

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
July 28, 2020
7:00 p.m.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

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

4. **PLEDGE OF ALLEGIANCE**

- The pledge of allegiance is to be led by **Council President Hernandez**

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, boards 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 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

7. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

8. MAYOR'S VETO

- A. In accordance with the authority vested in the Mayor of the City of Hialeah, pursuant to Hialeah Charter § 2.01(a)(7), I hereby exercise my veto over Hialeah, Fla., Ordinance 2020-022 passed by the Hialeah City Council at its meeting on July 14, 2020.

9. PRESENTATIONS

- A. Presentation by Walter Keller of Walter H. Keller, Inc. Consulting Engineers and Planners of the June 2018 Transportation Impact Fee Study.

10. 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 Virtual Special Meeting of the City Council held on July 13, 2020.
(OFFICE OF THE CITY CLERK)
- B. Request permission to approve the minutes of the Virtual Special Meeting of the City Council held on July 14, 2020.
(OFFICE OF THE CITY CLERK)
- C. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor provided the lowest unit price in response to a request for quotation, and increase Purchase Order No. 2020-1705, issued to Eureka Farms LLC, to purchase Green Island Ficus plants to be planted throughout the City, by an additional amount of \$30,000, for a new total cumulative amount not to exceed \$90,000.
(STREETS)
- D. Request permission to waive competitive bidding, since it is advantageous to the City in that the requested increase of the purchase order is necessary for an emergency repair, and increase Purchase Order No. 2020-919, issued to Weathertrol Maintenance Corp, for an emergency repair and hurricane protection panel to be installed on the roof top air-conditioner chiller number two which supplies air conditioning to the Fire Administration Building and Fire Station No. 1, by an additional amount of \$20,998.46, for a new total cumulative amount not to exceed \$35,998.46.
(FIRE DEPARTMENT)
- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Advanced Modular Structures, Inc., vendor providing the lowest quotation, for the purchase of a used 2014 24' X 76' double-wide modular building to be used as temporary Fire Station No. 9, in a total cumulative amount not to exceed \$47,560.
(FIRE DEPARTMENT)
- F. Request permission to waive competitive bidding, since it is advantageous to the City, and issue two purchase orders to Kronos Incorporated, with the first purchase order in the amount of \$25,920 to provide Webstaff access to administrative staffing (Tele-Staff) functions through the internet for fire operations, and the second purchase order in the amount of \$6,720, to provide webstaff access to administrative staffing (Tele-Staff) functions through the internet for Fire communications, for a total cumulative expense amount not to exceed \$32,640.
(FIRE DEPARTMENT)
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-725, issued to Commercial Energy Specialists, Inc., for repairs and maintenance of chemical chlorinators, filters and parts needed for the City's

parks, pools and facilities, by an additional amount of \$4,000, for a new total cumulative amount not to exceed \$16,000.

(DEPARTMENT OF PARKS AND RECREATION)

- H.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-1108 issued to Visualscape, Inc., for continued repairs and maintenance needed for the irrigation system of the Garden of the Arts city park, by an additional amount of \$4,000, for a new total cumulative amount not to exceed \$7,000.

(DEPARTMENT OF PARKS AND RECREATION)

- I.** Request permission to utilize National Joint Power Alliance (NJPA) Contract No. 030117-LTS, effective through April 14, 2021, and issue a purchase order to Miracle of South Florida, Inc., for the purchase and installation of a new playground with shade structure for O'Quinn Park, located at 6051 West 2nd Avenue, in a total cumulative amount not to exceed \$167,191.31, cost which includes equipment, installation, labor and freight.

(DEPARTMENT OF PARKS AND RECREATION)

- J.** Request permission to utilize National Joint Power Alliance (NJPA) Contract No. 030117-LTS, effective through April 14, 2021, and issue a purchase order to Miracle of South Florida, Inc., for the purchase and installation of a new playground with shade structure for Goodlet Park, located at 4200 West 8th Avenue, in a total cumulative amount not to exceed \$139,660.31, cost which includes equipment, installation, labor and freight.

(DEPARTMENT OF PARKS AND RECREATION)

- K.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-1556, issued to Quadient, Inc., for the annual maintenance of the Department of Public Works' mailing equipment, by an additional amount of \$12,654.27, for a new total cumulative amount not to exceed \$27,654.27.

(DEPARTMENT OF PUBLIC WORKS)

- L.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the materials and requirements of the City's Department of Public Works, and issue a purchase order to Fortiline, Inc., vendor providing the lowest quotation, for the purchase of 1 inch, 1 ½ inch and 2 inch DLJ meters, in a total cumulative amount not to exceed \$15,584.85.

