

Esteban Bovo, Jr.
Mayor

Carl Zogby
President

Monica Perez
Vice President



Council Members
Bryan Calvo
Vivian Casàls-Muñoz
Jacqueline Garcia-Roves
Luis Rodriguez
Jesus Tundidor

City Council Meeting
Agenda
September 13, 2022
7:00 p.m.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

A. The invocation to be led by Marbelys Fatjo, City Clerk.

4. **PLEDGE OF ALLEGIANCE**

A. The Pledge of Allegiance to be led by Council Member Rodriguez.

5. **MEETING GUIDELINES**

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be

permitted within the Council Chamber.

- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, 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.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.
- The public can view public meetings on the City's YouTube page (www.youtube.com/cityofhialeahgov).
- Members of the public may hear the meeting live through 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.
- All persons participating via the web platform 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.

6. PRESENTATIONS

6A. The City of Hialeah recognizes the following employees for twenty-five (25) years of service to the City:

Employees of the Hialeah Police Department:

- (1) Eduardo Salazar
- (2) Virginia Rodriguez
- (3) George Fuente
- (4) Alexander Dorado
- (5) Delia Morales
- (6) Hai Phi Vo
- (7) Mark Donley

Employees of the Hialeah Fire Department:

- (8) Jesus Ferreira
- (9) Paul Abolafia
- (10) Michael Smith
- (11) Julian Troncoso

Employee of the Department of Public Safety Communications:

(12) Dominick Fradera

Employees of the Department of Parks and Recreation:

- (13) Edward Acosta
- (14) Lesley Beutelus

Employees of the Streets Department

(15) Kendra Joseph

(MAYOR BOVO)
(HUMAN RESOURCES DEPARTMENT)

- 6B.** Presentation by Elizabeth Garcia, Executive Director of the Hialeah Community Coalition, regarding the harms and effects of vaping.

7. COMMENTS AND QUESTIONS

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

9. CONSENT AGENDA

All items listed under Consent Agenda with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, 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 Special City Council Meeting/CRA Workshop held on August 23, 2022 at 5:00 p.m.

(OFFICE OF THE CITY CLERK)

- B.** Request permission to approve the minutes of the City Council Meeting held on August 23, 2022 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

- C. RESOLUTION:** Proposed resolution accepting a grant from the Miami-Dade Transportation Planning Organization (TPO) in an amount not exceeding \$60,000.00 to fund a planning study for the purpose of improving multimodal transportation and mobility and meeting the scope described in the

City's application, attached as Exhibit "A", subject to a matching requirement of no less than 20% of the costs of the study by the City and the execution of an Interlocal Agreement with the TPO governing the expenditure of the grant funds; authorizing the Mayor to contract the services of a Transportation Planning Consultant and any other professional required to prepare the study in a total amount not exceeding \$72,000.00; approving the form Interlocal Agreement attached as Exhibit "B"; authorizing the Mayor to negotiate amendments to the Interlocal Agreement, as deemed necessary in the best interests of the City; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the condition of award form, attached as Exhibit "C" and all other necessary documents as may be required by the grant; providing for an effective date.

(PLANNING AND ZONING)

- D. Request permission to waive competitive bidding, since it is advantageous to the City in that the City rented an aerial boom lift to repair the sports lighting at numerous parks and in order to complete the repair work at the last scheduled park (Slade Park), the rental of the equipment needs to be extended for an additional month, and increase Purchase Order No. 2022-396, issued to Sunbelt Rentals, Inc., for the cost of an additional month of rental, by an additional amount of \$8,656.00, for a total cumulative expense amount not to exceed \$23,656.00.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- E. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor was approved by the City Council on September 14, 2021 for the yearly elevator monthly maintenance, yearly inspections required by Miami-Dade County, and emergency repairs in fiscal year 2022 at the City's elderly housing buildings, and increase Purchase Order No. 2022-164, issued to South Shore Elevator Service Corp, for payment of the following invoices:
- Invoice No. 514 for \$9,800.00
 - Invoice No. 521 for \$8,900.00
 - Invoice No. 517 for \$110.00
 - Invoice No. 604 for \$110.00

invoices which cover additional emergency repairs, repairs required as a result of the annual inspections necessary to obtain the Miami-Dade County certificate, and to cover any necessary emergency repairs that may arise during the 2022 fiscal year, by an additional \$30,000.00, for a new total cumulative expense amount not to exceed \$130,000.00.

