

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
May 25, 2021
7:00 p.m.

1. CALL TO ORDER

A. REPORT: Council Vice President Perez called the meeting to order at 7:05 p.m.

2. ROLL CALL

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

1. Council Vice President Perez
2. Council Member Garcia-Roves
3. Council Member Hernandez
4. Council Member Zogby

B. REPORT: Council Member Cue-Fuente appeared via Zoom at approximately 7:19 p.m., during the discussion of Consent Item B.

C. REPORT: City Clerk, Marbelys Fatjo, called the roll with the following Council Members absent:

1. Council President Tundidor
2. Council Member De la Rosa

D. REPORT:

1. Mayor Hernandez was present **via Zoom**.
2. Lorena Bravo, City Attorney, was present.
3. Marbelys Fatjo, City Clerk, was present.

3. INVOCATION

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

4. **PLEDGE OF ALLEGIANCE**

A. **REPORT**: Council Member Zogby 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 Facebook page (@CityofHialeah).
- 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: Marbelys Fatjo, City Clerk, read the meeting guidelines.

6. **PRESENTATIONS**

A. **Miami-Dade County Mayor Levine Cava** participates via Zoom.

7. COMMENTS AND QUESTIONS

- A. **REPORT:** The Office of the City Clerk did not receive any email messages from persons interested in making comments or posing questions on matters of public concern.
- 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 or in person at City Hall.
- C. **REPORT:** No one participating in the meeting via Zoom expressed interest in making comments or posing questions on matters of public concern during this portion of the meeting.
- D. **REPORT:** No one present in the Council Chambers expressed interest in speaking during this portion of the meeting.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Consent Items CC, DD, EE, FF, GG, HH, II, JJ and KK have been added to today's agenda and placed on the dais for the City Council's review.
- Item PZ 3 has been postponed until June 8, 2021, per the applicant's request.

9. CONSENT AGENDA

All items listed under Consent Agenda with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Council Member Hernandez requested separate discussion on Consent Items B and BB.

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

REPORT: Motion to Approve the Consent Agenda, except items B, H and BB, made by Council Member Garcia-Roves, and seconded by Council Member Zogby. Motion passed 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

A. Request permission to approve the minutes of the City Council Meeting held on May 11, 2021.

5/26/2021 5:22 PM

(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- B. Request permission to increase Purchase Order No. 2021-432, issued to Reflections Production, Inc., to cover incidental production cost for the 2021 Independence Day Celebration as required by this year's performers and sponsors, by an additional \$70,000.00, for a new total cumulative amount not to exceed \$151,846.73. On February 20, 2019, the city entered into a Production Services Agreement with this vendor for the production of the City's yearly Fourth of July Celebration, for a term commencing on July 4, 2019 and ending on July 4, 2021, with the option to renew for an additional two year term under the same terms and conditions set forth in the agreement.

(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as "YES" via Zoom.

REPORT: Jorge Hernandez, Director of Milander Center, spoke on this item.

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

- C. Request permission to increase Purchase Order No. 2021-433, issued to Xtreme FX, LLC, to provide firework services (incidental fireworks) and pyrotechnic services for the City's Independence Day Celebration, by an additional amount of \$4,000.00, for a new total cumulative amount not to exceed \$49,000. On February 11, 2020, the City Council approved Resolution No. 2020-025, thereby approving a Service Agreement between the City and this vendor to provide customized visual, audio and pyrotechnic special events for the City's yearly Fourth of July celebration, for a term of three years commencing on July 4, 2020 and ending on July 4, 2022.

(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- D. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has successfully provided vendor providing the lowest quotation and has successfully provided these services to the City over the past several years, and issue a purchase order to Confetti & Fog FX Inc., to pay for Flame FX, CO2 Smoke and Confetti FX equipment for this year's Independence Day Celebration, in a total cumulative amount not to exceed \$16,979.50.

(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to AVP LED Technologies LLC, vendor providing the lowest quotation, for the rental of outdoor LED video panels to be used as part of the stage production for this year's Independence Day Celebration, in a total cumulative amount not to exceed \$23,968.00.

