</b>	<b>\$118,016,068</b>	<b>\$5,280,414</b>	<b>\$3,600,000</b>	<b>\$31,280,140</b>	<b>\$10,947,682</b>	<b>\$6,132,092</b>	<b>\$336,715,833</b>
Transfers Out		-	-	-	-	-	-	-	\$0
<b>TOTAL - APPROPRIATED EXPENDITURES, TRANSFERS, RESERVES AND BALANCES</b>		<b>\$161,459,437</b>	<b>\$118,016,068</b>	<b>\$5,280,414</b>	<b>\$3,600,000</b>	<b>\$31,280,140</b>	<b>\$10,947,682</b>	<b>\$6,132,092</b>	<b>\$336,715,833</b>

City of Hialeah

Department of Public Works

Proposed Rates for FY2021

Rate Charges are for units of 100 Gallons for Water and Sewers

FY 2020-2021

FY 2020-2021

Service	Monthly	Bi-Monthly	Monthly	Bi-Monthly
<b>Water</b>				
Readiness to				
Serve Fees	\$5.22	\$10.47	\$5.22	\$10.47
100-5000	0.282	0.282	0.299	0.299
5000-10000	0.305	0.282	0.324	0.299
10001-20000	0.319	0.305	0.339	0.324
20001-40000	0.350	0.330	0.372	0.350
40001-50000	0.364	0.341	0.386	0.362
50001-100000	0.378	0.350	0.401	0.372
over 100000	0.378	0.378	0.401	0.401
Rate Charges are for units of 100 Gallons for Water and Sewers				
<b>Sewers</b>				
Readiness to				
Serve Fees	\$5.71	\$11.17	\$5.71	\$11.17
100-5000	0.689	0.689	0.711	0.711
5000-10000	0.741	0.689	0.765	0.711
10001-20000	0.766	0.741	0.790	0.765
20001-40000	0.875	0.801	0.903	0.826
40001-50000	0.875	0.875	0.903	0.903
50001-100000	0.882	0.882	0.910	0.910
over 100000	0.882	0.882	0.910	0.910