

**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  
Minutes  
**March 8, 2022**  
7:00 p.m.

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**1. CALL TO ORDER**

A. **REPORT:** Council President Zogby called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

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

**B. REPORT:**

1. Mayor Esteban Bovo, Jr. was present.
2. Marbelys Fatjo, City Clerk, was present.
3. Lorena Bravo, City Attorney, was present.

**3. INVOCATION**

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

**4. PLEDGE OF ALLEGIANCE**

A. Council Vice President Perez led the Pledge of Allegiance.

**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](http://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.

**REPORT: Brigitte Leal, Office Coordinator of the Office of the City Clerk, read the meeting guidelines.**

## 6. PRESENTATIONS

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- 6A. The City recognizes the head coach of the Hialeah Storm Water Polo Team, Alexander Donis, as well as four (4) players who were chosen to go to the National Olympic Development Trials:
- Sergio Samada
  - Jorvir Tigrero
  - Noslen De La Puente
  - Nelson Marquez

(COUNCIL MEMBER RODRIGUEZ)

**PRESENTED**

**REPORT:** Alexander Donis addressed the Mayor and City Council Members.

**7. COMMENTS AND QUESTIONS**

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- A. **REPORT:** The Office of the City Clerk did not receive any email message to be read into the record from a person interested in making comments or posing questions on matters of public concern.
- B. **REPORT:** No one expressed 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:** Eight (8) people present in the Council Chambers expressed interest in speaking during this portion of the meeting.
1. **Jose Azze, 788 Southeast Park Drive**, expressed concern with the level of sound of events held at Factory Town, and suggested that rave parties be excluded from the provisions of the proposed ordinance provided for in Administrative Item 10E.
  2. **Barbara Navarro, 75 Southeast 6 Place**, spoke regarding events held at Factory Town.
  3. **Gigi Graso, 351 DeSoto**, spoke regarding events held at Factory Town.
  4. **Santiago Flores, 822 Southeast 9 Avenue**, expressed concern with the level of sound of events held at Factory Town.

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

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- The following items have been **added** to the agenda:
  - **Consent Item R**
  - **Consent Item S**
  - **Consent Item T**
- The following items are **postponed** until March 22, 2022, per the applicant's request:
  - **PZ 1**
  - **PZ 2**
- The following items have been **updated**:
  - The proposed resolution for **Consent Item E**

- The proposed ordinance for **Administrative Item 10 D**

## 9. CONSENT AGENDA

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*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.*

**REPORT: Council Member Tundidor requested a separate discussion on Consent Items G and T.**

**REPORT: Council Vice President Perez requested separate discussion on Consent Items D, J, K, R, S.**

**REPORT: Council Member Casáls-Muñoz requested a separate discussion on Consent Item Q.**

**REPORT: Council Member Calvo requested a separate discussion on Consent Items C and P.**

**REPORT: Motion to Approve the Consent Agenda, except items C, D, G, J, K, P, Q, R, S and T made by Council Member Casals-Muñoz, and seconded by Council Vice President Perez. Motion passes 7-0.**

- A. Request permission to approve the minutes of the City Council Meeting held on February 22, 2022.

(OFFICE OF THE CITY CLERK)

**APPROVED 7-0**

- B. Request permission to reject the bid received from Ric-Man Construction Florida, Inc. in response to Invitation to Bid No. 2021-22-9500-00-001 – *Wastewater Collection System Rehabilitation*, as non-responsive and non-responsible.

(DEPARTMENT OF PUBLIC WORKS)

**APPROVED 7-0**

*On February 22, 2022, the item was postponed by the administration until March 8, 2022.*

- C. Request permission to award Hialeah Invitation to Bid No. 2021-22-9500-00-001 – *Wastewater Collection System Rehabilitation*, to two vendors: (1) Insituform Technologies, LLC and (2) Miller Pipeline, LLC, lowest responsive and responsible bidders, in that Insituform Technologies, LLC is awarded one lining contract in the amount of \$7,522,696.30, and Miller Pipeline, LLC is awarded the second lining contract in the amount of \$7,522,696.30, for a total cumulative expense amount not to exceed \$15,045,392.00. The funding for this expenditure is to be charged to Coronavirus State and Local Fiscal Fund – Capital Outlay – Infrastructure Account No. 131.9540.536630.