(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- F. Request permission to issue a purchase order to Crowdsync Technology, LLC, sole source vendor, to provide programmable and controllable DMX Sync LED wristbands to be used during this year's the Independence Day Celebration, in a total cumulative amount not to exceed \$18,231.00.
(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to On Cue Media Services, Inc., vendor providing the lowest quotation, for video production services such as Video Streaming, TV broadcast and other video services for this year's Independence Day Celebration, in a total cumulative amount not to exceed \$16,075.00.
(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- H. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Performance Agreement with Gente De Zona, LLC to engage the services of Alexander Delgado and Randy Malcom as the featured performers for the City's Independence Day Celebration on July 4th, 2021, in an amount not to exceed \$60,000; in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date.
(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as "YES" via Zoom.

RESOLUTION NO. 2021-061

REPORT: Mayor Hernandez spoke on this item.

REPORT: Motion to Approve Consent Item H made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as "YES" via Zoom.

- I. Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and possible material cost escalations, and issue a purchase order to Capitol Steel Structures, Inc., vendor providing the lowest quotation, for the materials and installation required to enclose this existing metal canopy for the new Police Shoot House, in the amount of \$66,900.00, and further request a ten percent (10%) contingency to cover any unforeseen site conditions that may arise during the work, for a new total cumulative amount not to exceed \$73,590.00.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- J. Request permission to waive competitive bidding, since it is advantageous to the City due to time constraints and possible material cost escalations, and issue a purchase order to Fence Masters, Inc., for the purchase of materials and installation of a new perimeter security chain link fence and gates for the new Police Shoot House, in the amount of \$31,430.00, and further request a ten percent (10%) contingency to cover permitting fees and any unforeseen site conditions that may arise during the work, for a total cumulative amount not to exceed \$34,573.00.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- K. Request permission to waive competitive bidding, since it is advantageous to the City in that the Milander Center is currently closed and going through renovation and it is advantageous to paint the inside of the facility at this time, and increase Purchase Order No. 2021-1718, issued to YAA Global Services, Corp., for the interior painting of Milander Center, by an additional amount of \$42,000, price which is deemed reasonable for the scope of work by the Director of the Department of Construction and Maintenance, for a new total cumulative amount not to exceed \$94,800. On April 13, 2021, the City Council awarded City of Hialeah Invitation to Bid No. 2020-21-3230-00-009- Milander Center & Parking Garage Exterior Painting & Waterproofing, to the vendor.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- L. Request permission to waive competitive bidding, since it is advantageous to the City in that upon conducting an inspection of the Milander Center, it was determined that the original waterproofing system for the terrace planters was damaged by the roots of the trees that were planted during the original construction, thus causing water intrusion and affecting the structural integrity of the building, and issue a purchase order Florida Lemark Corporation, vendor providing the lowest quotation, for the purchase and installation of a new waterproofing system for Milander Center, in the amount of \$32,953.09, and further request a ten percent (10%) contingency to cover any unforeseen issues that may arise during the work in the amount of \$3,295.00, for a total cumulative amount not to exceed \$36,248.09.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- M. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-390, issued to Environmental Management Conservation Oil Corp., for citywide removal and disposal of fluids/waste in grease traps and elevator pits, by an additional amount of \$10,000.00 to pay for outstanding invoices and cover any future services required in this fiscal year, for a new total cumulative amount not to exceed \$25,000.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- N. Request permission to utilize City of Miami Contract No. 781382(29) - City Sidewalk Repair and Replacement Services, effective through July 29, 2023, and issue a purchase order to G P E Engineering & General Contractor Corp., for placement of concrete sidewalks and walkways for the new proposed Annex

Park on West 92nd Street and 33rd Lane, in a total cumulative amount not to exceed \$50,000.00.
(DEPARTMENT OF PARKS AND RECREATION)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- O. Request permission to utilize the University of California, California Purchasing Agreement 2020-002150 – *Systemwide Flooring*, effective through April 14, 2025, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to Milliken Services, LLC, for the replacement of the ballroom carpeting at Milander Center, in a total cumulative amount not to exceed \$56,677.90. (CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- P. Request permission to award City of Hialeah Invitation to Bid No. 2020-21-3230-00-011 – *Babcock Park Renovation- General Contractor* - to Hands on Builders, LLC, lowest responsive and responsible bidder, in the amount of \$577,000.00, and further request a ten percent (10%) contingency in the amount of \$57,700.00 to cover any unforeseen issues that may arise during the project, in a total cumulative expense amount not to exceed \$634,700.00.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- Q. Proposed resolution approving a Service Agreement between the City of Hialeah and J&M Vera School Bus Service, Inc. to provide bus transportation services for the City of Hialeah’s Education and Community Services Department summer camp and adult programs, for a term commencing on June 14, 2021 and ending on July 31, 2021 in an amount not to exceed \$44,738.00; and authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the service agreement attached hereto in substantial form and made and form and made a part hereof as Exhibit “1”; and providing for an effective date.
(EDUCATION AND COMMUNITY SERVICES)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