The funding for this expenditure will be charged to the individual buildings utilizing this vendor.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- F. Request permission to waive competitive bidding, since it is advantageous to the City uses this vendor for exterminating services at all general government buildings including affordable housing units, and increase Purchase Order No. 2022-347, issued to Tower Pest Control, Inc., for payment of the following invoices:
- Invoice No. 822.30 for \$165.00
 - Invoice No. 822.31 for \$30.00
 - Invoice No. 822.32 for \$15.00
 - Invoice No. 822.33 for \$114.00

- Invoice No. 822.34 for \$10.00
- Invoice No. 822.35 for \$10.00
- Invoice No. 822.36 for \$727.00
- Invoice No. 822.37 for \$35.00
- Invoice No. 822.38 for \$297.00
- Invoice No. 822.39 for \$10.00
- Invoice No. 822.40 for \$25.00

and for the cost of upcoming exterminating services until the end of fiscal year 2022, by an additional \$3,436.00, for a total cumulative expense amount not to exceed \$18,436.00.

The funding for this expenditure will be drawn against the repair and maintenance account of the City department requiring pest controls services.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- G.** Request permission to increase Purchase Order No. 2022-1333, issued to Law Enforcement Psychological and Counseling Associates, Inc., for screening services for new hire Police Recruits and Police Officers, as well as for payment of the following invoices:

- Invoice No. 12605 for \$3,120.00
- Invoice No. 12608 for \$2,255.00

by an additional amount of \$4,500.00, for a total cumulative expense amount not to exceed \$45,900.00.

The funding for this expenditure is to be withdrawn from General Fund - Professional Services Account No. 001.4100.513.310.

(HUMAN RESOURCES DEPARTMENT)

- H.** Request to increase Purchase Order No. 2022-639, issued to Beefree, LLC, to pay for the cost of Freebee service for two (2) additional months due to the expansion of the service area, by an additional \$50,000.00, for a new total cumulative amount not to exceed \$346,763.00. On March 23, 2021 the City Council approved Resolution No. 2021-034 approving an On-Demand Transportation Services Agreement between the City and Beefree, LLC to provide and operate transportation services within designated service areas to the residents and visitors of the City for a period of one year with the option to renew the agreement for four consecutive one-year terms.

The funding for this expenditure is to be withdrawn from CITT Surtax - Hialeah Circulation Fund - Contractual Services Account No. 130.3220.544.340.

(TRANSIT)

- I.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been servicing the City during the past ten (10) years, and increase Purchase Order No. 2022-509, issued to MV Contract Transportation, Inc., to cover the cost of adding five (5) buses to the Marlins route, by an additional amount of \$150,000.00, for a total cumulative expense amount not to exceed \$1,108,127.00. On September 28, 2021, the City Council approved for this vendor to service the City with the operation of the City's transit buses during fiscal year 2022 (Consent Item LLLL).

The funding for this expenditure is to be withdrawn from CITT Surtax - Hialeah Circulation Fund - Contractual Services Account No. 130.3220.544.340.

(TRANSIT)

- J. Report of Scrivener's Error** - On August 23, 2022, the City Council approved Consent Item F, approving the issuance of a purchase order to Mystic Garden Lawn Contractors Inc., for the planting of Montgomery Palms throughout the City, in a total cumulative amount not to exceed \$9,395.00. The item being amended to reflect the planting of Montgomery Palms and Christmas Palms.

(STREETS DEPARTMENT)

- K. RESOLUTION**: Proposed resolution creating an Auditor Selection Committee pursuant to Section 218.391 of the Florida Statutes to assist the governing body in selecting an auditor to conduct the annual financial audit required in Section 218.39 of the Florida Statutes for auditing services to be provided by a certified public accounting firm duly licensed under Chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy and complete the annual audit of the City of Hialeah, including, but not limited to, auditing in connection with Federal or Florida Single Audit Act requirements, ACFR and GASB requirements, and as otherwise required by law, for the fiscal year 2022, and in subsequent years pursuant to a written contract; and providing for an effective date.

(ADMINISTRATION)

- L.** Request permission to increase the following three purchase orders: Purchase Order No. 2022-832 issued to Quadmed, Inc., Purchase Order No. 2022-833 issued to Bound Tree Medical, LLC, and Purchase Order No. 2022-834 issued to Henry Schein, Inc., for the purchase of medical supplies, by an additional cumulative amount of \$30,000.00, for a new total cumulative expense amount not to exceed \$190,000.00.