(DEPARTMENT OF PUBLIC WORKS)

**APPROVED 7-0**

**REPORT: Armando Vidal, Director of the City's Department of Public Works, addressed the City Council.**

**REPORT: Motion to Approve Consent Item C made by Council Member Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 7-0.**

*On February 22, 2022, the item was postponed by the administration until March 8, 2022.*

- D. **RESOLUTION:** Proposed resolution accepting the donation of a vinyl adhesive vehicle wrap for one transportation van for the Children's Cancer Awareness Campaign from Printer's Cove, Inc., valued at \$4,800.00; and providing for an effective date.

(ADMINISTRATION)

**APPROVED 7-0**

**RESOLUTION NO. 2022-033**

**REPORT: Motion to Approve Consent Item D made by Council Vice President Perez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

- E. **RESOLUTION:** Proposed resolution accepting the award of a grant from Miami-Dade County through the 2022 Street Tree Matching Grant Program administered by the County's Parks, Recreation and Open Spaces Department, in the amount of \$45,000.00 for the procurement, planting and maintenance of street trees pursuant to the City of Hialeah 2022 Tree Canopy Improvement Project; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Tree Planting Agreement with Miami-Dade County commencing upon execution of the agreement and ending on June 30, 2022, whereby the City agrees to provide matching funds in an amount not to exceed \$15,000.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date.

(STREETS)

**APPROVED 7-0**

**RESOLUTION NO. 2022-034**

- F. Scrivener's Error – On January 11, 2022, the City Council approved Resolution No. 2022-04, accepting an American Rescue Plan grant from the Institute of Museum and Library Services (IMLS) for fiscal year 2021-2022, pursuant a project proposal which included the purchase of thirty (30) laptops and mobile hotspots, however, the City received funds from a second grant, the FCC Emergency Connectivity Fund grant, to purchase hotspots, and the purchase was made with the funds received from the FCC Emergency Connectivity Fund grant. The item is being amended to reflect that the funds of the American Rescue Plan grant will be utilized for the purchase of twenty-four (24) laptops and twelve (12) desktop computers.

(LIBRARY)

**APPROVED 7-0**

- G. **RESOLUTION:** Proposed resolution accepting a donation in the amount of \$23,121.00 from several participating sponsors at the “Battle of the Badges – Police v. Fire Event and approving a supplemental appropriation in the same amount, split in half and deposited into two revenue Accounts Nos., 109.0000.369220 (Fire Rescue Fund - Fundraiser Revenue-Battle of the Badges) and 121.1000.369220 (Police Grant Fund - Fundraiser Revenue - Battle of Badges) to pay for uniforms, supplies, publications, memberships and other items to fund a Fire Explorer and Police Cadet Youth Programs; and providing an effective date.

(POLICE DEPARTMENT)

**APPROVED 7-0**

**RESOLUTION NO. 2022-035**

**REPORT: Motion to Approve Consent Item G made by Council Member Tundidor, and seconded by Council Vice President Perez. Motion passes 7-0.**

- H. **RESOLUTION:** Proposed resolution approving the non-exclusive perpetual easement attached as Exhibit “1”, between the City of Hialeah and State of Florida Department of Transportation located at the intersection of LeJeune Road/East 8 Avenue and East 42 Street, adjacent to Fire Station No. 2, Hialeah, Florida; and FDOT Donation of property form, attached as Exhibit “2”; authorizing the Mayor and the City Clerk, as attesting witness, to execute the easement and the donation form; and providing for an effective date.

(STREETS)

**APPROVED 7-0**

**RESOLUTION NO. 2022-036**

- I. Request permission to increase Purchase Order No. 2022-711, issued to Ten-8 Fire & Safety, LLC, the only authorized dealer of the necessary product in the State of Florida, for the purchase of emergency equipment parts from Pierce for fire apparatus, by an additional amount of \$35,000.00, for a new total cumulative expense amount not to exceed \$70,000.00. The funding for this expenditure is to be charged to the General Fund – Inventory – Auto Parts Account No. 001.0000.141120.

(FLEET DEPARTMENT)

**APPROVED 7-0**

- J. Request permission to issue a purchase order to Saltage Inc., vendor providing the lowest quotation for the purchase of new LED sports lighting for the Bucky Dent Aquatic Center, in a total cumulative amount not to exceed \$12,360.00. The funding for this expenditure is to be charged to General Fund – Repair & Maintenance - Building Account No. 001.3130.572.461.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 7-0**

**REPORT: Vicente Rodriguez, Director of the City's Construction and Maintenance Department,**  
addressed the City Council.