RESOLUTION NO. 2021-062

- R. Request permission to utilize Lake County Contact No. 17-0606D - *Fire Equipment Parts-Supplies-Service, effective through June 30, 2021*, and issue a purchase order to Fisher Scientific Company L.L.C., for the purchase of firefighter (SCBA) breathing air masks, as well as to perform mask fit testing for the new fire recruit class, in a total cumulative amount not to exceed \$9,500.00.
(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- S. Request permission to utilize State of Florida Department of Management Services Suncom Contract No.

DMS-1011-008A – *Mobile Communication Services (MCS)*, effective through January 10, 2022, and issue a purchase order to AT&T Mobility LLC, for the purchase of ten (10) additional licenses at a cost of \$352.10 per license, for a total cumulative amount not to exceed \$3,521.00. On December 8, 2020, the City Council approved the issuance of a purchase order to this vendor to purchase subscription and support of Mobile Guard Mobile Compliance Cloud Capture at the competitively bid price of \$16,800.00.
(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- T. Request permission to waive competitive bidding, since it is advantageous to the City in that these two vendors are the most responsive bidders for the needed installations, and issue two (2) purchase orders, one purchase order to VCS Tech Systems, LLC and the second purchase order to Acordis International Corp., for the installation of network drops citywide in alternating selection, in a total cumulative amount not to exceed \$40,000.00 to be allocated amongst these two vendors.
(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- U. Request permission to utilize Sourcewell Contract No. 060518-AST- *Athletic Surfaces*, effective through August 7, 2022, and issue a purchase order to APT Acquisition Construction Corp., for the purchase of materials and installation of new synthetic turf for Milander Park Ted Hendrick Stadium, in a total cumulative amount not to exceed \$361,517.00.
(PARKS AND RECREATION DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- V. Request permission to utilize Sourcewell Contract No. 010521-LTS-3 – *Miracle Recreation- PlayPower, Inc.*, and issue a purchase order to Miracle Recreation Equipment Company, effective through February 17, 2025, for the purchase and installation of a new playground area with shade structure to be installed at the new City of Hialeah Park located at West 92nd Street and West 33rd Lane, in a total cumulative amount not to exceed \$157,598.18, which includes all materials, installation and freight.
(PARKS AND RECREATION DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- W. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to RG Underground Engineering, Inc., vendor providing the lowest quotation, to encase and protect a City twelve inch water main from damage due to proposed improvements by the Florida Department of Transportation in East 32nd Street along East 8th Avenue, in a total cumulative amount not to exceed \$43,000.00.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- X. Request permission to utilize City of Pompano Beach IFB T-01-02 – *Cured in Place Pipe Rehabilitation*, effective through September 28, 2023, and issue a purchase order to Insituform Technologies, LLC, for cured in place pipe rehabilitation, to provide mainline lining throughout the City, in a total cumulative amount not

