

Carlos Hernández
Mayor

Paul B. Hernández
President

Oscar De la Rosa
Vice President



Council Members
Katharine Cue-Fuente
Jacqueline Garcia-Roves
Monica Perez
Jesus Tundidor
Carl Zogby

Special Meeting of the City Council
(VIRTUAL)
Minutes
May 28, 2020
7:00 p.m.

1. CALL TO ORDER

A. REPORT: Council Member Cue-Fuente called the meeting to order at 7:31 p.m.

2. ROLL CALL

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

1. Councilwoman Katharine Cue-Fuente
2. Councilwoman Jacqueline Garcia-Roves
3. Councilwoman Monica Perez
4. Councilman Jesus Tundidor
5. Councilman Carl Zogby

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

1. Council President Hernandez
2. Council Vice President De la Rosa

C. REPORT: Also present were Mayor Carlos Hernandez and Lorena Bravo, City Attorney

3. INVOCATION

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

4. PLEDGE OF ALLEGIANCE

A. REPORT: Council Member Cue-Fuente led the Pledge of Allegiance.

5. MEETING GUIDELINES

The following guidelines, which apply to today's City's Council Meeting, have been set by Mayor Carlos Hernandez through the execution of an Order on Emergency Public Meeting Guidelines and Procedures Using Communications Media Technology In Response To COVID-19:

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 on March 20, 2020, suspending the "Florida's Government in Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of Emergency issued on March 9, 2020 as a result of the COVID-19 pandemic affecting the State of Florida. Executive Order 20-69 allows local governments to use communications media technology to hold public meetings during the public health emergency as a result of COVID-19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.
- The following Procedures for Virtual Public Meetings of the City Council using Communications Media Technology in Response to COVID-19 have been adopted as minimum procedures for all emergency public meetings of the City Council, board and committees of the City of Hialeah effective the execution of **Order on Emergency Public Meeting Guidelines and Procedures using Communications Media Technology in Response to COVID19**, signed by Mayor Carlos Hernandez on April 8, 2020.
- The virtual public meeting shall be broadcast live for members of the public to view on the City's Facebook page. In addition, members of the public may hear the meeting live through telephonic conferencing.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to virtualmeeting@hialeahfl.gov by 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. Email comments and questions shall not exceed three (3) minutes when read. Only the first three minutes of e-mail comments and questions received by the deadline will be read into and form part of the public record.

- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so during the meeting by joining the meeting using Zoom or any other similar web-based meeting platform being used as identified in the notice. The person interested in joining the meeting to participate for this purpose must register with the City Clerk by completing a registration form, providing the information required and submitting the completed form to the City Clerk no later than 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. All registered participants will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.
- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- All existing laws or rules of procedure applicable to public meetings (i.e. three minute limit on speaking, three in favor and three in opposition on any item on the agenda, lobbyist registration requirements), that are not in conflict with these procedures and can be observed under the circumstances remain in effect and to the greatest extent practicable should be observed.
- Public comments and questions, whether on general matters of public concern or on a matter on the agenda, will be heard at the beginning of the meeting and once heard no other public participation will be permitted.
- Persons making public comments must identify themselves by first and last name and provide their address for the record, prior to speaking.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

REPORT: The meeting guidelines were read into the record by Marbelys Fatjo, City Clerk.

6. COMMENTS AND QUESTIONS

- A. **REPORT:** The Office of the City Clerk received one email message from a person interested in making comments or posing questions on matters of public concern. The email message has been submitted to the City Council and has been made a part of the record.

(1) **Jessica Candame**, with a home address of **5601 West 10th Avenue, Hialeah, Florida 33012**, sent an email on May 24, 2020 at 5:17 p.m., which was read into the record.

B. REPORT: One individual 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 meeting using Zoom:

(1) **Eric Johnson**, on behalf of Local 1102 – Hialeah Firefighters, with a home address which is exempt under Florida law addressed the City Council regarding the flooding on May 26, 2020.

C. REPORT: Council Member Cue-Fuente asked anyone watching or listening to the meeting who would like to speak, to please use the raising of the hand feature on Zoom.

(1) **Juan Santana**, with a home address of **5601 West 10th Avenue, Hialeah, Florida**, spoke regarding the recent flooding in the City due to rain.

7. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- A.** Consent Items F, G, J and W have been withdrawn from the agenda.
- B.** The agenda letter addressed to the Mayor by the Director of Streets for Consent Item Q has been amended. The updated letter and email message explaining the amendment have been sent to the City Council via email.
- C.** Consent Item H has been amended to reflect the rental, not the purchase, of a pump.
- D.** The proposed resolution for Consent Item T has been updated to reflect a change in the membership.
- E.** Consent Item CC has been amended to reflect that the construction of a new pump station on NW 99th Avenue, north of Northwest 162 Street, approved by the City Council on January 28, 2020, has not been completed, but awarded to the vendor.

8. CONSENT AGENDA

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

REPORT: Council Member Tundidor requested separate discussion on Consent Items C, E, I, M, S, T, U, Z and AA.

REPORT: Council Member Perez requested separate discussion on Consent Items D, R, V and W.

REPORT: Motion to Approve the Consent Agenda, except Items C, D, E, I, M, R, S, T, U, V, W, Z and AA, made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- A. Request permission to approve the minutes of the Virtual Special Meeting of the City Council held on May 12, 2020.
(OFFICE OF THE CITY CLERK)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- B. Request permission to waive competitive bidding, since it is advantageous to the City in that this expenditure is for an emergency repair, and increase Purchase Order No. 2020-763, issued to South Shore Elevator Service Corp, for repairs to elevator D2 located in the 300 Units Elderly Housing Complex, by an additional amount of \$13,050, and further request a contingency in the amount of \$10,000 to cover any emergency and unforeseen issues that may arise in the future, for a new total cumulative expense amount not to exceed \$97,250.
(CONSTRUCTION & MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- C. Request permission to approve Task Order No. COH2019-01EM to supplement the current agreement with this vendor as it applies to the Disaster Recovery Services – COVID-19 project, and issue a purchase order to Tidal Basin Government Consulting, LLC, to provide professional services designed to support the City with emergency management, response, recovery, mitigation, and other support services to assist the City in its recovery from the impacts of COVID-19, in a total cumulative amount not to exceed \$100,000. On June 25, 2019, the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – *Emergency Management Administrative Support Services* to this vendor, highest ranked proposer.
(EMERGENCY MANAGEMENT DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Lorena Bravo, City Attorney, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item C made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- D. Request permission to increase Purchase Order No. 2020-340, issued to Law Enforcement Psychological and Counseling Associates, Inc., to provide psychological screening services for the hiring of certified police officers, firefighters and the Employee Assistance Program (EAP), by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000.
(HUMAN RESOURCE DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Gelien Perez, Director, Human Resources Department, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item D made by Council Member Perez, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- E. Request permission to increase Purchase Order No. 2020-793, issued to Core & Main LP, sole source vendor for Sensus meters in the State of Florida, for the purchase of Sensus water meters, by an additional amount of \$80,000, for a new total cumulative amount not to exceed \$160,000.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

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

REPORT: Motion to Approve Consent Item E made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- F. Request permission to increase Purchase Order No. 2020-840 issued to Parsons Water & Infrastructure Inc., to cover the close out of the contract for engineering and construction management activities, including assisting the City with the engineering inspection and development phase which includes construction and administration of the Design Build Operate Service Contract in start up, run in acceptance and project closeout phases of the Reverse Osmosis Water Treatment Plant (Task C), by an additional amount of \$173,258.99, for a new total cumulative amount not to exceed \$332,008.99, half of which will be paid by the Miami Dade Water and Sewer Department. On August 14, 2007, the City Council approved to for this vendor to provide the City with engineering consulting services.
(DEPARTMENT OF PUBLIC WORKS)

WITHDRAWN

- G. ~~Request permission to increase Purchase Order No. 2020-693, issued to Hazen & Sawyer, P.C., vendor selected by the City Council and under contract with the City for Construction Engineering Inspection (CEI) services for Pump Station 106, for the close out of the services provided by the vendor in the management of the sanitary sewage pump station rehabilitation program, by an additional amount of \$2,463.49, for a new total cumulative amount not to exceed \$108,055.99.~~
(DEPARTMENT OF PUBLIC WORKS)

WITHDRAWN

- H. Request permission to utilize Sourcewell Contract No. 091615-URI – *Rental Equipment for Construction and Related Maintenance or Facility Operations*, effective through October 20, 2020, and issue a purchase order to United Rentals, Inc., for the *rental* of a Bypass Pump and Piping which consists of an 18-inch pump and pipes, in the amount of \$90,000. Further request permission to ratify the Mayor’s emergency approval to authorize the Department of Public Works to proceed with the installation of the bypass system during the last storm season for Pump Station 200 which consists of four pumps of which two were down at the time, in the amount of \$40,697.85, for a total cumulative expense amount not to exceed \$130,697.85.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- I. Request permission to issue a purchase order to MCCI, LLC, vendor under contract with the City under a Master Services Agreement, for additional workflows and automation of Laserfiche, the City’s electronic document management system, for a total cumulative amount not to exceed \$12,915, providing up to fifteen (15) document types.
(INFORMATION TECHNOLOGY DEPT.)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Ricardo Suarez, Chief Information Officer, Information Technology Department, City of Hialeah, addressed the City Council on this item.

