

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

City Council Meeting
Minutes
January 26, 2021
7:00 p.m.

1. **CALL TO ORDER**

REPORT: Council Vice President Perez called the meeting to order at 7:10 p.m.

2. **ROLL CALL**

A. **REPORT:** City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:

1. Council Vice President Perez
2. Councilwoman Cue-Fuente **via Zoom**
3. Councilman De la Rosa
4. Councilwoman Garcia-Roves
5. Councilman Hernandez **via Zoom**
6. Councilman Zogby

B. **REPORT:** City Clerk, Marbelys Fatjo, called the roll with the following Council Member absent:

1. Council President Tundidor

C. **REPORT:**

1. Mayor Hernandez was present **via Zoom**.
2. Lorena Bravo, City Attorney, was present **via Zoom**.

3. **INVOCATION**

A. Marbelys Fatjo, City Clerk, led the invocation.

4. PLEDGE OF ALLEGIANCE

A. Council Member Zogby led the Pledge of Allegiance.

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 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.

REPORT: The City Clerk outlined the meeting guidelines for the record.

6. PRESENTATIONS

REPORT: None.

7. COMMENTS AND QUESTIONS

A. REPORT: The Office of the City Clerk received one (1) any email message from a person interested in making comments or posing questions on matters of public concern.

(1) **Jessica Candame**, who did not provide a home address, sent an email to staff of the Office of the City Clerk on January 22, 2021 at 12:43 p.m., requesting that the email message be read into the record. The City Clerk read the email message into the record.

B. REPORT: No one interested in making comments or posing questions on matters of public concern registered with the Office of the City Clerk to participate live during the Comments and Questions portion of the meeting using Zoom.

C. REPORT: Four (4) people present at City Hall expressed interest in speaking during this portion of the meeting.

(2) **Juan Santana**, with a home address of **5601 West 10th Avenue, Hialeah, Florida**, spoke regarding the Hialeah Police Department.

(3) **Milly Herrera**, with a home address of **4341 East 8th Lane, Hialeah, Florida**, spoke on several topics including our government, the existing body, and planning and zoning items.

(4) **Jose Azze**, with a home address of **788 Southeast Park Drive, Hialeah, Florida**, commended the Office of the City Clerk on the public record request process, and spoke on several topics including national politics and the police department.

(5) **Anita Kapinko**, with a home address of **590 East 65 Street, Hialeah, Florida**, addressed the City Council regarding speeding in her neighborhood.

(6) **Eric Johnson**, Local 1102, with a home address that is exempt per Florida law, spoke regarding first responders.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

A. Consent Item E, as written on the agenda, is amended to reflect the correct expenditure amount as \$2,000,000.

B. Items PZ 1 and PZ 2 are postponed until February 9, 2021.

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.

REPORT: Council Member Hernandez requested separate discussion on Consent Items G, M and Q.

REPORT: Council Vice President Perez requested separate discussion on Consent Item U.

REPORT: Motion to Approve the Consent Agenda, except Items G, M, Q and U, made by Council Member Cue-Fuente (via Zoom), and seconded by Council Member Zogby. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- A. Request permission to approve the minutes of the Special Meeting of the City Council held on January 12, 2021.
(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- B. Request permission to approve the minutes of the City Council Meeting held on January 12, 2021.
(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- C. Request permission to waive competitive bidding, since it is advantageous to the City, and increase two purchase orders: (1) Purchase Order No. 2021-677 for affordable housing use and (2) Purchase Order No. 2021-396 for general government use, excluding affordable housing, both issued to South Florida Appliance, Inc., vendor providing the lowest quotation, to purchase appliances, materials and parts, each purchase order by an additional amount of \$12,500, totaling \$20,000 per purchase order, for a new total cumulative expense amount not to exceed \$40,000.