to exceed \$1,000,000.00.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- Y. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Acosta Tractors Inc, vendor providing the lowest quotation, to extend an eight-inch water main approximately 300ft along East 16th Street between East 4th Avenue and East 5th Avenue (Phase 1 of the Project), in a total cumulative amount not to exceed \$68,932.10.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- Z. Request permission to increase the purchase orders issued to G P E Engineering and General Contractor Corp., for the removal and replacement of damaged sidewalks, curbs, and/or gutters throughout the City, by an additional amount of \$32,000.00, for a new total cumulative amount not to exceed \$430,000.00. On November 24, 2021, the City Council approved Consent Item R, issuing a purchase order to this vendor for the removal and replacement of damaged sidewalks, curbs and/or gutters throughout the City on an as needed basis.
(STREETS DIVISION)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- AA. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor was recommended by the City's Selection Committee for engineering services in response to Request for Qualifications No. 2009/10-9500-00-007 – *General Consultants for Engineering and Architectural Services* which was approved by the City Council on June 8, 2010 and expired in 2018, and utilize SRS Engineering, Inc., Milian, Swain & Associates, Inc., The Corradino Group, Inc., and R.J. Behar & Company, Inc., for general engineering consultant services, on an as needed basis, in a total cumulative amount not to exceed \$87,000.00.
(STREETS)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- BB. Proposed resolution urging the Florida Legislature to reject legislation that erodes local government home rule authority; expressing support for the Florida League of Mayors' and the Florida League of Cities' efforts to protect local government home rule authority; providing for transmittal; and providing for an effective date.
(ADMINISTRATION)

APPROVED 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as "YES" via Zoom.

RESOLUTION NO. 2021-063

REPORT: Mayor Hernandez spoke on this item.

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

- CC. Request permission to award City of Hialeah Invitation to Bid No. 2020-21-3230-00-018 – *Fire Station 9 - Sitework Paving & Drainage, Electrical & Utilities* - to Stonehenge Construction, LLC, lowest responsive and responsible bidder, in the amount of \$234,614.00, and further request a ten percent (10%) contingency in the amount of \$24,361.00 to cover any unforeseen issues that may arise during the project, for a total cumulative expense amount not to exceed \$267,975.00.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- DD. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-1077 issued to Design Lab, Inc., for the purchase of Class-A dress suits and uniforms for the new fire recruit class, fire personnel and newly promoted personnel of the Fire Department, by an additional \$15,000.00, for a new total cumulative amount not to exceed \$37,000.
(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- EE. Request permission to utilize Lake County Contract No. 17-0606B – *Fire Equipment, Parts, Supplies, and Services*, expiring June 30, 2022, and increase Purchase Order No. 2021-1075, issued to Bennett Fire Products Company, Inc., for the purchase of protective equipment, including bunker gear, fire boots, fire gloves and fire hoods for the new fire recruit class, fire personnel, and newly promoted personnel in the Fire Department, by an additional amount of \$32,000.00, for a new total cumulative amount not to exceed \$72,000.
(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- FF. Request permission to increase Purchase Order No. 2021-1438, issued 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, by an additional \$90,000.00, for a new total cumulative amount not to exceed \$170,000.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

- GG. Proposed resolution authorizing the use of State Housing Initiative Partnership (SHIP) Program funds under the SHIP Safe Home Project in an amount not to exceed \$100,000.00 to conduct residential rehabilitation on the home of Miriam Sabatier, an approved strategy under the Local Housing Assistance Plan (LHAP) for funding years 2016-2017, 2017-2018, 2018-2019 as set forth in Exhibit “1”; authorizing the Mayor and his designee, to execute any and all agreements in furtherance of the project on behalf of the City, and providing for an effective date.
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council

Member Cue-Fuente absent.

RESOLUTION NO. 2021-064

- HH.** Proposed resolution authorizing the use of State Housing Initiative Partnership (SHIP) Program funds under the Ship Safe Home Project in an amount not to exceed \$100,000.00 to conduct residential rehabilitation on the home of Juan Balbastro, an approved strategy under the Local Housing Assistance Plan (LHAP) for funding years 2016-2017, 2017-2018, 2018-2019 as set forth in Exhibit "1"; authorizing the Mayor and his designee, to execute any and all agreements in furtherance of the project on behalf of the City, and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

RESOLUTION NO. 2021-065

- II.** Proposed resolution authorizing the use of State Housing Initiatives Partnership (SHIP) Program funds under the Ship Safe Home Project in an amount not to exceed \$100,000.00 to conduct residential rehabilitation on the home of Maria Garcia, an approved strategy under the Local Housing Assistance Plan (LHAP) for funding years 2016-2017, 2017-2018, 2018-2019 as set forth in Exhibit "1"; authorizing the Mayor and his designee, to execute any and all agreements in furtherance of the project on behalf of the City, and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

RESOLUTION NO. 2021-066

- JJ.** Proposed resolution accepting Coronavirus State and Local Fiscal Recovery Funds pursuant to the American Rescue Plan Act, adopted March 11, 2021, in the amount of \$33,417,126.50 subject to the award terms and conditions; providing assurances of compliances with Title VI of the Civil Rights Act of 1964; authorizing the Mayor or the Mayor's designee, on behalf of the City, to execute all documents required by the U.S. Department of the Treasury in furtherance hereof; and providing for an effective date.