**REPORT: Motion to Approve Consent Item J made by Council Vice President Perez, and**  
**seconded by Council Member Tundidor. Motion passes 7-0.**

- K. Request permission to ratify the Mayor's decision to issue a permit to St. John the Apostle Catholic Church, located at 475 East 4<sup>th</sup> Street, Hialeah, Florida, to host a carnival on church grounds from Thursday, March 3, 2022 through Sunday, March 6, 2022, subject to recommendations from the Police Department and Fire Department.

(OFFICE OF THE MAYOR)

**APPROVED 7-0**

**REPORT: Mayor Bovo** spoke regarding this item.

**REPORT: Motion to Approve Consent Item K made by Council Vice President Perez, and**  
**seconded by Council Member Tundidor. Motion passes 7-0.**

- L. Request permission to issue a purchase order to Zoll Medical Corporation, sole source vendor, for the purchase of the following equipment: AutoPulse Life Bands, AutoPulse lithium Ion Batteries, AutoPulse Carry Case, X series Monitor Defib Pads, X-Series Monitor carry case, X-Series Monitor Batteries, physical damage repairs and AED Pro, in a total cumulative amount not to exceed \$40,000.00. The funding for this expenditure is to be charged to Fire Rescue Transportation Fund – Capital Outlay-Equipment Account No. 109.2000.522640.

(FIRE DEPARTMENT)

**APPROVED 7-0**

- M. **RESOLUTION:** Proposed resolution approving an expenditure in an amount not to exceed \$42,511.00 from the Law Enforcement Trust Fund – State for the rental of undercover surveillance vehicles by the Hialeah Police Department from Avis Budget Group, Inc., for the period remaining of fiscal year 2022, and piggy-backing from State Contract 7811808-20-1 as it is advantageous to the City, and issuing a purchase order for said expenditure, providing for an effective date.

(POLICE DEPARTMENT)

**APPROVED 7-0**

**RESOLUTION NO. 2022-037**

- N. Request permission to issue a purchase order to Replay Systems, Inc., vendor which implemented the system and which the City is under contract with for these services, for support and maintenance to the City's E-911 recording system (VPI V5 version), from November 1, 2021 through October 31, 2022, as well as for support and maintenance to the NICE Inform Recorder System, from February 19, 2022 through February 18, 2023, in a total cumulative amount not to exceed \$25,968. The funding for this expenditure is to be charged to E-911 Non-Wireless Fund – Repair & Maintenance - Equipment Account No. 106.1500.521462.

(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 7-0**

- O. Request permission to award Hialeah Bid No. 2021-22-1000-00-005 – *Glock G17 GEN5 MOS Handguns*, to Lou’s Police Distributors, Inc., vendor providing the City the quickest time for receipt of the purchased product, in a total cumulative amount not to exceed \$21,450.00. The funding for this expenditure is to be charged to General Fund - Capital Outlay - Equipment Account No. 001.1000.521640.

(POLICE DEPARTMENT)

**APPROVED 7-0**

- P. Request permission to increase two purchase orders, issued to Alexander L. Palenzuela, P.A., (1) Purchase Order 2022-1063 by an additional amount of \$15,000.00, for a new total amount not to exceed \$30,000.00, and (2) Purchase Order 2022-1064, by an additional amount of \$10,000.00, for a new total amount not to exceed \$25,000.00, for legal services to the Water and Sewers and Solid Waste sections of the Department of Public Works, for a new total cumulative expense amount not to exceed \$55,000.00. The funding for this expenditure is to be charged as follows: \$15,000.00 is to be charged to the Water & Sewer Division Fund - Professional Services Account No. 450.9500.536310 and \$10,000.00 is to be charged to the Solid Waste Division Fund - Contractual Services Account No. 401.3240.534340.

