

**Carlos Hernández**  
Mayor

**Jesus Tundidor**  
President

**Monica Perez**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Oscar De la Rosa**  
**Jacqueline Garcia-Roves**  
**Paul B. Hernandez**  
**Carl Zogby**

**Special Meeting of the City Council**  
**Agenda**  
**February 16, 2021**  
**7:00 p.m.**

---

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. INVOCATION**

A. Invocation to be led by Marbelys Fatjo, City Clerk.

**4. PLEDGE OF ALLEGIANCE**

A. The Pledge of Allegiance to be led by Council President Tundidor.

**5. MEETING GUIDELINES**

*The following guidelines apply to today's City Council Meeting:*

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 (March 20, 2020), suspending the "Florida's Government in the Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and that 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 (EO20-52) as a result of the COVID-19 pandemic affecting the State of Florida. The nation and the State of Florida remain in a state of emergency. The Governor has extended the declaration every 60 days, as required by law, since the execution of Executive Order 20-52. The latest extension made through the execution of Executive Order 20-276 (November 3, 2020).

- Notwithstanding the continuing statewide threat of COVID-19 to the health, safety and welfare of our citizens, Executive Order 20-69, issued specifically to allow local governments to use communications media technology to hold public meetings during the public health emergency, has expired as of 12:01 a.m. November 1, 2020 (EO 20-246). As such, all public meetings in this City of any deliberative body must comply with the in-person quorum requirement of the Sunshine Law. This means, at a minimum, there must be present, in-person, the minimum number of board members required to meet quorum based on the composition of the deliberative body at the location of the meeting. All other members of the deliberative body exceeding quorum may choose, in coordination with the secretary of the respective board conducting the public meeting, to appear using communication media technology.
- Except for the requirement to meet physical quorum and as otherwise amended by this document, all other minimum guidelines and procedures adopted by City of Hialeah Emergency Order dated April 8, 2020 and Hialeah, Fla. Resolution 2020-048 (April 14, 2020) shall continue to govern the conduct of public meetings of the City Council of the City of Hialeah, Florida and the public meetings of all other boards or committees for the City of Hialeah, Florida using communications media technology, held during the duration of the public health emergency as a result of COVID19, 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.
- A limited number of members of the public will be allowed to be present at the location of the meeting considering the physical spacing limitations of the location to observe social distancing. As such, only 15 members of the public will be allowed to attend in person any scheduled meeting of the Council held in Chambers on a first-come-first serve basis. Based upon anticipated in-person attendance of any meeting, the City will provide additional space at City Hall to accommodate the public and provide both viewing and participation capabilities. In addition, all public meetings continue to be broadcast live for members of the public to view on the City's Facebook page. As an additional alternative, members of the public may hear the meeting live through telephonic conferencing.
- 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. PRESENTATIONS**

---

- 6A.** Presentation by Tony Newell, on behalf of Resorcity, regarding the company’s civic engagement platform.  
(COUNCIL MEMBER DE LA ROSA)

## **7. COMMENTS AND QUESTIONS**

---

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

---

## **9. CONSENT AGENDA**

---

*All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.*

- A.** Request permission to approve the minutes of the City Council Meeting of January 26, 2021.  
(OFFICE OF THE CITY CLERK)