REPORT: Marbelys Fatjo, City Clerk, addressed the City Council regarding contracts in which the City is a party to being available for public view on the City’s website.

REPORT: Motion to Approve Consent Item I made by Council Member Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- J. ~~Proposed resolution approving an agreement between FDG Countyline LLC, a Delaware Limited Liability Company, and the City of Hialeah for the transfer of freshwater palustrine emergent credits to mitigate the impact on wetlands by the roadway construction project of N.W. 97 Avenue in an amount not to exceed \$191,395.00 for a maximum of fifteen (15) credits at the unit cost of \$12,759.61 subject to the terms of an agreement as approved by the~~

~~City Attorney, authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Mitigation Transfer Agreement; and providing for an effective date.
(STREETS)~~

WITHDRAWN

- K. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the Town of Medley as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through June 30, 2025, a copy of which is part hereof as Exhibit "1", and providing for an effective date.
(POLICE DEPT.)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

RESOLUTION NO. 2020-059

- L. Request permission to utilize Broward County Contract No. R1422515RI/PI- *P25 System and Services Agreement*, effective through May 23, 2027, and issue a purchase order to Motorola Solutions, Inc., for the purchase of twelve (12) antennas and two (2) new APX mobile radios, as well as for the installation of the two (2) radios and that of ten (10) additional radios which have already been purchased by the City, in a total cumulative amount not to exceed \$15,487.51.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- M. Request permission to waive competitive bidding, since it is advantageous to the City in that the scope of services approved by the City Council on April 14, 2020 has been amended resulting in a higher cost, and increase Purchase Order No. 2020-1559, issued to HDR Engineering, Inc., for the cost of the City's Recyclable Composition Study, by an additional amount of \$4,510, to cover the scope of services as amended, for a new total cumulative amount not to exceed \$39,060.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

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

REPORT: Motion to Approve Consent Item M made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- N. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is currently providing Construction Engineering Inspection Services related to the relocation of the Graham Wells pipelines impacted by the construction of the HEFT

interchange and the proposal submitted by the vendor, as approved by the City Council on January 28, 2020, did not include the costs associated with the use of a vehicle for transportation, and increase Purchase Order No. 2020-1284, issued to SRS Engineering, Inc., by an additional amount of \$14,000, for a new total cumulative amount not to exceed \$111,733.34.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- O. Request permission to approve a donation to the Hialeah Housing Authority to fund the elderly residents' Meals and Supportive Services Program that is partially funded through the Alliance for Aging Grant, in the amount of \$135,000. The City has partnered with the Hialeah Housing Authority to provide meals and nutrition education and counseling as supportive services to the elderly residents of the Hialeah Housing Authority.

(OFFICE OF MANAGEMENT AND BUDGET)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- P. Request permission to approve a contribution to the Hialeah Housing Authority to defray the costs of transportation services to the elderly residents of the City and the Hialeah Housing Authority, in a total cumulative amount not to exceed \$44,000. The City has collaborated with the Hialeah Housing Authority to provide transportation services to these residents, which includes transportation to social functions, events and fieldtrips throughout the City and the County.

(OFFICE OF MANAGEMENT AND BUDGET)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- Q. Proposed resolution accepting the award of a grant from Miami-Dade County through the Street Tree Matching Grant Program administered by the County's Parks, Recreation and Open Spaces Department, in the amount of \$34,281.61 for the procurement, planting and maintenance of street trees pursuant to the City of Hialeah 2020 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 September 10, 2020, whereby the City agrees to provide matching funds in an amount not to exceed \$34,281.61, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date.

(STREETS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

RESOLUTION NO. 2020-060

- R. Proposed resolution establishing the City of Hialeah Business Economic and Recovery Task Force to develop a community-wide action plan for the resumption of business in the City of Hialeah and to generally open up the City; advise the City and the Hialeah business

community; and providing for an effective date.
(COUNCILMEMBER PEREZ)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

RESOLUTION NO. 2020-061

REPORT: Council Member Perez requested that the proposed resolution be amended to reflect Mauro Oliveri in lieu of Claudia Marquez as the Marketing Director of Westland Mall.