(DEPARTMENT OF PUBLIC WORKS)

**TABLED BY THE CITY COUNCIL UNTIL MARCH 22, 2022.**

**REPORT:** Armando Vidal, Director of Public Works, addressed the City Council.

**REPORT:** Lorena Bravo, City Attorney, spoke on the item.

**REPORT:** Mayor Bovo spoke regarding this item.

**REPORT: Motion to Table Consent Item P made by Council Member Calvo, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

- Q. Request to approve the recommendations of the Selection Committee for the selection of Engineering and Architectural Services in response to Request for Qualification No. 2021/22-9500-00-001, awarding a continuing contract to all six (6) firms and assign work in accordance with their ranking:
- (1) The Corradino Group (487 Points)
  - (2) AECOM (477 Points)
  - (3) R.J. Behar (476 points)
  - (4) SRS Engineering (476 Points)
  - (5) Wolfberg Alvarez (471 Points)
  - (6) Hazen & Sawyer (466 Points).

(LAW DEPARTMENT)

**APPROVED 7-0**



**REPORT:** Lorena Bravo, City Attorney, spoke on the item.

**REPORT: Motion to Approve Consent Item Q made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.**

- R. **ADD-ON ITEM:** Request from Insomniac, located at 212 North Miami Avenue, Miami, Florida, for a permit to host a music concert at 4800 Northwest 37<sup>th</sup> Avenue (Factory Town), with set up taking place on Monday, March 21, 2022, and the event taking place in accordance with the following schedule:
- Thursday, March 24, 2022, beginning at 5:00 p.m. and ending on Friday, March 25, 2022 at 12:00 a.m.
  - Friday, March 25, 2022 beginning at 5:00 p.m. and ending on Saturday March 26, 2022 at 4:00 a.m.
  - Saturday, March 26, 2022 at beginning at 5:00 p.m. and ending on Sunday, March 27, 2022 at 5:00 a.m.

with the take down taking place on Wednesday, March 30, 2022, in accordance with the recommendations of the Cultural Affairs Council, the Hialeah Fire Department and the Hialeah Police Department. The Cultural Affairs Council recommended approval of the item subject to a Sound Mitigation Plan, as well as having a visible sign advocating against the usage of drugs.

(OFFICE OF THE CITY CLERK)

**APPROVED 5-2-0 with Council Member Calvo and Council Member Rodriguez voting “No”.**

**REPORT:** Ross Brie, 212 North Miami, Partner with Insomniac, addressed the City Council regarding the event and the events sound mitigation plan in place to reduce noise ambiance.

**REPORT: Motion to Approve Consent Item R made by Council Member Tundidor, and seconded by Council Vice President Perez. Motion passes 5-2-0 with Council Member Calvo and Council Member Rodriguez voting “No”.**

- S. **ADD-ON ITEM:** Request permission to issue a permit to Immaculate Conception Catholic Church, located at 125 West 45 Street, Hialeah, Florida, to host the annual pig roast on Saturday, March 26, 2022 from 1:00 p.m. to 5:00 p.m., expecting approximately 250-300 attendees, subject to recommendations from the Police Department and Fire Department. The Cultural Affairs Council recommended approval of the item.

(OFFICE OF THE CITY CLERK)

**APPROVED 7-0**

**REPORT: Motion to Approve Consent Item S made by Council Vice President Perez, and seconded by Council Member Tundidor. Motion passes 7-0.**

- T. **ADD-ON ITEM:** Request permission to issue a purchase order to Arthur J. Gallagher Risk Management Services, Inc., to insure city property, including, but not limited to, buildings, contents, property,

equipment, and vehicles through Layered Insurance Coverage, damages caused by natural disasters and by all other perils, placement of Cyber Insurance, Fiduciary Liability Insurance, Excess Workers Compensation Insurance, and Fuel Tank Insurance, in a total amount not to exceed of \$1,165,226.00, and further request the amount of \$30,000.00 to cover the cost of Flood Insurance for the required City buildings, for a total cumulative expense amount not to exceed \$1,195,226.00.

(RISK MANAGEMENT DEPARTMENT)

**APPROVED 7-0**

**REPORT:** Franklin Duharte, the City’s Acting Risk Manager, addressed the City Council.

**REPORT:** Lisa Rodriguez, 5045 West 88 Court, addressed the City Council on behalf of Arthur J. Gallagher Risk Management Services, Inc.

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

**REPORT:** Mayor Bovo spoke regarding this item.

**REPORT: Motion to Approve Consent Item T made by Council Member Tundidor, and seconded by Council Vice President Perez. Motion passes 7-0.**

## 10. ADMINISTRATIVE ITEMS

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- 10 A. ORDINANCE:** Second reading and public hearing of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, Article VI. “Peddlers, Solicitors, Itinerant Vendors”, Division 2. “Peddlers, Itinerant Vendors”; §18-311 “Retail Sales from Tents”; allowing retail tent sales other than the sale of Christmas trees and fireworks as a special event; allowing additional time for retail sales as a Special Event; for a Farmers’ Market; 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.

