

**ORDINANCE NO. 2019-080**

ORDINANCE APPROVING AND ADOPTING THE BUDGET OF THE PUBLIC WORKS FUND OF THE CITY OF HIALEAH, FLORIDA, INCLUDING A BUDGET FOR THE SOLID WASTE DIVISION, FOR FISCAL YEAR 2020, COMMENCING ON OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020; APPROVING WATER AND SEWER RATE INCREASES, AS PROVIDED FOR HEREIN, TO MAINTAIN PROPER RATIOS OF OPERATING REVENUES AND OPERATING EXPENSES AS REQUIRED BY OUTSTANDING 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 city government for Fiscal Year 2020; and

**WHEREAS**, the City's Annual Budget for Fiscal Year 2020 is comprised of a budget for each of the following funds: General Fund, Public Works Fund, Streets Fund, Storm water 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 2020 based upon proposed increases to service rates, fees and charges as provided for herein; and

**WHEREAS**, effective October 1, 2019, the Miami-Dade County Water and Sewers Department has advised the City that the current wholesale water rate of \$1.7628 per 1,000 gallons will decrease to \$1.6904 per 1,000 gallons and the wholesale wastewater or sewer rates will increase from \$3.0937 to \$3.1954 per 1,000 gallons (wet/dry seasons) for Fiscal Year 2020; and

**WHEREAS**, the Department of Public Works is required by outstanding 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 6.6% and 9.9% respectively beginning October 1, 2019, including a 2.2% increase in the Consumer Price Index designated "Consumer Price Index for All Urban Consumers (CPI)" as issued by the Bureau of Labor Statistics; and

**WHEREAS**, the Solid Waste Division Budget also proposes an increase in the residential solid waste and recyclables fee from \$29.98 per month to \$31.99 monthly beginning October 1, 2019 to correspond with a 2.2% increase in the Consumer Price Index designated "Consumer Price Index for All Urban Consumers (CPI)" as issued by the Bureau of Labor Statistics.

**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 budget at duly assembled meetings.

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 total amount of \$115,945,035, consisting of the Water and Sewers Division budget in the amount of \$96,828,411 and the Solid Waste Division budget in the amount of \$19,116,624, as provided for in Annual Budget for the City of Hialeah, Florida for Fiscal Year 2020, commencing on October 1, 2019 and ending September 30, 2020, and incorporated in this Ordinance by reference, is hereby confirmed, approved and adopted in all respects.

**Section 3:** The retail water and sewer rates and miscellaneous fees and charges, including a 2.2% increase in connection with a Consumer Price Index (CPI) adjustment, as provided for in "Exhibit 1" attached hereto and made a part hereof are hereby confirmed, approved and adopted and shall become effective October 1, 2019.

**Section 4:** The residential solid waste and recyclables fee service charge increase from \$29.98 per month to \$31.99 monthly, in connection with a 2.2% adjustment in the Consumer Price Index is hereby confirmed, approved and adopted and shall become effective October 1, 2019.

**Section 5: Repeal of Ordinances in Conflict.**

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

**Section 6: 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 7: 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 8: 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.

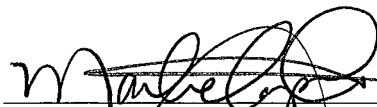
THE FOREGOING ORDINANCE  
OF THE CITY OF HIALEAH WAS  
PUBLISHED IN ACCORDANCE  
WITH THE PROVISIONS OF  
FLORIDA STATUTE 166.041  
PRIOR TO FINAL READING.

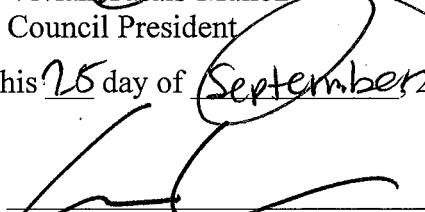
PASSED and ADOPTED this 23 day of September, 2019.

  
\_\_\_\_\_  
Vivian Casals-Muñoz  
Council President

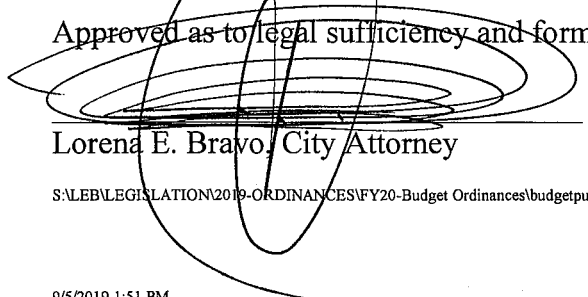
Attest:

Approved on this 25 day of September 2019.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

  
\_\_\_\_\_  
Mayor Carlos Hernandez

Approved as to legal sufficiency and form:

  
\_\_\_\_\_  
Lorena E. Bravo, City Attorney

Ordinance was adopted by a 6-0-1 vote with Councilmembers, Caragol, Zogby, Hernandez, Casals-Munoz, Garcia-Martinez and Cue-Fuente voting "Yes", and with Councilmember Lozano absent.

**City of Hialeah**  
**Department of Public Works**  
**Proposed Rates for FY2020**

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

Service	FY 2018-2019		FY 2019-2020	
	Monthly	Bi-Monthly	Monthly	Bi-Monthly
<b>Water</b>				
Readiness to				
Serve Fees	\$5.11	\$10.24	\$5.22	\$10.47
100-5000	0.265	0.265	0.282	0.282
5000-10000	0.286	0.265	0.305	0.282
10001-20000	0.299	0.286	0.319	0.305
20001-40000	0.328	0.310	0.350	0.330
40001-50000	0.341	0.320	0.364	0.341
50001-100000	0.355	0.328	0.378	0.350
over 100000	0.355	0.355	0.378	0.378
<b>Sewers</b>				
Readiness to				
Serve Fees	\$5.59	\$10.93	\$5.71	\$11.17
100-5000	0.627	0.627	0.689	0.689
5000-10000	0.674	0.627	0.741	0.689
10001-20000	0.697	0.674	0.766	0.741
20001-40000	0.796	0.729	0.875	0.801
40001-50000	0.796	0.796	0.875	0.875
50001-100000	0.803	0.803	0.882	0.882
over 100000	0.803	0.803	0.882	0.882

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