The funding for this expenditure is to be withdrawn from the General Fund - Operating Supplies - Medical Account No. 001.2000.522.521.

(FIRE DEPARTMENT)

- M.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Kronos Systems Incorporated, for web-based access to administrative staffing and operations staffing (Tele-staff) functions through the internet for Fire Operations and Fire Administration personnel during fiscal year 2023, in a total cumulative expense amount not to exceed \$23,056.00.

The funding for this expenditure is to be withdrawn from Fire Rescue Transportation Fund - Contractual Services Account No. 109.2000.522.340.

(FIRE DEPARTMENT)

- N.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is currently providing these services to the City, and increase Purchase Order No. 2022-1179, issued to Cepero Corp, doing business as Health and Safety Training Institute, for Advanced Cardiac Life Support, Basic Life Support, Medical Protocol Training and First Aid training to all personnel of

the Hialeah Fire Rescue, by an additional amount of \$12,350.00, for a new total cumulative expense amount not to exceed \$37,350.00.

The funding for this expenditure is to be withdrawn from the General Fund - Training & Education Account No. 001.1000.521.491.

(FIRE DEPARTMENT)

- O. Request permission to utilize State of Minnesota Contract No. 43211500-WSCA-15-ACS - *Computer Equipment, Peripherals, and Services*, effective through February 23, 2023, and issue a purchase order to Transource Services Corp., for the purchase of fifty (50) RJ4230BL/RUGGEDJET Mobile 4” DT printers and related accessories, in a total cumulative amount not to exceed \$44,812.50.

The funding for this expenditure is to be withdrawn from the General Fund - Capital Outlay - Equipment Account No. 001.1000.521.640.

(POLICE DEPARTMENT)

- P. Request permission to issue a purchase order to Hazen and Sawyer, P.C., vendor approved by the City Council on March 8, 2022 in accordance with the recommendations of the City’s Selection Committee for engineering services in response to Request for Qualifications No. 2021/22-9500-00-001 – General Consultants for Engineering and Architectural Services, for the Construction Engineering Inspection (CEI) associated with the Phase II Force Main Extension Project - West 84th Street, in a total cumulative amount not to exceed \$98,521.00.

The funding for this expenditure is to be withdrawn from the Coronavirus State and Local Fiscal Fund - Capital Outlay - Infrastructure Account No. 131.9540.536.630.

(DEPARTMENT OF PUBLIC WORKS)

- Q. Request permission to waive competitive bidding, since its advantageous to the City in that the Department of Public Works is currently utilizing this vendor’s services and the vendor is familiar with the department’s after hours and emergency procedures, and increase Purchase Order No. 2022-955, issued to Sunshine Communication Services, Inc., for afterhours emergency telephone services, by an additional amount of \$10,000.00, for a total cumulative expense amount not to exceed \$55,000.00.

The funding for this expenditure is to be withdrawn from the Water & Sewers Division Fund – Communications Services Account No. 450.9500.536.410.

(DEPARTMENT OF PUBLIC WORKS)

- R. Request permission to increase Purchase Order No. 2022-1772, issued to Ferguson Enterprises, LLC, for the purchase of inventory parts and materials, by an additional amount of \$100,000.00, for a total cumulative expense amount not to exceed \$200,000.00. On April 26, 2022, the City Council approved Consent Item D utilizing a contract between Collier County Solicitation No. 17-7176 – *Underground Utility Parts Supplier*, effective through April 1, 2024 for the purchase of inventory parts and materials.

The funding for this expenditure is to be withdrawn from the Water & Sewers Division Fund - Inventory – Pipes, Valves & Fittings Account No. 450.0000.141.001.

(DEPARTMENT OF PUBLIC WORKS)

- S. Request permission to increase Purchase Order No. 2022-951, issued to FortiLine Inc., to cover the increase in the cost of pipe parts, materials, and supplies, by an additional amount of \$50,000.00, for a total cumulative expense amount not to exceed \$350,000.00. On November 9, 2021, the City Council approved Consent Item O utilizing City of Boynton Beach Bid No. 084-1412-21- *Annual Supply of Pipe Fittings and Accessories*, effective through October 4, 2022 for the purchase of pipes, materials and hydrants.

The funding for this expenditure is to be withdrawn from the Water & Sewers Division Fund - Inventory – Pipes, Valves & Fittings Account No. 450.0000.141.001.