2/10/2021 4:54 PM

- B.** Request permission to approve the minutes of the City Council Meeting of February 9, 2021.  
(OFFICE OF THE CITY CLERK)
- C.** Proposed resolution approving the expenditure in an amount not to exceed \$172,984.00 from the Law Enforcement Trust Fund-*State* for the purchase of seven (7) Chevrolet Silverado motor vehicles pursuant to a competitive bid utilizing Florida Sheriff Association and Florida Association of Counties Bid FSA20-VEL28.0 and providing for an effective date.  
(POLICE DEPARTMENT)
- D.** Proposed resolution approving the expenditure in an amount not to exceed \$15,500.00 from the Law Enforcement Trust Fund-*Federal* for the purchase of one (1) Canine for the Hialeah Police Department Canine Unit from Metro Dade K-9 Services, lowest quoted vendor, upon such costs having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)
- E.** Request permission to retain the professional services of Gabriel, Roeder, Smith & Company, for professional actuarial and consulting services to the City for the City of Hialeah Elected Officers' Retirement System, firm which is the current actuary for the Elected Officers' Retirement System, in a total cumulative amount not to exceed \$17,606 for fiscal year 2020-2021, fee which is based on hours for senior consultant and actuary, actuary consultant, senior analyst and actuary, as well as other staff as required.  
(RETIREMENT DEPARTMENT)
- F.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Acosta Tractors Inc, vendor providing the lowest quotation, for the construction of the drainage extension along West 30<sup>th</sup> Street between Palm Avenue and West 1<sup>st</sup> Avenue, in a total cumulative amount not to exceed \$109,167.03.  
(STREETS)
- G.** Request permission to reject Hialeah Invitation to Bid No. 2020/21-3210-00-005 – *Highway Striping & Signage* since the City only received one (1) responsive bid and the Invitation to Bid was published with the intent of securing the services of two (2) experienced and reliable contractors capable of furnishing, installing, and testing paint and/or thermoplastic highway striping and highway signage in accordance to the Invitation to Bid specifications and the latest edition of the Manual on Uniform Traffic Control Devices for streets and highways. Further request permission to utilize P & J Striping Inc., only responsive bidder to Hialeah Invitation to Bid No. 2020/21-3210, and American Pavement Corp., since it is advantageous to the City in that both vendors have been contracted by the City in the past to perform these types of services and have both demonstrated the ability to perform at a competitive cost, on a rotating basis based on performance and availability, for highway striping and highway signage services throughout the City, with purchase order(s) being issued to the vendors on an as-needed basis in a cumulative amount not to exceed \$187,000.  
(STREETS DEPARTMENT)
- H.** Request permission to award City of Hialeah Invitation to Bid No. 2020-21-3210-00-002 – *Southeast 2<sup>nd</sup> Place and Southeast 3<sup>rd</sup> Place, from East/Southeast 6<sup>th</sup> Avenue to East/Southeast 7<sup>th</sup> Avenue and from East/Southeast 7<sup>th</sup> Avenue to Southeast 8<sup>th</sup> Avenue* - to JVA Engineering Contractors Inc, lowest responsive and responsible bidder, in a total cumulative amount not to exceed \$1,118,628.31, amount which includes a ten percent (10%) contingency to cover any unforeseen issues that may arise in the project.  
(STREETS)

- I. Request permission to utilize Contract No. 2018011-02 – *Information Technology Solutions & Services* between the City of Mesa, Arizona and this vendor, effective through February 28, 2023, and authorize an expenditure to SHI International Corp., for the purchase of Adobe licensing for fiscal year 2020-2021, for \$10,000, to be allocated through various City departments. The Information Technology Department has paid this vendor a total of \$15,000 during the 2020-2021 fiscal year for Adobe licensing citywide.  
(INFORMATION TECHNOLOGY DEPARTMENT)
- J. Proposed resolution approving the street naming at West 18<sup>th</sup> Lane Drive from West 18<sup>th</sup> Lane to West 84<sup>th</sup> Street as “Dr. Jorge and Carlos Vallejo Way”, with the cost of signage to be paid by the City, in honor of Dr. Jorge Vallejo and Dr. Carlos Vallejo as leaders in the community in the City of Hialeah, and role models.  
(ADMINISTRATION)
- K. Proposed resolution approving the street naming at West 41<sup>st</sup> Street from West 16<sup>th</sup> Avenue to West 18<sup>th</sup> Avenue as “Renan Esteban Delgado Way”, with the cost of signage to be paid by the City, in his honor, as an entrepreneur, businessman, leader and role model in the City of Hialeah.  
(ADMINISTRATION)
- L. Proposed resolution approving the street naming of West 16<sup>th</sup> Avenue from West 44<sup>th</sup> Place to West 60<sup>th</sup> Street as “President Alvaro Uribe Velez Way”, with the cost of signage to be paid by the City, in his honor, as one of the most influential politicians in Latin America and a pillar of democracy in the Americas.  
(ADMINISTRATION)
- M. Proposed resolution urging the Bahamian Government to deny offshore oil drilling exploration licenses and permanently ban offshore oil drilling activities in the Bahamas; providing for transmittal; and providing for an effective date.  
(ADMINISTRATION)
- N. Request approval to retain the professional services of Burgess Chambers and Associates, Inc., as the investment advisor for the City of Hialeah Deferred Compensation and Defined Contribution Committee, commencing on October 1, 2020 and ending on September 30, 2021, with the firm’s compensation fee being based on a percent of the fund’s assets at the end of each quarter (0.07% fee of the total assets), which is estimated at \$60,000.  
(RETIREMENT DEPARTMENT)
- O. Request approval to retain the professional services of Burgess Chambers and Associates, Inc., as the investment advisor for the Oversight Committee of the Elected Officers’ Retirement Trust, commencing on October 1, 2020 and ending on September 30, 2021, with the firm’s compensation fee being based on a percent of the fund’s assets at the end of each quarter (0.25% fee of the total assets), which is estimated at \$40,000.  
(RETIREMENT DEPARTMENT)
- P. Proposed resolution accepting a grant award from the United States Department of the Treasury pursuant to the Emergency Rental Assistance Program under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, in the amount of \$7,045,831.60, to provide assistance with mortgage and utility payments to eligible residents of the City of Hialeah who have been financially impacted by the novel coronavirus (“Covid-19”); further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute a funding agreement in a form acceptable to the City Attorney; and further authorizing the Mayor or his

designee on behalf of the City to execute all other necessary documents in furtherance thereof; providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