(ADMINISTRATION)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

RESOLUTION NO. 2021-067

- KK.** Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has worked with this vendor under the City's Service Contract with Inima USA Construction Corporation for the drilling and acidization of RO production wells, and issue a purchase order to A.C. Schultes of Florida, Inc., to treat the Upper Floridan Aquifer production wells 2, 3, 4 and 10 to insure that sufficient raw water volumes are available to meet the finished water guaranties, in a total amount of \$295,000.00, and further request a contingency in the amount of \$29,500.00 to cover any unforeseen circumstances that may arise during the work, for a total cumulative amount not to exceed \$324,500.00.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

Member Cue-Fuente absent.

10. ADMINISTRATIVE ITEMS

- 10 A.** Second reading and public hearing of proposed ordinance amending Chapter 78 entitled "Solid Waste", of the Code of Ordinances; amending Article I. entitled "In General", by updating and adding definitions in Section 78-1; amending Article III. entitled "Collection and Disposal", by rescinding in its entirety Section 78-75; amending Article VI. entitled "Reserved" by adding a new Section 78-156 entitled "Collection Services by Private Collectors Permitted Through Non-Exclusive Franchise"; authorizing solid waste collection services by private collectors; providing for collection container regulations including labeling, location and maintenance obligations; providing the City with the right to remove and impound abandoned collection containers; requiring any person collecting, removing, or transporting solid waste to obtain a non-exclusive franchise upon application and payment of a fee; providing for payment of franchise fees; requiring any person procuring collection services as an intermediary (broker) to obtain a waste services permit upon application and payment of a fee; providing for payment of franchise fees; requiring any person procuring collection services as an intermediary (broker) to obtain a waste services permit upon application and payment of a fee; providing for contracts with customers and minimum service standards; providing requirements for collection service for commercial property and multi-family dwellings; providing for penalties and administrative remedies; providing for denial of applications and revocation of franchises and permits; providing for appeals; amending Article VII. entitled "Roll-Off Regulations" by providing for non-exclusive franchises for roll-off container services; providing minimum standards for roll-off containers; providing for franchise fees for roll-off container services; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for inclusion in code; providing a severability clause; and providing for an effective date.

<i>Due to material changes made to the proposed ordinance, the item was considered and approved on first reading on May 11, 2021. Second reading and public hearing was scheduled for May 25, 2021.</i>
<i>On April 27, 2021, the second reading of the item was postponed until May 11, 2021.</i>
<i>On April 13, 2021, the second reading of the item was postponed until April 27, 2021, per the administration's request.</i>
<i>On March 23, 2021, the second reading of the item was postponed until April 13, 2021, per the administration's request.</i>
<i>The item was approved on first reading by the City Council on March 9, 2021. Second reading and public hearing was scheduled for March 23, 2021.</i>

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

ORDINANCE NO. 2021-052

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

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

- 10 B.** Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning” Article V. “Zoning District Regulations” Division 29. Hialeah Heights, § 98-1601. MH - Industrial District, of the Code of Ordinances of the City of Hialeah eliminating automotive uses; providing for vested rights; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.
(ADMINISTRATION)

On May 11, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 25, 2021.

On April 27, 2021, the item was postponed until May 11, 2021.

On April 13, 2021, the City Council approved the item as amended. Second reading and public hearing is scheduled for April 27, 2021. Due to advertisement requirements mandated by state law, this item will need to be re-advertised. After the publishing of the advertisement, first reading of the proposed ordinance will be held on May 11, 2021.

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

ORDINANCE NO. 2021-053

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

- 10 C.** Second reading and public hearing of proposed ordinance accepting the dedication of land improved with a lift station of approximately 2,925 square feet, subject to and approving the terms of the Special Warranty Deed attached as Attachment “1”, from CCP Central LLC, a Delaware limited liability company; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.
(ADMINISTRATION)

On May 11, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 25, 2021.