(DEPARTMENT OF PUBLIC WORKS)

- T. Request permission to increase Purchase Order No. 2022-964, issued to Waste Connections of Florida, Inc., vendor under contract with the City for the collection of household garbage, yard and bulk waste through September 30, 2023, by an additional amount of \$509,319.00, for a total cumulative expense amount not to exceed \$6,209,319.00.

The funding for this expenditure is to be withdrawn from the Solid Waste Division Fund – Utility - Waste Disposal Fees Account No. 401.3240.534.433, after a transfer for \$59,902.13 from the Solid Waste Division Fund - Contingency Reserve Account No. 401.3240.534.500.

(DEPARTMENT OF PUBLIC WORKS)

- U. Request permission to increase Purchase Order No. 2022-963, issued to Coastal Waste & Recycling of Florida, Inc., vendor currently under contract with the City for the collection of recyclables through September 30, 2023, by an additional amount of \$22,140.00, for a total cumulative expense amount not to exceed \$1,132,040.00.

The funding for this expenditure is to be withdrawn from the Solid Waste Division Fund - Recycling Collection Cost Account No. 401.3240.534.435, after a transfer for \$22,140.00 from the Solid Waste Division Fund - Contingency Reserve Account No. 401.3240.534.500.

(DEPARTMENT OF PUBLIC WORKS)

- V. Request permission to increase Purchase Order No. 2022-962, issued to Waste Connections of Florida, Inc., vendor currently under contract with the City for the collection of household garbage, yard and bulk waste through September 30, 2023, by an additional amount of \$120,000.00, for a total cumulative expense amount not to exceed \$7,820,000.00.

The funding for this expenditure is to be withdrawn from the Solid Waste Division Fund - Garbage Collection Costs Account No. 401.3240.534.434, after a transfer for \$88,000.00 from the Solid Waste Division Fund -Professional Services Account No. 401.3240.534.500.

(DEPARTMENT OF PUBLIC WORKS)

- W. Request permission to ratify the Mayor’s decision to issue payment to Starke Motorcars, LLC, doing business as Duval Chevrolet, for the emergency purchase of five (5) 2022- Chevrolet Colorado police rated vehicles, in a total amount of \$21,768.00 per vehicle, for a total cumulative expense amount not to exceed \$108,840.00.

The funding for this expenditure was charged to the General Fund - Capital Outlay - Vehicles Account No. 001.1000.521.645.

(POLICE DEPARTMENT)

- X. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor was recommended by the Miami-Dade County Department of Environmental Resources Management (DERM), and ratify the Mayor’s decision to issue Purchase Order No. 2022-2197, to Hadronex, Inc, for the annual maintenance and licensing of twenty (20) SmartCover units, in a total cumulative amount not to exceed \$37,145.00.

The funding for this expenditure was charged to the Water & Sewer Division Fund - Rentals & Leases - Equipment Account No. 450.9520.535.441.

(DEPARTMENT OF PUBLIC WORKS)

- Y. **RESOLUTION:** Proposed resolution repealing and rescinding Resolution No. 2021-112 (August 24, 2021) that authorized a “Piggyback Contract” with FPL Services, LLC., pursuant to Hialeah Code of Ordinances § 2-818 that approved, pursuant to Section § 489.145 Florida Statutes, a Guaranteed Energy Performance Savings Master Agreement not to exceed \$15,000,000.00, and allowed the payment of an Investment Grade Audit at a price of \$242,369.00 to determine the scope of the energy conservation improvements and approved related schedules; and providing for an effective date.

(ADMINISTRATION)

<i>On April 12, 2022, the City Council postponed the item until September 13, 2022.</i>
<i>On March 22, 2022, the item was postponed until April 12, 2022.</i>

- Z. Request permission to utilize State of Florida Department of Management Services Contract No. 43230000-NASPO-16-ACS, effective through September 30, 2026, and issue a purchase order to PC Solutions & Integration, Inc., for the purchase of new firewalls city-wide that include five-year subscription for licensing and support, in a total amount of \$238,971.31, and further request the amount of \$29,000.00 to cover the cost of configuration and installation, for a total cumulative expense amount not to exceed \$267,971.31.

The funding for this expenditure is to be withdrawn from the General Fund – Capital Outlay – Citywide Equipment Account No. 001.0201.519.642.