(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Tundidor not present during roll call.**

**ORDINANCE NO. 2022-015**

**REPORT:** Council President Zogby opened the item for public participating and no one present in the Council Chambers or participating via Zoom expressed interest in speaking.

**REPORT: Motion to Approve Administrative Item 10 A made by Council Vice President Perez and seconded by Council Member Rodriguez. Motion passes 6-0-1 with Council Member Tundidor not present during roll call. Council Member Tundidor recorded his vote as “Yes” after the item was approved.**

<i>On February 22, 2022, the item was postponed by the administration until March 8, 2022.</i>
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*On February 8, 2022, the item was approved on first reading by the City Council.*

*On January 25, 2022, the item was postponed by the administration until February 8, 2022.*

*On January 11, 2022, the item was postponed by the administration until January 25, 2022.*

- 10 B. ORDINANCE:** Second reading and public hearing of proposed ordinance amending its Comprehensive Plan by replacing in its entirety the existing recreation and open space element data, inventory and analysis section attached as Exhibit “A” with a new data, inventory and analysis section attached as Exhibit “B” and with updated goals, objectives, and policies attached as Exhibit “C”; and providing for an effective date.

(ZONING)

**APPROVED 7-0**

**ORDINANCE NO. 2022-016**

**REPORT:** Council President Zogby opened the item for public participating and one person present in the Council Chambers expressed interest in speaking.

**REPORT:** Jose Azze, 788 Southeast Park Drive, addressed the City Council on the item and provided a document titled “Hialeah City Council Meeting March 8, 2022”, document that is on record in the Office of the City Clerk.

**REPORT: Motion to Approve Administrative Item 10 B made by Council Member Tundidor and seconded by Council Member Rodriguez. Motion passes 7-0.**

*On February 22, 2022 the item was approved on first reading by the City Council.*

*On February 8, 2022, the City Council postponed the item on first reading until February 22, 2022.*

- 10 C. ORDINANCE:** Second reading and public hearing of proposed ordinance approving the abandonment of the triangular portion identified in the sketch attached as Exhibit “A” located to the north and west of the single-family home located at **3380 West 7 Avenue, Hialeah, Florida**; 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.

(ADMINISTRATIVE)

**APPROVED 7-0**

**ORDINANCE NO. 2022-017**

**REPORT:** Council President Zogby opened the item for public participating and one person present in the Council Chambers expressed interest in speaking.

**REPORT: Motion to Approve Administrative Item 10 C made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 7-0.**

*On February 22, 2022 the item was approved on first reading by the City Council.*

- 10 D. ORDINANCE:** Second reading and public hearing of proposed ordinance amending Chapter 50 of the City of Hialeah Code of Ordinances entitled “Housing”, creating a new Article IV, entitled “Rental Housing”, Section 50-121; “Written Notice Required to Increase Rent”, establishing a required notice period, to which all residential landlords must comply, prior to increasing the rental rate of tenants above a certain percentage; 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.

(SPONSOR: COUNCIL MEMBER CALVO)

**APPROVED 6-0-1 with Council Member Tundidor not present during roll call.**

**ORDINANCE NO. 2022-018**

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

**REPORT:** Council President Zogby opened the item for public participating and one person present in the Council Chambers expressed interest in speaking.

**REPORT: Motion to Approve Administrative Item 10 D made by Council Member Calvo, and seconded by Council Member Casáls-Muñoz. Motion passes 6-0-1 with Council Member Tundidor not present during roll call. Council Member Tundidor recorded his vote as “Yes” after the item was approved.**

*On February 22, 2022 the item was approved on first reading as amended by the City Council.*

- 10 E. ORDINANCE:** First reading of proposed ordinance amending Ordinance No. 2022-003 (February 8, 2022), of the Hialeah Code of Ordinances Chapter 18, entitled “Businesses” Article II, “Special Events”; amending §18-29 “Permit; Hialeah Park District (HPD)” by allowing the Factory Town Entertainment Subdistrict to site special events of 60 days or less; 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.