- Q.** Proposed resolution approving a new program funded under the State Housing Initiatives Partnership (“SHIP”) Program, which shall be entitled “Safe Home Project”, and shall provide eligible households with home repair assistance, including installation of impact-proof windows and doors, new paint for the exterior of the home, new roof, and new air conditioning units; authorizing the Director of the Grants and Human Services Department and the Director of the Construction and Maintenance Department to enter into an Inter-Departmental Memorandum of Understanding for the latter to manage and supervise the building, permitting and construction aspect of the new Safe Home Project, a copy of which is attached hereafter and incorporated herein in substantial form as Exhibit “1”; and further authorizing the Director of the Grants and Human Services Department to execute all other necessary documents in furtherance thereof; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

- R.** Proposed resolution approving and ratifying the execution of the First Amendment to the Florida Department of Elder Affairs Standard Contract, which is attached hereafter and incorporated herein as Exhibit “A”, to amending the scope of work and budgetary line items; and further authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, to execute and deliver all other necessary and customary documents in furtherance thereof on behalf of the City; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

- S.** Proposed resolution urging approval of the City’s local funding initiative by the Florida Senate and corresponding appropriations project request by the House of Representatives, to fund a program administered through the Department of Elder Affairs to provide funding for congregant and home meals throughout the City to the elderly citizens of the City of Hialeah, nutritional education classes and screenings.

(ADMINISTRATION)

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

- T.** Proposed resolution urging approval of the City’s local funding initiative by the Florida Senate and corresponding appropriations project request by the House of Representatives, to fund a program administered through the Florida Department of Environmental Protection (“FDEP”) for fiscal year 2021-22 funding capital improvements to ensure a reduction in discharge pressures at pump stations through existing force mains, to alleviate loads on the gravity collection system discharged through the pumps, and to provide for the installation of a City Billing Meter Station and a Miami-Dade County Water and Sewer (“MDWASD”) Billing Meter Station to allow and ensure verification of flow amounts.

(ADMINISTRATION)

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

- U.** Report of Scrivener’s Error – On October 13, 2020, the City Council approved Consent Item WW, approving an expenditure in an amount not to exceed \$235,000 from account number 105.3220.591340, for the purchase of tires and road call services for City vehicles. The item was approved with the incorrect account number reflected on the agenda item letter from the Director of the City’s Fleet and Maintenance Department to the Mayor and City Council Members. The agenda item letter is being amended to reflect the correct account number as 001.0000.141120.

(OFFICE OF MANAGEMENT AND BUDGET)

(FLEET MAINTENANCE DEPARTMENT)

- V. Proposed resolution approving budget amendments to the City of Hialeah Community Development Block Grant (CDBG) program for year 2020-2021, covering the period from October 1, 2020 through September 30, 2021, to provide for a decrease in the allocation for the interim emergency condition fund in the amount of \$250,000.00, and allocating the \$250,000.00 to fund phase one of the construction of Fire Station No. 9; and authorizing the Mayor on behalf of the City to execute any and all documents necessary to carry out the purpose of this resolution; and further providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

- W. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Motorola Solutions, Inc., vendor providing the lowest quotation, for the purchase of two (2) Zetron 6302 transponders to be installed in Fire Station 2 and Fire Station 4 to alert the fire stations of their respective emergency calls, in a total cumulative amount not to exceed \$21,558.35.

(FIRE DEPARTMENT)

- X. Request permission to enter into an Off-System Construction and Maintenance Agreement with the State of Florida granting consent to the Florida Department of Transportation for the construction of an access point to control structure G72E through Northwest 106<sup>th</sup> Street (also known as West 52<sup>nd</sup> Street), located within the limits of the City of Hialeah, as requested by the South Florida Water Management District pursuant to Project No. FM# 423251-4-52-01 of District 6 of the Florida Department of Transportation, project which consists of performing roadway improvements to Okeechobee Road from east of Northwest 116<sup>th</sup> Way to east of Northwest 87<sup>th</sup> Avenue, which are within the City limits of the City of Hialeah Gardens.