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

ORDINANCE NO. 2021-054

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

- 10 D.** First reading of proposed ordinance granting an aerial easement attached as Exhibit “1” to Florida Power and Light as provided for in the Facilities Relocation Agreement between the City and Florida Power and Light dated January 2020, for the construction, operation and maintenance of overhead electric utility facilities, in an area approximately 11,578 square feet or 0.266 acres, more or less, (easement 1) and 11,828 square feet or 0.272 acres, more or less (easement 2) as depicted, in Exhibits “A” and “B” to the easement attached as Exhibit “1”, located along the west side of NW 97 Avenue, West 36 Avenue, between NW 154 Street, West 100 Street, and NW 158 Street, West 104 Street; and between NW 158 Street, West 104 Street, and NW 162 Street, West 108 Street, including airspace having as its lower boundary a horizontal plane at an elevation that is 30 feet above the ground elevation grade; approving the terms of easement in substantial conformity with the form attached hereto and made a part hereof as Exhibit 1; and authorizing the Mayor and the City Clerk, as attesting witness, to execute the easement 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.
(ADMINISTRATION)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for June 8, 2021.

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

REPORT: Jose Sanchez, Streets Director, spoke on this item.

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

- 10 E.** First reading of proposed ordinance approving the release of a public utility easement traversing land located at 1950 West 49 Street, Hialeah, Florida, as shown on the Plat thereof recorded in Plat Book 99, Page 62, of the Official Records of Miami-Dade County, 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.
(ADMINISTRATION)

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for June 8, 2021.

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

11. BOARD APPOINTMENTS

REPORT: None

12. UNFINISHED BUSINESS

A. Progress Report (November 2020-May 2021) on the status of compliance by the City with the Consent Agreement by and between the City and Miami-Dade County DERM dated January 30th, 2020.

(LAW DEPARTMENT)

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

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

13. NEW BUSINESS

A. **Council Member Hernandez** spoke on the following:

- a. Opening of Kush Burger at the Leah Arts District
- b. Express lanes on the Palmetto Expressway
- c. Florida Power and Light underground poles
- d. Bus Shelters
- e. Veteran's Board

B. **Mayor** spoke on the following:

- a. Skateboard Park
- b. Events coming soon, including street namings
- c. The purchase of a new fire truck

C. **Council Vice President Perez** spoke on the following:

- a. Veteran's Board
- b. Leon Medical Center honoring students with banner display
- c. Unemployment supplement
- d. Employment event with Miami-Dade College

D. **Council Member Zogby** spoke regarding the City's Memorial Day event.

14. ZONING

PLANNING AND ZONING

PZ 1. Second reading and public hearing of proposed ordinance rezoning property from C-1 (Restricted Retail Commercial District) to C-2 (Liberal Retail Commercial District). **Property located at 3060 West 12 Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability

clause; and providing for an effective date.

<i>On May 11, 2021 the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 25, 2021.</i>
<i>On April 28, 2021, the Planning and Zoning Board recommended approval with the condition that the applicant changes the fence on the south side of the property from the existing run down chain link fence to a modern aluminum fence.</i>
<i>Planner’s Recommendation: Approval with conditions</i>
<i>Owners of the Property: Armando L. Suarez, 2510 SW 87th Avenue, Miami, Florida 33165 Maria I. Gonzalez, 14025 SW 22 Street, Miami, Florida 33175.</i>

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent.

ORDINANCE NO. 2021-055

REPORT: Motion to Approve Item PZ 1 with the conditions recommended by the Planner made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

PZ 2. First reading of proposed ordinance rezoning property from R-1 (One-Family District) to B-1 (Highly Restricted Retail District). **Property located at 183 West 49 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Manny Reus, 18501 Pines Boulevard #342, Pembroke Pines, FL 33029.</i>
<i>On May 12, 2021, the Planning and Zoning Board recommended the approval of the item with the condition that the site is developed in substantial consistency with the site plan prepared by Manny Reus (architect), dated April 7, 2021.</i>
<i>Planner’s Recommendation: Rezoning property from R-1 (One-Family District) to B-1 (Highly Restricted Retail District)</i>
<i>Owners of the Property: Osnay Rivero and Yudit Rivero, 798 East 54 Street, Hialeah, FL 33013.</i>

APPROVED 4-0-3 with Council President Tundidor, Council Member De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for June 8, 2021.