(DEPARTMENT OF PUBLIC WORKS)

- M.** Request permission to issue a purchase order to Insituform Technologies, LLC, for sewer main lining, in the amount of \$12,998.70, for a total cumulative expense amount of \$148,258.50. On June 27, 2017, the City Council awarded this vendor a contract to rehabilitate sewer mains pipeline through the City in the amount of \$135,259.80, amount which increased due to additional sewer lining having been completed.

(DEPARTMENT OF PUBLIC WORKS)

- N.** Request permission to award Hialeah Invitation to Bid No. 2019/20-3230-00-009 – *Southeast Park Recreation Building Re-roofing*, to A-1 Property Services Group, Inc., lowest responsive and responsible bidder, in the amount of \$88,353, and further request a ten percent (10%) contingency allowance to cover any unforeseen issues that may arise during the project, in the amount of \$8,835, for a total cumulative expense amount not to exceed \$97,188.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

(DEPARTMENT OF PARKS AND RECREATION)

- O.** Proposed resolution approving a Memorandum of Understanding between the City of Hialeah, City of Miami and City of Miami Beach to implement a cooperative effort to connect each independent P25 Digital Trunked Simulcast Network Radio System through a core to core connection and/or Inter-RF Subsystem Interface connection; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute the Memorandum of Understanding, a copy of which is attached hereafter and incorporated herein as Exhibit “A”, and providing for an effective date.
(POLICE DEPARTMENT)
(FIRE DEPARTMENT)
- P.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness on behalf of the City, to enter into a Professional Services Agreement with Walter H. Keller, Inc., as consultant to develop, prepare and implement a Citywide Transportation Impact Fee, for a term of one year with an option to renew for one (1) additional year, in an amount not to exceed \$23,0000.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date.
(ADMINISTRATION)
(COUNCIL MEMBER TUNDIDOR)
- Q.** Request permission to waive competitive bidding, since it is advantageous to the City in that the subject repair was completed at a multi-story building with elderly residents and it is a life safety issue to have a building with no working elevator, and increase Purchase Order No. 2020-763, issued to South Shore Elevator Service Corp, to cover the cost of emergency repairs completed to elevators B1 and B2 located at the 300 Units Elderly Housing Building, by an additional amount of \$10,900, and further request an additional \$10,000 to cover any additional emergency and/or unforeseen issues that may arise in the future, for a new total cumulative expense amount not to exceed \$118,150. On May 26, 2020, the City Council approved an increase to the subject purchase order in the amount of \$13,050 and a contingency in the amount of \$10,000 to cover any emergency and unforeseen issues that may arise in the future, and on July 20, 2020 personnel of the Fire Department while responding to a call and trying to gain access to the elevator cab accidentally damaged the clutch that controls the door opening of elevator B2, and while the vendor was inspecting elevator B2 to assess the damages, elevator B1 stopped functioning.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)
- R.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Professional Services Agreement with Walter H. Keller, Inc., as consultant, to update the Park, Recreation and Open Spaces Impact Fee Study, and implement a citywide park, recreation and open spaces impact fee, for a term of one year with an option to renew for one (1) additional year, in an amount not to exceed \$16,200.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date.
(ADMINISTRATION)
(COUNCIL MEMBER TUNDIDOR)
- S.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Professional Services Agreement with Walter H. Keller, Inc., as consultant, to update the Fire Rescue Impact Fee Study, and implement a citywide fire rescue impact fee, for a term of one year with an option to renew for one (1) additional year, in an

amount not to exceed \$22,000.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date.

(ADMINISTRATION)

(COUNCIL MEMBER TUNDIDOR)

- T. Request permission to utilize National Joint Power Alliance (NJPA) Contract No. 030117-ACR, effective through April 14, 2021, and issue a purchase order to American Ramp Company, to construct a new skate park at Bucky Dent Park, located at 2250 West 60th Street, in a total cumulative amount not to exceed \$316,446.68.
(DEPARTMENT OF PARKS AND RECREATION)

- U. Proposed resolution accepting a grant award from the Children’s Trust in the amount of \$375,000.00, for Youth Enrichment, Employment and Support Programs, for one-year commencing on August 1, 2020 through July 31, 2021; approving and ratifying a Grant Agreement between the Children’s Trust and the City of Hialeah, a copy of which is attached hereafter and incorporated herein as Exhibit “A”; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof; and providing for an effective date.
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