**POSTPONED BY THE ADMINISTRATION UNTIL FURTHER NOTICE.**

(ADMINISTRATION)

- 10 F. ORDINANCE:** First reading of proposed ordinance approving a Wireless Site Lease Agreement between the City of Hialeah, Florida and T-Mobile South, LLC for O’Quinn Park, 6051 West 2<sup>nd</sup> Avenue, Hialeah, Florida, and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the Wireless Site Lease Agreement with T-Mobile South, LLC, with a term commencing on May 1, 2022, for an initial term of five years ending on May 30, 2027, a copy of which is attached hereto and made a part hereof as Exhibit "1" with annual rent commencing at \$68,000.00, including reimbursement of attorneys’ fees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

**APPROVED 7-0**

**REPORT: Motion to Approve Administrative Item 10 F made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 7-0.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

- 10 G. ORDINANCE:** First reading of proposed ordinance providing for a Special Primary Election to be held in the City of Hialeah on Tuesday, November 8, 2022, the same date as the General Election for Miami-Dade County, to fill a vacancy for City Councilmember Group Seat IV providing for a Special General Election (Run-Off Election) to be held on Tuesday, December 6, 2022, if necessary; providing for the Miami-Dade County Elections Department to conduct these elections and other matters relating thereto; and providing for early voting times and dates for the City of Hialeah Special Primary Election and no early voting for the Special General Election, should a Special General Election be held; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(OFFICE OF THE CITY CLERK)

**APPROVED 7-0**

**REPORT: Motion to Approve Administrative Item 10 G made by Council Member Calvo, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

## 11. BOARD APPOINTMENTS

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- A.** Proposed resolution appointing **Albert Bade** to the Cultural Affairs Council of the City of Hialeah for a (2)-year term ending on March 8, 2024.  
(CITY COUNCIL APPOINTMENT)  
(NOMINATION MADE BY COUNCIL MEMBER RODRIGUEZ)

**APPROVED 6-0-1 with Council Member Calvo not present during roll call.**

**RESOLUTION NO. 2022-038**

**REPORT: Motion to Approve Item 11 A made by Council Member Rodriguez, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Member Calvo not present during roll call. Council Member Calvo recorded his vote as “Yes” after the item was approved.**

- B.** Proposed resolution appointing **Elizabeth Garcia** to the Cultural Affairs Council for the City of Hialeah for a (2)-year term ending on March 8, 2024.  
(CITY COUNCIL APPOINTMENT)  
(NOMINATION MADE BY COUNCIL MEMBER GARCIA-ROVES)

**APPROVED 6-0-1 with Council Member Calvo not present during roll call.**

**RESOLUTION NO. 2022-039**

**REPORT: Motion to Approve Item 11 B made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Member Calvo not present during roll call. Council Member Calvo recorded his vote as “Yes” after the item was approved.**

- C. Proposed resolution re-appointing **Carolina Naveiras** to the Cultural Affairs Council of the City of Hialeah for a (2)-year term ending on March 8, 2024.  
(CITY COUNCIL APPOINTMENT)  
(NOMINATION MADE BY COUNCIL MEMBER TUNDIDOR)

**APPROVED 7-0**

**RESOLUTION NO. 2022-040**

**REPORT: Motion to Approve Item 11 C made by Council Member Tundidor, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

**12. UNFINISHED BUSINESS**

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**REPORT: None to report.**

**13. NEW BUSINESS**

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- A. Discussion regarding potential legislation regarding recreational vehicles (RVs) rented as living space for tenants.

(COUNCIL VICE PRESIDENT PEREZ)

**REPORT: Mayor Bovo requested that the item be deferred until Council Vice President Perez meets with him in regards to the matter.**

**14. ZONING**

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**REPORT: All were duly sworn in.**

**REPORT: Council Vice President Perez left the meeting at 9:24 p.m.**

**REPORT: Council President Zogby called for Items LU 1 and LU 2 to be considered prior to items PZ 1 through PZ 6, without opposition from the rest of the City Council members.**

**PLANNING AND ZONING**

**PZ 1. ORDINANCE:** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow an elementary school including kindergarten, first grade and second grade within a 950 square foot bay, with a maximum of 25 students and 3 teachers, in conjunction with the existing daycare accommodating 28 children and 4 teachers within a contiguous 1,900 square foot bay. **Property located at 6815-6895 West 4 Avenue, Bays 6879, 6873 and 6887, 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.