REPORT: Manny Reus, 18501 Pines Boulevard, after being duly sworn-in by the City Clerk, addressed the City Council.

REPORT: Motion to Approve Item PZ 2 made by Council Member Hernandez, and seconded by

Council Member Zogby. Motion passes 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

PZ 3. Recommendation of Denial by the Planning and Zoning Board to repeal Section 2 of City of Hialeah Ordinance No. 2018-053, and a request for a variance permit to allow only residential uses where mixed use is required; allow residential use on the ground floor where residential use is allowed above the ground level; allow all residential units with an area of approximately 646 square feet where 850 square feet is the minimum required and only ten percent of the units may have an area of 600 square feet; allow front setback of 5.66 feet for the main building and 2.66 feet for balconies above the ground floor fronting Palm Avenue and allow front setback of 4.25 feet for the main building and 1.25 feet for balconies above the ground floor fronting East 46th Street, where 10 feet built-to-line are required; allow 38 parking spaces, where 67.5 parking spaces are required; allow 15.3% pervious area, where 30% is the minimum required for **property located at 4597-4599 Palm Avenue, Hialeah, zoned R-3-5 (Multiple Family District).**

<i>Registered Lobbyist: Alejandro J. Arias, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, FL 33131</i>
<i>On May 12, 2021, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner’s Recommendation: Approve with conditions.</i>
<i>Property Owner: Roberto C. Gonzalez</i>

REPORT: Item postponed until June 8, 2021.

15. FINAL DECISIONS

FD 1. Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2021-06** that granted an adjustment on the property located at **221 West 42 Street, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On April 28, 2021, the Planning and Zoning Board recommended approval of the item with the condition that the two side doors on the east side of the house be eliminated and that the opening connecting the Florida Room to the east side of the house be enlarged to have a minimum width of 6 feet.</i>
<i>Planner’s Recommendation: Approve with conditions.</i>
<i>Property Owner: Luisa Olea, 221 West 42 Street, Hialeah, FL 33012.</i>

APPROVED 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

RESOLUTION NO. 2021-068

REPORT: Motion to Approve Item FD 1 made by Council Member Zogby, and seconded by Council

Member Garcia-Roves. Motion passes 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

FD 2. Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2021-07** that granted an adjustment on the property located at **914 West 69 Place, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On April 28, 2021, the Planning and Zoning Board recommended approval of the item with the condition that the garage remain as a single space with a garage door and only one exterior side door.</i>
<i>Planner’s Recommendation: Approve adjustment request with the condition that the garage will remain as a single space with a garage door and only one exterior side door.</i>
<i>Property Owners: Moises Correa and Jette Correa, 914 West 69 Place, Hialeah, FL.</i>

APPROVED 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

RESOLUTION NO. 2021-069

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

REPORT: Motion to Approve Item FD 2 made by Council Member Garcia-Roves, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

FD 3. Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2021-08** that granted an adjustment on the property located at **902 East 31 Street, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On April 28, 2021, the Planning and Zoning Board recommended approval of the item with the condition that the terrace remains open on three sides, that the side door on the east side of the house is eliminated, and that the legalization process is completed within 180 days.</i>
<i>Planner’s Recommendation: Approve with conditions.</i>
<i>Property Owner: Elicer Lorenzo, 902 East 31 Street, Hialeah, FL 33013.</i>

APPROVED 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

RESOLUTION NO. 2021-070

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

REPORT: Motion to Approve Item FD 3 made by Council Member Zogby, and seconded by Council

Member Garcia-Roves. Motion passes 4-0-3 with Council President Tundidor and Council Member De la Rosa absent, and Council Member Cue-Fuente recording her vote as “YES” via Zoom.

REPORT: Lorena Bravo, City Attorney, announced the scheduling of a special meeting of the City Council on June 8, 2021 at 5:30 p.m. to discuss impact fees, as well as for the Council’s consideration on an ordinance related to impact fees on first reading.

REPORT: Council Vice President Perez adjourned the meeting at 8:37 p.m.

NEXT REGULARY SCHEDULED CITY COUNCIL MEETING: Tuesday, June 8, 2021 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, June 8, 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).