- V. Proposed resolution accepting a grant award from the Children’s Trust in the amount of \$905,998.00, for aftercare and summer camp programs, for one-year commencing on August 1, 2020 through July 31, 2021; approving and ratifying a Grant Agreement between the Children’s Trust and the City of Hialeah for aftercare and summer camp programs, a copy of which is attached hereafter and incorporated herein as Exhibit “A”; and further authorizing the Mayor or his designee to execute any and all agreements, and documents in furtherance thereof; and providing for an effective date.
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

- W. Request permission to issue a purchase order to Tyler Technologies, Inc., for needed changes to the Citizen Online Self Service - Permitting and Land Management used by the Building and Code Compliance Departments, as well as for improvements in the reporting module utilizing Tyler software, in a total cumulative amount not to exceed \$200,000. On May 22, 2018, the City Council approved Resolution No. 2018-046 – approving a service agreement between this vendor and the City to provide products and services for a term of three years, with an option to renew for an additional two-year terms.
(BUILDING)

11. ADMINISTRATIVE ITEMS

- A. Second reading and public hearing of proposed ordinance approving a Final Plat of Countyline Corporate Park Central, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; 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. **Property located at NW 102 to NW 107 Avenue from NW 158 Street through theoretical NW 166 Street, Hialeah, Florida, zoned BDH (Business Development District) classified under the Future Land Use Map as Industrial.**
(ZONING)

On July 13, 2020, the City Council approved the item on first reading.

- B. Second reading and public hearing of proposed ordinance approving a Final Plat of Countyline Corporate Park South, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; 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. **Property located at NW 102 to NW 107 Avenue from NW 154 to NW 158 Street, Hialeah, Florida, zoned BDH (Business Development District) classified under the Future Land Use Map as Industrial.**
(ZONING)

On July 13, 2020, the City Council approved the item on first reading.

- C. Second reading and public hearing of proposed ordinance approving and joining in the covenant in favor of Miami-Dade County by the property owner JVC Management Corp., wherein the City holds an easement to maintain, operate and preserve a Stormwater Management System along N.W. 102 Avenue, from N.W. 138 Street to N.W. 142 Street, as more particularly described in the form covenant, a copy of which is attached hereto and made a part hereof as Exhibit "1"; authorizing the execution of the covenant by the Mayor and the 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)

On July 13, 2020, the City Council approved the item on first reading.

- D. First reading of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 2019-087 (October 3, 2019), that granted a variance permit to allow a commercial development on the west side of the property with no residential uses, where residential uses are required and repealing and rescinding in its entirety and releasing the Declaration of Use and Unity of Title recorded in OR Book 31711 at Pages 3730-3734 in the public records of Miami Dade County, Florida. **Property located on the west side of two adjacent parcels located on the south side of East 21 Street, between East 1 Avenue and East 2 Avenue, Hialeah, Florida.** Property 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.
(ZONING)

12. BOARD APPOINTMENTS

- A. Proposed resolution reappointing **Christopher Zacarias** as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the citation procedures set forth in Chapter 22, Article III, of the Hialeah Code, assume all powers authorized by Hialeah Code § 22-186(k), and serve a term commencing on June 1, 2020 and ending on May 31, 2021, at an hourly rate to be established by administrative order of the Mayor; and providing for an effective date.
(MAYOR HERNANDEZ)

- B.** Proposed resolution reappointing **Eugene M. Steinfeld** as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the citation procedures set forth in Chapter 22, Article III, of the Hialeah Code, assume all powers authorized by Hialeah Code § 22-186(k), and serve a term commencing on June 1, 2020 and ending on May 31, 2021, at an hourly rate to be established by administrative order of the Mayor; and providing for an effective date.
(MAYOR HERNANDEZ)

13. UNFINISHED BUSINESS

14. NEW BUSINESS

15. CITY COUNCIL'S NEW BUSINESS

16. ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item.

- PZ 1.** Second reading and public hearing of proposed ordinance vacating and abandoning from public use public streets and alleys **located between E 19 Street and E 20 Street, east of E 11 Avenue and west of the railroad tracks; streets located between blocks 125B and 124B and between blocks 124B and 117B and alleys located on blocks 117B and 124B on Plat Book 34-26 recorded in the Miami Dade County public records, Folio No. 04-3108-002-5675 and more particularly described in the legal description and location sketches attached hereto and made a part hereof as Composite Exhibit "A";** 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 July 13, 2020, the City Council approved the item on first reading.</i>
<i>Registered Lobbyist: Frank de la Paz, 11000 SW 104th Street, #2804, Miami, FL 33116, on behalf of L Michael Osman, 1474-A West 84th Street.</i>

<i>On June 24, 2020 the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Michael Osman, 1474-A West 84 Street, Hialeah, Florida 33014.</i>

NEXT CITY COUNCIL MEETING: Tuesday, August 11, 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, 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).