**ITEM IS POSTPONED UNTIL MARCH 22, 2022.**

<i>On February 22, 2022, the item was postponed until March 8, 2022, per the applicant's request.</i>
<i>On January 25, 2022, the item was postponed until February 8, 2022, per the applicant's request.</i>
<i>On January 11, 2022 the item was postponed until January 25, 2022 per the applicants request.</i>
<i>On December 14, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 11, 2022.</i>
<i>On December 8, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: (1) Tevere Apartments LLC (2) Victor J. Barone TRS, 2014 Barone Family Trust (3) Vivian Barone TRS (4) Pasqueale Digiorgio, 1471 Agua Avenue, Coral Gables, Florida 33156</i>

**PZ 2. ORDINANCE:** 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 96-student K-5 grade school in conjunction with an existing 78-student daycare with a total of 9 staff members; and allow 126 parking spaces, where 186 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(9). **Property located at 5916 West 16 Avenue, 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.

**ITEM IS POSTPONED UNTIL MARCH 22, 2022.**

<i>On February 22, 2022, the item was postponed until March 8, 2022, per the applicants request.</i>
<i>On February 8, 2022, the item was postponed until February 22, 2022.</i>
<i>On January 25, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 8, 2022.</i>
<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016 on behalf of New Aladdin Learning Center Inc.</i>
<i>On January 12, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Malecon Plaza Inc., Nilo Ventura Sr. and Hector Ventura, 2087 West 76 Street, Hialeah, Florida 33016.</i>

**PZ 3. ORDINANCE:** First reading of proposed ordinance rezoning property from C-2 (Liberal Retail Commercial District) to R-3-3 (Multiple-Family District); granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a 4-Unit and meeting room seminary; and allow 7 parking spaces, where 41 parking spaces are required, contra to Hialeah Code of Ordinances § 98-2189(9); **Property located at 1020 West 29 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.

**APPROVED 6-0-1 with Council Vice President Perez absent.**

**REPORT:** Suzanne Dockerty, 110 Merrick Way, addressed the City Council.

**REPORT: Motion to Approve Item PZ 3 made by Council Member Calvo, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Vice President Perez absent.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

<i>Registered Lobbyist: Suzanne A. Dockerty, Esq., 110 Merrick Way #3B, Coral Gables, Florida 33134, on behalf of, Rev. Thomas G. Wenski, Archbishop of the Archdiocese of Miami and Saint Cecilia Catholic Church.</i>
<i>On February 16, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>



*Property Owner: Reverend Thomas G. Wenski, Archbishop of the Archdiocese of Miami, his successors in office a corporation sole, 1020 West 29 Street, Hialeah, Florida.*

**PZ 4. ORDINANCE:** First reading of proposed ordinance granting a variance permit to allow 13 parking spaces, where 26 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(15). **Property located at 621 West 20 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.

**APPROVED 6-0-1 with Council Vice President Perez absent.**

**REPORT:** Debora Storch, the City's Planning and Zoning Official, addressed the City Council.

**REPORT: Motion to Approve Item PZ 4 made by Council Member Tundidor, and seconded by Council Member Casáls-Muñoz. Motion passes 6-0-1 with Council Vice President Perez absent.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

*On February 16, 2022, the Planning and Zoning Board recommended approval of the item with the condition that the employee count does not exceed twelve (12) employees.*

*Planner's Recommendation: Approval with conditions*

*Property Owner: Marada Real Estate Holdings LLC - Maribel Fernandez, 621 West 20<sup>th</sup> Street, Hialeah, Florida 33010.*

**PZ 5. ORDINANCE:** First reading of proposed ordinance granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances § 98-161 to allow the expansion of the Neighborhood Business District Overlay pursuant to Hialeah Code of Ordinances 98-1630.8; and allow a Variance Permit to allow only residential uses, where a mixed use is required; allow residential use on the ground floor, where residential use is allowed above ground floor level; allow all residential units with area ranging from 622 square feet to 832 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area of 600 square feet; allow rear setback of 10 feet, where 15 feet are required; allow 171 parking spaces, where 270 parking spaces are required; allow 14.3% pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-1630.1, 98-1630.2, 98-1630.3(e)(1), 98-1630.3(e)(2), 98-2189(16)a. and 98-2056(b)(1). **Property located at 1451 West 29 Street, Hialeah, zoned R-3-3 (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.

**APPROVED 6-0-1 with Council Vice President Perez absent.**

**REPORT:** Javier Vazquez, 1450 Brickell Avenue, Suite 1900, Miami Florida, on behalf of the

applicant, addressed the City Council.