(STREETS)

- Y. Proposed resolution approving a Service Agreement between GRM Information Management Services of Miami, LLC and the City of Hialeah, Florida to provide the City with record storage and related services, for a term commencing upon execution of the Service Agreement and ending on July 17<sup>th</sup>, 2023, based on negotiated price schedule attached to the Service Agreement; authorizing the Mayor and the City Clerk, as attesting witness on behalf of the City, to execute the Service Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1", and providing for an effective date.

(OFFICE OF THE CITY CLERK)

## 10. ADMINISTRATIVE ITEMS

---

- 10 A. First reading of proposed ordinance to allow the City of Hialeah to sell vacant unimproved property, approximately 7,250 square feet in size, located at 2540 Palm Avenue, Hialeah, Florida, identified by folio number 04-3107-004-0110; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute a Listing Agreement for the sale of the property with a real estate broker; repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

*On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.*

## 11. BOARD APPOINTMENTS

---

- 11 A.** Proposed resolution reappointing Maida Gutierrez to the Board of Commissioners of Hialeah Housing Authority of the City of Hialeah, Florida for a four (4)-year term commencing on February 15, 2021 and ending on February 14, 2025.  
(MAYOR HERNANDEZ)

*On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.*

## 12. UNFINISHED BUSINESS

---

- 12 A.** Report to the City Council from the Deferred Compensation/Defined Contribution Plan Oversight Committee on the 2020 accomplishments.

*On February 9, 2021, the item was not discussed by the City Council due to a lack of quorum.*

## 13. NEW BUSINESS

---

## 14. ZONING

---

### PLANNING AND ZONING

- PZ 1.** First reading of proposed ordinance rezoning from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District); granting a variance permit to allow a duplex on a substandard lot having a frontage of 50 feet and total lot area of 6,700 square feet, where 75 feet frontage and 7,500 square feet are required; allow interior east side setback of 4.33 feet, where 7.5 is the minimum required; allow rear setback of 20 feet, where 25 is the minimum required; and allow lot coverage of 35.7%, where 30% is the maximum allowed, all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, 98-547(a) and 98-2056(b)(2). **Property located at 301 East 51 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

*On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.*

*On January 26, 2021, the City Council tabled the item until February 9, 2021, per the applicant's request.*

*Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Marcos Gutierrez, 7757 NW 169 Terrace, Miami Lakes, Florida 33016.*



<i>On January 13, 2021, the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Marcos and Karol Gutierrez, 7757 NW 169 Terrace, Hialeah, Florida 33016.</i>

**PZ 2.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 13-25 (April 9, 2013) that allowed six business tax receipts (occupational licenses) and Declaration of Restrictions recorded in OR Book 28594, Pages 4438-4442 in the public records of Miami-Dade County, Florida; to allow for five licenses. Property zoned R-O (Industrial District) to allow professional and para-professional services. **Property located at 4980 Palm Avenue, Hialeah, zoned RO (Residential Office).** 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.

<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 26, 2021, the City Council tabled the item until February 9, 2021, per the applicant's request.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Smile Art of Miami, Inc., 4980 Palm Avenue, Hialeah, Florida 33012.</i>
<i>On January 13, 2021, the Planning and Zoning Board approved the item with the recommendations.</i>
<i>Planner's Recommendation: Amend City of Hialeah, Ordinance No. 13-25 to allow five (5) occupational licenses instead of six (6), limit the use of the second practice to a single occupational license excluding medical, dental and other uses with high parking demand, and amend the 2013 DOR accordingly.</i>
<i>Owners of the Property: Palm Ave MC, LLC, and Ryan Loro, 4980 Palm Avenue, Hialeah, Florida 33012.</i>

**PZ 3.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to C-1 (Restricted Retail Commercial District); and granting a variance permit to allow landscape buffer of 2.8 feet along East 36 Street for a length of 20 feet, where 7 feet landscape buffer is required; all contra to Hialeah Code of Ordinances § 98-1069(a). **Property located at 3581 East 4 Avenue, Hialeah, zoned R-1 (One Family District).** 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.

<i>On February 9, 2021 the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 27, 2021, the Planning and Zoning Board recommended approval of the item.</i>

*Planner's Recommendation: Approval of rezoning and landscape buffer reduction to 2.8 feet width for a length of 20 feet.*

*Owners of the Property: Kenny Niebla, 3581 East 4<sup>th</sup> Avenue, Hialeah, Florida 33013.*

**NEXT CITY COUNCIL MEETING: Tuesday, February 23, 2021 at 7:00 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 23, 2021 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 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).