

**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**

Special Meeting of the City Council  
(VIRTUAL)  
Agenda  
June 9, 2020  
7:00 p.m.

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1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

- a. **The invocation is to be led by Marbelys Fatjo, City Clerk**

4. **PLEDGE OF ALLEGIANCE**

- a. **The pledge of allegiance is to be led by Council Member Garcia-Roves**

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

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## **8. CONSENT AGENDA**

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*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 Virtual Special Meeting of the City Council held on May 28, 2020.  
(OFFICE OF THE CITY CLERK).
- B. Request from Samurai Fireworks, located at 7950 NW 53<sup>rd</sup> Street, Suite 337, Miami, Florida, for permission to install a seasonal tent for the sale of fireworks, with set up taking place on Friday, June 19, 2020, and sales commencing on Friday, June 19, 2020 and ending on Saturday, July 4, 2020, to be located at 2122 West 62 Street, Hialeah, Florida, subject to the

requirements of the Fire Department.  
(OFFICE OF THE CITY CLERK)

- C. Request from Samurai Fireworks, located at 7950 NW 53<sup>rd</sup> Street, Suite 337, Miami, Florida, for permission to install a seasonal tent for the sale of fireworks, with set up taking place on Friday, June 19, 2020, and sales commencing on Friday, June 19, 2020 and ending on Saturday, July 4, 2020, to be located at 5378 West 16 Avenue, Hialeah, Florida, subject to requirements of the Fire Department.  
(OFFICE OF THE CITY CLERK)
- D. Request from ABC Promotions Unlimited Inc., located at 940 South Military Trail, # 94, West Palm Beach, Florida, for permission to install a seasonal tent for the sale of fireworks, with set up taking place on Monday, June 15, 2020 and take down on Wednesday, July 8, 2020, and with sales taking place from Saturday, June 20, 2020 through Saturday, July 4, 2020, to be located at 1700 West 49<sup>th</sup> Street, Hialeah, Florida, subject to the requirements of the Fire Department.  
(OFFICE OF THE CITY CLERK)
- E. Proposed resolution approving the naming of West 5<sup>th</sup> Way from West 22 Street to West 26 Street as “Annie R. Johnson Way”, with the cost signage to be paid by the City, in her honor, as an activist, mentor liaison from the community in the City of Hialeah, a role model and resident of Hialeah.  
(ADMINISTRATION)
- F. Proposed resolution approving to increase purchase order #2020-257 by an additional amount of \$28,000.00 for a new cumulative amount not to exceed \$71,036.00 from the Law Enforcement Trust Fund-State for the rental of undercover surveillance vehicles from Royal-Rent-A-Car Systems of Florida, Inc., Vendor #21162, upon such costs having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)
- G. Proposed resolution approving the expenditure in an amount not to exceed \$14,500.00 from the Law Enforcement Trust Fund-Federal for the purchase of one (1) canine for the Hialeah Police Department Canine Unit from Metro Dade K9 Services, lowest quoted vendor, upon such costs having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)
- H. Request permission to award Hialeah Invitation to Bid No. 2019/20-3210-00-001 – *Roadway Improvements to NW 102 Avenue from 162<sup>nd</sup> to 170<sup>th</sup> Street*, to Metro Express, Inc., lowest responsive and responsible bidder, in the total construction amount of \$3,244,000, and further request a ten percent (10%) contingency allowance to cover any unforeseen issues that may arise during the project in the amount of \$324,400, for a total cumulative expense amount not to exceed \$3,568,400, amount which is reimbursable through the City’s Florida Job Growth Infrastructure Grant Agreement with the State of Florida Department of Economic Opportunity dated June 28, 2018.  
(STREETS)  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)
- I. Proposed resolution approving an agreement between FDG Countyline LLC, a Delaware Limited Liability Company, and the City of Hialeah, in substantial conformity with agreement attached and made a part of this resolution as “Exhibit A”, for the transfer of

freshwater palustrine emergent credits to mitigate the impact on wetlands by the roadway construction project of N.W. 97 Avenue in an amount not to exceed \$191,395.00 for a maximum of fifteen (15) state acre credits at the unit cost of \$12,759.61, or the equivalent federal credits at the conversion ratio of 1:2.5471; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the Mitigation Transfer Agreement; and providing for an effective date.

(ADMINISTRATION)

- J.** Proposed resolution authorizing the transfer of unencumbered appropriation balance or a portion thereof between classifications of expenditures within an office or department for the departments identified within the General Fund; within the Special Revenue Funds, in particular, Law Enforcement Trust Fund (LETf), Fire Prevention Fund, Fire Rescue Fund, Parks Grant & Impact Fee Fund, Children’s Trust Fund, Urban Areas Security Initiative (UASI), State Housing Initiative Program Fund, Community Service Fund, Building Division Fund; and within the Public Works Funds in particular, Water & Sewer Fund all as summarized and itemized in the schedule attached as Exhibit “A” and made a part hereof; and providing for effective an date.