(INFORMATION TECHNOLOGY DEPARTMENT)

- AA. Request permission to waive competitive, since it is advantageous to the City, and increase Purchase Order No. 2022-993, issued to Global Trading, Inc., for the purchase of Blackington badges, name bars, and collar brass pins, by an additional amount of \$1,662.36, for a total cumulative expense amount not to exceed \$16,662.36.

The funding for this expenditure is to be withdrawn from the Fire Rescue Transportation Fund – Uniforms & Clothing Allowance Account No. 109.2000.522.525.

(FIRE DEPARTMENT)

10. ADMINISTRATIVE ITEMS

- 10 A. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, Division 16. “C-2 Liberal Retail Commercial District”, Section 98-1111 entitled “Permitted Uses” of the Code of Ordinances of the City of Hialeah prohibiting smoke shops and schools, parks or places of worship from siting within 1,000 foot radius from each other; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

(CO-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

<i>On August 23, 2022, the item was postponed. Second reading and public hearing is scheduled for September 13, 2022.</i>

<i>On August 9, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 23, 2022.</i>

<i>On June 28, 2022, the item was postponed until August 9, 2022.</i>

- 10 B. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 18 entitled “Businesses” Article V. “Establishments Offering Alcoholic Beverages and/or Entertainment”, Division 1. “Generally” Section 18-206 entitled “Definitions”, Section 18-207 entitled “Zoning Requirements”, and Section 18-208 entitled “Inspection by Police”, and adding Section 18-211 entitled ‘Smoke Shop Regulations’ to the Code of Ordinances of the City of Hialeah; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

(CO-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

<i>On August 23, 2022, the item was postponed. Second reading and public hearing is scheduled for September 13, 2022.</i>

<i>On August 9, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 23, 2022.</i>

<i>On June 28, 2022, the item was postponed until August 9, 2022.</i>

- 10 C. ORDINANCE:** Second reading and **public hearing** of proposed ordinance repealing Section 30-32 entitled “Attendance and Absenteeism”, created by Ordinance No. 2021-023 (March 29, 2021), of the City of Hialeah Code of Ordinances, providing for a penalty upon a Council Member following a third absence unless good cause is shown; 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.

(SPONSOR: COUNCIL VICE PRESIDENT PEREZ)
(CO SPONSOR: COUNCIL MEMBER GARCIA-ROVES)

On August 23, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 13, 2022.

10 D. ORDINANCE: First reading of proposed ordinance amending Chapter 2 entitled “Administration”, Article IV. entitled “Purchasing and Competitive Bidding”, and in particular amending Section 2-781 entitled “Spending Limitations” to raise the expenditure threshold above which all expenditures of municipal funds must be approved by the City Council from \$15,000 to \$25,000; repealing all ordinances or parts of ordinances in conflict hereof; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

10 E. ORDINANCE: First reading of proposed ordinance amending Chapter 2 entitled “Administration”, Article III. entitled “Boards, Commissions and Committees”, by creating Division 9 “Beautification Committee” Sections 2-759 “Established”, 2-760 “Composition and Term of Service”, 2-761, “Duties and Powers”, and 2-762 “Meetings; Quorum and Voting; Attendance Requirements; Rules of Procedures; Minutes”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ADMINISTRATION)

10 F. ORDINANCE: First reading of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,358 square feet, more or less, located along NW 158 Street/West 104 St and West of NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

10 G. ORDINANCE: First reading of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 800 square feet, more or less, located along NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and preventing it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

10 H. ORDINANCE: First reading of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,279 square feet, more or less, located along West 104

Street/NW 158 Street and immediately West of NW 97 Avenue/West 36 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and preventing it from continuing to move offsite and contaminate adjacent areas via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water thru a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

- 10 I. ORDINANCE:** First reading of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,780 square feet, more or less, located along NW 162 Street/West 108 Street and West of NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

- 10 J. ORDINANCE:** First reading of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 8,820 square feet or 0.20 acres, more or less, located along and across West 40 Avenue (NW 102 Avenue), as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

- 10 K. RESOLUTION:** Proposed resolution authorizing the Mayor to budget and appropriate funds for the purpose of engaging Professional Consulting Services and commissioning the necessary studies and redevelopment plans in support of redevelopment activities in the Hialeah Market District Community Redevelopment Area as part of the Mayor’s proposed annual budget for fiscal year 2023 and calling for a meeting of the City Council sitting as the members of the Hialeah Market District Community Redevelopment Agency to be held to coincide with a regularly scheduled meeting of the City Council.