**REPORT: Motion to Approve Item PZ 5 made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President Perez absent.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

<i>Registered Lobbyist: Javier L. Vazquez, Esq., 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, on behalf of 1451 W. 29<sup>th</sup> ST, LLC.</i>
<i>On February 16, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Caparros 2011 Children's Trust BRP1451, LLC Arch III, LLC Rodriguez Family Capital Holdings, LLC 16400 NW 59 Avenue, Miami Lakes, FL 33014</i>

**PZ 6.** Recommendation of Denial by the Planning and Zoning Board to allow a 6-9<sup>th</sup> grade school with a capacity of 100 students and 11 teacher and staff, within a 3,623 square feet bay with 15 parking spaces allocated to the bay as per 17% parking reduction granted by a variance, in conjunction with a functioning 114-student K-5 school and 54-student daycare granted by the City of Hialeah, Florida Ordinance 2020-063 with limitation set forth in related Declaration of Restrictions proffered to the City. Property located at **1290 and 1300 West 49<sup>th</sup> Street, Suite 2, Hialeah**, zoned C-3 (Liberal Retail Commercial District and C-3 Extended Liberal Commercial District).

**DENIAL UPHELD 6-0-1 with Council Vice President Perez absent.**

**REPORT:** Council President Zogby opened the item for public participating and one person present in the Council Chambers expressed interest in speaking.

**REPORT:** Raquel Valverde, 12765 SW 47 Street, Miramar, Florida, addressed the City Council via Zoom.

**REPORT:** Jonathan Ibañez, 1516 Granite Drive, Brandon, Florida, son of the owner, addressed the City Council in support of the approval of the item.

**REPORT:** Debora Storch, the City's Planning and Zoning Official, addressed the City Council.

**REPORT: Motion to Uphold the Recommendation Denial from the Planning and Zoning Board made by Council Member Calvo, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Vice President Perez absent.**

<i>On February 16, 2022, the Planning and Zoning Board recommended denial of the item.</i>
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<i>Planner's Recommendation: Denial.</i>
<i>Property Owner: Raquel Valverde, 12765 SW 47 Street, Miramar, Florida 33027 Yoram Izhak, 696 NE 125<sup>th</sup> Street, North Miami, Florida 33161</i>

**15. LAND USE**

**LU 1. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Industrial and Office District to Industrial District. **Property located at 16300 NW 97 Avenue, Hialeah, Florida, zoned BDH (Business Development 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 6-0-1 with Council Vice President Perez absent.**

**REPORT: Motion to Approve Item LU 1 made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President Perez absent.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

<i>Registered Lobbyist: Brian S. Adler and Andres T. Rivero, Bilzin Sumberg, 1450 Brickell Avenue, Miami, Florida 33131, on behalf of WGC 97<sup>th</sup> Property, LLC.</i>
<i>On February 16, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: WGC 97<sup>th</sup> Property, LLC, 2929 Arch Street, Suite 800, Philadelphia, PA 19104.</i>

**LU 2. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Major Institutions District to Medium Density Residential District. **Property located at 7605 West 10 Avenue, Hialeah, Florida, zoned GU (Interim District a Miami-Dade County zoning designation).** 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 6-0-1 with Council Vice President Perez absent.**

**REPORT:** Hugo Arza, 701 Brickell Avenue, Miami, Florida, addressed the City Council.

**REPORT:** Julio Ponce, Director of the Hialeah Housing Authority, 75 East 6 Street, Hialeah, Florida, addressed the City Council.

**REPORT: Motion to Approve Item LU 2 made by Council Member Calvo, and seconded by Council Member Rodriguez. Motion passes 6-0-1 with Council Vice President Perez absent.**

**REPORT: Second reading and public hearing is scheduled for March 22, 2022.**

<i>Registered Lobbyist: Hugo P. Arza, Esq., Alejandro Arias, Esq., and Alessandria San Roman, Esq., Holland &amp; Knight LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Bessolo Design Group, Inc.</i>
<i>On February 16, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: HHA I, Inc. and Hialeah Housing Authority, 75 East 6<sup>th</sup> Street, Hialeah, Florida 33010.</i>

**REPORT: Council President Zogby adjourned the meeting at 10:01 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 24 2022 at 6:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, March 22, 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, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).