(OFFICE OF MANAGEMENT AND BUDGET)

- K.** Proposed resolution approving supplemental appropriations to the annual budget for fiscal year 2019-2020 and in particular, revising the budget to supplement revenues within the Special Revenue Funds, in particular, Community Development Block Grant (CDBG) Fund, Lead Hazard Reduction Grant, Law Enforcement Trust Fund (LETf)-State, Emergency Solutions Grant Fund, Fire Prevention Fund, Fire Rescue Transportation Fund, Home Investment Partnership Program Fund, Park Grants & Impact Fees Fund, Police Grant Fund, State Housing Initiative Program Fund, E-911 Wireless Fund, LETf-Federal Fund, and Community Services Fund; and within the Capital Funds in particular, Elderly Housing Renovation Fund and W 28 Ave-52 Street to 80 Street Fund all as summarized and itemized in the schedule attached as Exhibit “B” and made a part hereof; and providing an effective date.

(OFFICE OF MANAGEMENT AND BUDGET)

- L.** Request approval to retain the professional services of CapFinancial Partners, LLC, as the investment advisor to the City’s General Employees Retirement System Board of Trustees, commencing on October 1, 2019 and ending on September 30, 2020, with the firm’s fee being based on quarterly statements and reports, in a total cumulative amount not to exceed \$110,000.

(RETIREMENT DEPARTMENT)

- M.** Proposed resolution approving an Interlocal Agreement with Miami-Dade County for a term not exceeding three (3) years for the enforcement of specified state misdemeanors as civil citations through the County’s Code Enforcement and Diversion Program, pursuant to the terms and conditions set forth in the Interlocal Agreement attached hereto and made a part hereof as Exhibit “A”; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Interlocal Agreement; and providing for an effective date.

(POLICE DEPARTMENT)

- N.** Proposed resolution establishing a “Property Assessed Clean Energy” (PACE) Program within the corporate limits of City of Hialeah; by approving Interlocal Agreements with the Florida Pace Funding Agency (Exhibit “1”) and the Florida Green Finance Authority (Exhibit

“2”); to which these entities will administer voluntary non-ad valorem financing of qualifying conservation and energy efficient renewable energy and wind resistance improvements; authorizing the Mayor to execute said agreements; and providing for an effective date.

(ADMINISTRATION)

## 9. ADMINISTRATIVE ITEMS

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- A. Second reading and public hearing of proposed ordinance terminating a Land Lease and Easement Agreement dated December 31, 2012, by and between the City and Renegade at Hialeah Blvd, LLC, a Florida Limited Liability Company, for a term of 30 years and three successive 10-year renewals at an annual rent of \$1.00 approved by Hialeah, Fla. Ordinance 12-78 (November 27, 2012); approving the conveyance by Quit-Claim Deed of a vacant parcel of land consisting of approximately 6,703 square feet, more or less, in area to Renegade at Hialeah Blvd., LLC, in exchange for the payment of \$65,000.00; approving a Parking and Cross Access Easement Agreement by and between the City and the Renegade pursuant to the terms and conditions as set forth in the agreement attached hereto and made a part hereof as “Exhibit 2”, authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Quit Claim, Parking and Cross Access Easement Agreement and all other necessary documents in furtherance hereof; Repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

*Item was approved on first reading by the City Council on May 28, 2020.*

- B. Second reading and public hearing of proposed ordinance approving covenants in favor of Miami-Dade County to maintain, operate and preserve a Stormwater Management System as designed on N.W. 102 Avenue, from N.W. 162 Street to N.W. 170 Street, as more particularly described in the form covenants, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; authorizing the execution of the covenants by the Mayor and City Clerk, on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(STREETS)

*Item was approved on first reading by the City Council on May 28, 2020.*

- C. Second reading and public hearing of proposed ordinance consenting to the ground lease with PTI US Towers II, LLC for a wireless communications facility located at Goodlet Park for a period of five years, commencing on March 31, 2020 and ending on March 30 2025, providing for an annual rental of \$65,100, with a 5% annual increase with three successive five-year renewals; 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.

(ADMINISTRATION)

*Item was approved on first reading by the City Council on May 28, 2020.*

- D.** First reading of proposed ordinance amending Chapter 2 entitled “Administration”, Article III. Boards, Commissions and Committees, of the Code of Ordinances of the City of Hialeah, by creating Division 9, Standing and Ad Hoc Committees, Sections 2-759 through 2-763; to provide for the name, makeup, purpose of committees and number of committee members selected by the President of the Hialeah City Council; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date.  
(COUNCIL PRESIDENT HERNANDEZ)

*Item was postponed on first reading by the City Council on May 28, 2020.*

## **10. BOARD APPOINTMENTS**

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- A.** Proposed resolution appointing Council Member Monica Perez as Adult Advisor to the City of Hialeah Youth Advisory Board; and providing for an effective date.
- B.** Proposed resolution reappointing **Robert Williams Jr.** to the Board of Trustees of the Employees General Retirement System as the Board Members of the Employees Retirement System Appointment, for a two (2)-year term ending on December 31, 2021.

## **11. UNFINISHED BUSINESS**

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## **12. NEW BUSINESS**

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## **13. CITY COUNCIL’S NEW BUSINESS**

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**NEXT CITY COUNCIL MEETING: Tuesday, June 9, 2020 at 7:00 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 25, 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 6/4/2020 5:21 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).