Purchase Order	Current Amount	Increase Requested	Total (if approved)	Department
2021-396	\$7,500	\$12,500	\$20,000	Construction & Maintenance
2021-677	\$7,500	\$12,500	\$20,000	Affordable Housing

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- D. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been supporting the City's Department of Public Works in the management of the

department's finances, and issue a purchase order to Milian, Swain & Associates, Inc., for administrative support including, but not limited to utility managerial services, utility budgeting services, utility system development services, in a total cumulative amount not to exceed \$336,000.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- E. Request permission to utilize the Lee County contract adopted pursuant to Solicitation No.: RFP 170241DLK - *Wastewater Collection System* – expiring on January 8, 2022, and issue a purchase order to Miller Pipeline, LLC, for the completion of wellfield inspections/assessment, excavation point repairs and mainline sewer lining, in a total cumulative amount not to exceed \$2,000,000.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- F. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been supporting the City's Department of Public Works in the management of the department's finances, and issue a purchase order to Milian, Swain & Associates, Inc., for a financial study of the Water and Sewer Department's utility payments to the City of Hialeah's General Fund in lieu of franchise fees, in a total cumulative amount not to exceed \$20,000.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- G. Request permission to issue a purchase order to Core & Main LP, sole source vendor for Sensus meters in the State of Florida, for the purchase of one thousand (1,000) 5/8 Sensus water meters, in a total cumulative amount not to exceed \$80,000.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

REPORT: Armando Vidal, Director of the Department of Public Works, City of Hialeah, spoke on this item.

REPORT: Motion to Approve Consent Item G made by Council Member Hernandez (via Zoom) and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as "YES" via Zoom and Council President Tundidor absent.

- H. Request permission to waive competitive bidding, since it is advantageous to the City in that the use of these generators have become necessary due to the long lead time for Florida Power and Light to provide permanent service to the City's larger pump stations and temporary power is an ancillary task function to the rehabilitation of a sewer pump station to show for a timely certification from Miami-Dade County Department of Environmental Resources Management (DERM), and ratify previous payments made by the Department of Public Works to obtain large standby generators capable of running the City's larger pump stations (Pump Station 100, Pump

Station 101, and most recently Pump Station 056) and issue a purchase order to Power Depot, Inc., in a total cumulative amount not to exceed \$21,768.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to CopyCorp, Inc., doing business as Delta Business Solutions, vendor providing the lowest quotation, for the purchase of a copy machine and maintenance, in a total cumulative amount not to exceed \$17,785.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- J. Request permission to issue a purchase order to Waste Connections of Florida, Inc., vendor currently under contract with the City for solid waste disposal services, for the payment of unanticipated increase in tonnage disposed primarily due to an increase in garbage disposed in fiscal year 2020, in a total cumulative amount not to exceed \$297,384.63.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- K. Request permission to issue a purchase order to The Avanti Company, sole source vendor of Itron handheld, radio and reading equipment and the City’s Department of Public Works has used the Itron handheld meter reading system for more than fifteen (15) years, for the supply of field connection software upgrades, twelve (12) handheld CN-80 Itron handheld units and three (3) Bay-CN-80 charging bases, all of which are necessary because with the current advances in technology, Itron will no longer maintain the City’s current version, in the total amount of \$36,299. Further request permission to issue a purchase order to Itron, Inc., vendor which will continue to provide the maintenance service of the newly purchased units, for the maintenance of the units for a period of five (5) years, in a total cumulative amount not to exceed \$11,208.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- L. Request permission to utilize Lake County, Florida Contract No. 17-0606G - *Fire Equipment Parts – Supplies – Service*, effective through June 30, 2021, and issue two (2) purchase orders to Municipal Emergency Services, Inc., for an educational training website for firefighters–paramedics and dispatch with access to training courses, as well as with the service of tracking training hours in order to be compliant with the requirements of the Insurance Service Organization and the Department of Health, with the first purchase order being to fund the training of fire fighters, in the amount of \$22,645, and the second purchase order being to fund the training of dispatchers, in the amount of \$4,228.91, in a total cumulative expense amount not to exceed \$26,873.91

(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as

“YES” via Zoom and Council President Tundidor absent.

- M. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-915, issued to Law Enforcement Psychological and Counseling Associates, Inc., for the psychological screening services for the hiring of certified police officers, firefighters and Employee Assistance Program (EPA), by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$35,000.
(HUMAN RESOURCE DEPARTMENT)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Mayor Hernandez, spoke on this item.

REPORT: Eric Johnson, with a home address that is exempt per Florida law, spoke regarding the City’s Employee Assistance Program.