(SPONSOR: COUNCIL MEMBER CALVO)

<i>On August 9, 2022, the City Council tabled the item until September 13, 2022.</i>
<i>On August 9, 2022, the City Council voted to direct the Law Department to draft a resolution for the City Council’s consideration at the next City Council Meeting in support of advancing the Community Reinvestment Act (“CRA”).</i>

11. BOARD APPOINTMENTS

11 A. **RESOLUTION:** Proposed resolution reappointing **Julissa Henriquez** as a member of the Planning and Zoning Board for a two (2)-year term ending on June 28, 2024.

(COUNCIL VICE PRESIDENT PEREZ)

12. UNFINISHED BUSINESS

13. NEW BUSINESS

14. ZONING

PLANNING AND ZONING

PZ 1. Second reading and **public hearing** of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a K-1 grade school with an enrollment of 20 students within a facility that also includes a daycare with an enrollment of 33 students; property located at **543 East 9 Street, Hialeah, zoned C-2 (Liberal Retail Commercial District)**. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On August 23, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 13, 2022.</i>
<i>On August 10, 2022, the Planning and Zoning Board recommended approval with conditions.</i>
<i>Planner's Recommendation: Approve with the condition that the old signs are replaced by two new state-of-the-art signs.</i>
<i>Property Owner: Gladys Perez, 971 East 26th Street, Hialeah, FL 33013</i>

15. LANDUSE

LU 1. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from 9/9/2022 4:38 PM

Residential Office District to Commercial District; **property located at 355 West 49 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.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Aileen Tablado - 355 West 49th Street, Hialeah FL 33012.

LU 2. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Industrial to Transit Oriented Development District; **property located at 1140 East 25 Street Hialeah, zoned M-1 (Industrial 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.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: 1140 East Owner, LLC

LU 3. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Major Institutions to Commercial District; **property located at 8155 West 12 Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial 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.

Registered Lobbyist: Hugo P. Arza, Esq., and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami FL 33131, on behalf Prestige Builders Construction Management, LLC.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Daniel Caamano and Daniel Tobias Caamano Living Trust, 5400 N 35 Street, Hollywood Florida 33021.

LU 4. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Industrial to Commercial District. **Property located at 7445 West 4 Avenue, Hialeah, zoned M-1 (Industrial 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.

Registered Lobbyist: Hugo P. Arza, Esq., and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami FL 33131, on behalf Prestige Builders Construction Management LLC.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Feuer Family 2 LLC

- LU 5. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential and Major Institutions to Medium Density Residential District; **property located at 585 East 26 Street, 591 East 26 Street, 595 East 26 Street, Folio No. 04-3108-001-2570 and 040-3108-001-2580, 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.

Registered Lobbyist: Manny Reus, 18501 Pines Boulevard #342, Pembroke Pines FL 33029 on behalf of Hialeah Re-Investment, LLC

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Hialeah Re-Investment, LLC and Odaly Kuck, 8600 NW 41 Street, Doral, Florida 33166.

- LU 6. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential District; **property located at 350 East 40 Street, 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.

Registered Lobbyist: Frank De La Paz, 9361 Bird Road, Miami Florida 33165, on behalf of Suny Comfort Home, LLC

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Raul Fernandez and Maria Fernandez, 330 West 43rd Street, Hialeah Florida 33012.

- LU 7. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential District; **property located at 10 West 53 Terrace, Hialeah, zoned A (Agricultural 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.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Pedro Felipe Alvarez Pena, 10 West 53 Terrace, Hialeah, Florida 33012

LU 8. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Medium Density Residential to Major Institutions; **property located at 141 West 27 Street, 130, 140, 150, 160 West 28 Street, Hialeah, zoned R-3 (Multiple-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.

Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33133, on behalf 140 LLC.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: 140 LLC

LU 9. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial District; **property located at 291 West 49 Street, Hialeah, zoned RO (Residential Office 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.

Registered Lobbyist: Christian de Gale, 1110 Brickell Avenue, Suite 504, Miami, Florida 33131, on behalf of Development Alliance.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Dr. Pablo Guala, 4811 West 4th Avenue, Hialeah FL 33012

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, October 25, 2022 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, September 27, 2022 at 7:00 p.m.

FIRST BUDGET HEARING: Wednesday, September 14, 2022 at 7:00 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, 3rd 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).