REPORT: Motion to Approve Consent Item M made by Council Member Hernandez (via Zoom) and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- N. Request permission to waive competitive bidding, since it is advantageous to the City in that the City has worked with the referring recruiting agency in the past, and increase Purchase Order No. 2021-572, issued to GEN Recruiting Solutions, LLC, to provide recruiting and staffing services, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$35,000.
(HUMAN RESOURCES DEPARTMENT)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- O. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the manufacturer of the equipment, and issue a purchase order to Eaton Corporation, for the purchase of annual maintenance for the Data Center UPS’ located throughout the City, in a total cumulative amount not to exceed \$16,441.65.
(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- P. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is currently providing services to the City, and issue a purchase order to TotalCaption, LLC, vendor providing the lowest quotation, for the closed captioning services for public meetings held during the remainder of the fiscal year, in a total cumulative amount not to exceed \$27,000.
(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- Q. Request permission to utilize School District of Palm Beach County Solicitation No. 20C-49P – *Term Contract to Furnish and Install Playground Equipment, Outdoor Fitness Equipment, Surfacing and Fabric Shade Structure*, effective through August 19, 2025, and issue a purchase order to PlayMore West, Inc., for the purchase of twenty-eight (28) pieces of outdoor fitness equipment for the Hialeah Trails Park (Park A and Park B) located at 3621 West 104th Street, Hialeah, in a total cumulative amount not to exceed \$197,154
(DEPARTMENT OF PARKS AND RECREATION)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Mayor Hernandez spoke regarding the idea of a dog park in the City.

REPORT: Joseph Dzedzic, Director of the Department of Parks and Recreation, City of Hialeah, spoke regarding the idea of a dog park in the City.

REPORT: Motion to Approve Consent Item Q made by Council Member Hernandez (via Zoom) and seconded by Council Member Zogby. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- R. Request permission to utilize Florida State Contract No. 25100000-19-1 – *Motor Vehicles*, effective through November 16, 2021, and issue a purchase order to Coggin Chevrolet L.L.C., for the purchase of two (2) 2020 Chevrolet Express twelve (12) passenger base vans (CG23406 1LS), in a total cumulative expense amount not to exceed \$51,530.50.
(DEPT. OF PARKS AND RECREATION)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- S. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA20-VEL28.0, and issue a purchase order to AN Motors of Pembroke, LLC, to purchase five (5) 2021 Chevrolet Silverado – 147” 2WD Double Cap (work truck) in the amount of \$23,349 for four vehicles and \$26,848 for the fifth vehicle which will include a 1300# Tommygate 55 X 27 Platform, in a total amount of \$120,244, and two (2) 2021 Chevrolet Traverse (1NB56), in the amount of \$25,368 per vehicle, in a total amount of \$50,736, for a total cumulative expense amount not to exceed \$170,980.
(DEPARTMENT OF PARKS AND RECREATION)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- T. Request permission for approval to pay the annual City of Hialeah membership dues for fiscal year 2020-2021 to the Florida League of Cities, Inc., for providing a variety of benefits to the City, including legislative advocacy and updates, bond services, legal advice, access to the statewide newsletter, and educational webinars, in a total cumulative amount not to exceed \$32,896.
(OFFICE OF THE MAYOR)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- U. Proposed resolution honoring James Michael (“Mike”) Miller for his 39-year career as a firefighter for the City of Hialeah who succumbed to cancer with a plaque affixed to the station building at Hialeah Fire Station No. 3.
(MAYOR HERNANDEZ)
(COUNCIL PRESIDENT TUNIDOR)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

RESOLUTION NO. 2021-006

REPORT: Mayor Hernandez spoke regarding this item.

REPORT: Council Vice President Perez called for a moment of silence in memory of Mr. James Michael Miller.

REPORT: Eric Johnson, with a home address that is exempt under Florida law, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item U made by Council Member Garcia-Roves, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- V. Request permission to renew the Professional Services Agreement with ADF Consulting LLC, for a period of four (4) months, commencing on February 1, 2021 and ending on May 1, 2021, for governmental affairs consulting, as well as governmental representation before the executive and legislative branches of the State of Florida, in a total cumulative amount not to exceed \$15,000, inclusive of registration fees, costs and expenses, payable in equal monthly installments.
(OFFICE OF THE MAYOR)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

10. ADMINISTRATIVE ITEMS

- 10 A. Second reading and public hearing of proposed ordinance providing for a Primary Election to be held on Tuesday, November 2, 2021 and a General Election to be held on Tuesday, November 16, 2021; providing for the Miami-Dade County Elections Department to conduct these elections and other matters relating thereto; 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.
(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

ORDINANCE NO. 2021-011

<i>On January 12, 2021, the item was postponed by the administration.</i>
<i>On November 24, 2020, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 12, 2021.</i>

REPORT: The Office of the City Clerk did not receive any e-mail message from persons interested in making comments or posing questions regarding this item.

REPORT: No one interested in making comments or posing questions regarding this item registered with the Office of the City Clerk to participate live during the meeting using Zoom.

REPORT: Council Vice President Perez asked anyone watching or listening to the meeting who would like to speak on this item to use the raising of the hand feature on Zoom. No member of the public expressed interest in participating.

REPORT: Council Vice President Perez opened the item for public participation to anyone present at City Hall, and no member of the public expressed interest in participating.

REPORT: Motion to Approve Administrative Item 10 A made by Council Member Garcia-Roves, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- 10 B. Second reading and public hearing of proposed ordinance setting the election date for the General Election for the year 2021 for the date of Tuesday, November 16, 2021 for the Office of Mayor and for the Offices of the City Council whose terms have expired, pursuant to municipal powers vested by state law according to Florida Statutes §§ 166.021(4) and 100.3605(2) in order to conduct elections on the same date as other municipalities; 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.
(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

ORDINANCE NO. 2021-012

<i>On January 12, 2021, the item was postponed by the administration.</i>
<i>On November 24, 2020, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 12, 2021.</i>

REPORT: The Office of the City Clerk did not receive any e-mail message from persons interested in making comments or posing questions regarding this item.

REPORT: No one interested in making comments or posing questions regarding this item registered with the Office of the City Clerk to participate live during the meeting using Zoom.

REPORT: Council Vice President Perez asked anyone watching or listening to the meeting who would like to speak on this item to use the raising of the hand feature on Zoom. No member of the public expressed interest in participating.

REPORT: Council Vice President Perez opened the item for public participation to anyone present at City Hall, and no member of the public expressed interest in participating.

REPORT: Motion to Approve Administrative Item 10 B made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

- 10 C. First reading of proposed ordinance accepting the dedication of land improved with a lift station of approximately 5,570 square feet, subject to and approving the terms of the Special Warranty Deed attached as Attachment “1”, from Countyline 2 LLC, a Delaware limited liability company; 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.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Motion to Approve Administrative Item 10 C made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Second reading and public hearing is scheduled for February 9, 2021.

- 10 D. First reading of proposed ordinance approving a Fixed Capital Outlay Certification, in substantial conformity with the form attached hereto and made a part hereof as Exhibit “A”, pursuant to F.S. §287.05805, granting a security interest to the State of Florida in the amount of \$500,000.00 for improvements to the Goodlet Adult Center located within Goodlet Park located at **900 W 44th PL, Hialeah, Florida 33012**, for a period of five (5) years from the date of completion of the facility improvements, in accordance with the requirements, terms and conditions of Contract No. XQ902 between the State of Florida, Department of Elder Affairs and the City of Hialeah, attached hereto and made a part hereof as Exhibit “B”; authorizing the Mayor and City Clerk, as attesting witness, to execute the Fixed Capital Outlay Certification and all necessary documents on behalf of the City; authorizing all other actions necessary in furtherance of the transactions contemplated by this ordinance; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Lorena Bravo, City Attorney, spoke regarding this item.

REPORT: Motion to Approve Administrative Item 10 D made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President

Tundidor absent.

REPORT: Second reading and public hearing is scheduled for February 9, 2021.

11. BOARD APPOINTMENTS

REPORT: None.

12. UNFINISHED BUSINESS

- **Council Member Hernandez spoke on the following topics:**
 - *Signage for the Leah Arts District*
 - *State funds given by the Governor to many Cities in response to Hurricane Isaias*
 - *Reopening of City parks*
 - *Opening of Miami Lakes bridges*

13. NEW BUSINESS

- A. Armando Vidal, Director of the Department of Public Works, City of Hialeah,** discusses the Hialeah Recycling Outreach Plan and the City of Hialeah Recycling Education Draft Slogan.

REPORT: Armando Vidal asked the City Council to review the documentation provided to each of them by the City Clerk and submit comments to him no later than February 3, 2021.

14. ZONING

PLANNING AND ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit pursuant to Hialeah Code of Ordinances § 98-181 to allow the sale and consumption of alcohol within the facility located in the Alwod Artist Live/Work Overlay District, “Leah Art District”. **Property located at 901 East 10 Avenue, Bay # 24, 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.

POSTPONED UNTIL FEBRUARY 9, 2021.

<i>On January 12, 2021, the item was postponed until January 26, 2021 per the applicant's request.</i>

On December 8, 2020, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 12, 2021.

Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Isabel Restaurant Inc., 901 East 10 Avenue, Hialeah, FL.

On November 18, 2020, the Planning and Zoning Board recommended approval with the condition that alcohol for consumption on premises will only be sold with full meals and that improvements will be made to the façade of the subject bay to reflect consistency with the ALWOD district, prior to applying for the alcoholic beverages license.

Planner's Recommendation: Approval with conditions.

Owner of the Property: Flamingo East LTD, Jack Glottman, Deborah Glottman, 290 West 165 Street, PH 2, Miami, Florida 33029, Isabel Restaurant Inc., 901 East 10 Avenue, Bay 24, Hialeah, FL 33013, and Fabio Marte, 18175 SW 5 Court, Pembroke Pines, Florida 33029.

- PZ 2.** 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-5 grade school with an enrollment of 40 students within a facility that also includes a daycare with an enrollment of 83 students; **property located at 1995 West 60 Street consisting of 4,400 square feet with a street addresses within the site of 1917 and 1919 West 60 Street, Hialeah, Zoned C-2 (Liberal 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.

POSTPONED UNTIL FEBRUARY 9, 2021.

On January 12, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 26, 2021.

Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Little Children's Learning Academy, 1917 West 60th Street, Hialeah, Florida 33012.

On December 9, 2020, the Planning and Zoning Board approved the item.

Planner's Recommendation: Approval.

Owners of the Property: RIC Inc, 16765 NW 80 Court, Miami Lakes, Florida 33016 and Artveo Garcin, 5431 West 8th Lane, Hialeah, Florida 33012.

- PZ 3.** First reading and public hearing 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.

TABLED UNTIL FEBRUARY 9, 2021 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

<i>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>
<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>

REPORT: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, after being duly sworn-in by the City Clerk, addressed the City Council and requested that the item be postponed until February 9, 2021.

REPORT: Motion to Table Item PZ 3 until February 9, 2021 made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council Member Hernandez recording his vote as “YES” via Zoom, and with Council President Tundidor and Councilwoman Cue-Fuente absent.

PZ 4. First reading of proposed ordinance granting a variance permit to allow a duplex on a substandard lot having a frontage of 50 feet and total lot area of 6,000 square feet, where 75 feet frontage and 7,500 square feet are required; allow north and south side setbacks of 5 feet, where 7.5 feet is the minimum required; allow rear setback of 20 feet, where 25 feet is the minimum required; and allow 41% lot coverage, where 30% is the maximum allowed, all contra to Hialeah Code of ordinances §§ 98-544, 98-546, 98-547 and 98-2056(b)(2). **Property located at 2455 West 5 Court, Hialeah, zoned R-2 (One-and Two-Family Residential 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.

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

<i>On January 13, 2021, the Planning and Zoning Board approved the item.</i>
<i>Planner’s Recommendation: Approval.</i>

*Owners of the Property: Maria E. Toledo, 12001 NW 26 Street, Plantation, Florida, 33323.
East 13 Street, LLC, 1474-A West 84 Street, Hialeah, Florida 33014.*

REPORT: Debora Storch, Zoning Official, City of Hialeah spoke on this item.

REPORT: Motion to Approve Item PZ 4 made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Second reading and public hearing is scheduled for February 9, 2021.

PZ 5. 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.

TABLED UNTIL FEBRUARY 9, 2021 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

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.

On January 13, 2021, the Planning and Zoning Board approved the item with the recommendations.

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.

Owners of the Property: Palm Ave MC, LLC, and Ryan Loro, 4980 Palm Avenue, Hialeah, Florida 33012.

REPORT: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, requested that the item be postponed until February 9, 2021.

REPORT: Motion to Table Item PZ 5 until February 9, 2021, made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

PZ 6. First reading of proposed ordinance approving a Final Plat of Beacon Logistics, 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 east of NW 107 Avenue and NW 145 Place (West 91 Place), Hialeah,**

Florida.

APPROVED 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

The Planning and Zoning Board recommended approval of the item on January 13, 2021.

REPORT: Alex Gomez, Codina Partners, 2020 Salzedo Street, after being duly sworn-in by the City Clerk, addressed the City Council.

REPORT: Motion to Approve Item PZ 6 made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council Members Cue-Fuente and Hernandez recording their vote as “YES” via Zoom and Council President Tundidor absent.

REPORT: Second reading and public hearing is scheduled for February 9, 2021.

REPORT: Council Vice President Perez adjourned the meeting at 8:59 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, February 9, 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, 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).