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Motion to Approve Consent Item R made by Council Member Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- S. Request permission to issue a purchase order to Akerman LLP, for legal services rendered in connection with the negotiation of an interlocal agreement with the State of Florida Department of Transportation and Miami-Dade County for the construction of the Florida Turnpike N.W. 170 Street Interchange, as well as with the negotiation of a Consent Decree with Miami-Dade County DERM related to the unauthorized issuance of local business tax receipt, in a total cumulative amount not to exceed \$27,586.25.
(LAW DEPARTMENT)

REPORT: The item was amended and read into the record as follows:

Request permission to issue a purchase order to Akerman LLP, for legal services rendered in connection with the negotiation of a Consent Decree with Miami-Dade County DERM related to the unauthorized issuance of local business tax receipt, in a total cumulative amount not to exceed \$27,586.25.
(LAW DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Lorena Bravo, City Attorney, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item S made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- T. Proposed resolution creating the City of Hialeah 2020 Census Committee; providing for membership, organization and procedures; setting forth purpose, function, responsibility, and sunset provision; and providing for an effective date.
(COUNCILMEMBER TUNDIDOR)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

RESOLUTION NO. 2020-062

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Lorena Bravo, City Attorney, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item T made by Council Member Perez, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- U. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. 16-VEL24.0, to purchase one (1) 2019 Chevrolet Silverado - 15,000 LB GVWR Cab & Chassis (Dual Rear Wheel) – 4X2 - Specification No. 8, from Alan Jay Chevrolet-Cadillac, Inc., in a total cumulative amount not to exceed \$48,553.
(CONSTRUCTION & MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Vicente Rodriguez, Director, Construction and Maintenance Department, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item U made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- V. Request permission to waive competitive bidding, since it is advantageous to the City in that this expenditure is for an emergency repair, and issue a purchase order to South Shore Elevator Service Corp, for repairs to elevator number 1 located in Villa Alegria - 72 Units, in the amount of \$7,450, and further request a contingency in the amount of \$2,500 to cover any emergency and unforeseen issues that may arise in the future, for a new total cumulative expense amount not to exceed \$9,950.
(CONSTRUCTION & MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Vicente Rodriguez, Director, Construction and Maintenance Department, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item V made by Council Member Perez, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- W. ~~Request permission to waive competitive bidding, since it is advantageous to the City in that this expenditure is for an emergency repair, and issue a purchase order to South Shore Elevator Service Corp, for repairs to both elevators located in the City Hall parking garage,~~

~~fin the amount of \$17,900, and further request a contingency in the amount of \$2,500 to cover any emergency and unforeseen issues that may arise in the future, for a new total cumulative expense amount not to exceed \$20,400.~~

~~(CONSTRUCTION & MAINTENANCE DEPARTMENT)~~

WITHDRAWN

- X. Request permission to waive competitive bidding, since it is advantageous to the City in that this expenditure is for an emergency repair, and issue a purchase order to South Shore Elevator Service Corp, for repairs to elevator number 2 located in Villa Luna - 35 Units, in the amount of \$7,450, and further request a contingency in the amount of \$1,907 to cover any emergency and unforeseen issues that may arise in the future, for a new total cumulative expense amount not to exceed \$9,357.

(CONSTRUCTION & MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- Y. Request permission to award Hialeah Invitation to Bid No. 2019/20-3230-00-009 – *Southeast Park Recreation Building Re-roofing*, to A-1 Property Services Group Inc., lowest responsive and responsible bidder, in the amount of \$88,353.00, and further request a ten percent (10%) contingency allowance to cover any unforeseen issues that may arise during the project in the amount of \$8,835, for a total cumulative expense amount not to exceed \$97,188.

(CONSTRUCTION & MAINTENANCE DEPARTMENT)

(PARKS & RECREATION DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- Z. Request permission to waive competitive bidding, since it is advantageous to the City *in that the use of these generators have become necessary due to the lack of response and service from Florida Power and Light to provide permanent power to these stations*, and increase Purchase Order No. 2020-1380, issued to Power Depot Inc., for large standby generators capable of running the City's larger pump stations without standby power (generators that have been used in Pump 100 and Pump Station 101 and currently in Pump Station 056), by an additional amount of \$40,000. Further request permission ratify the Mayor's approval to authorize the Department of Public Works to proceed with the certification of the completion of the pump stations to Miami-Dade County DERM to be released out of moratorium to full service, in the amount of \$25,128, for a total cumulative expense amount not to exceed \$104,128.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

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

REPORT: Motion to Approve Consent Item Z made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

AA. Request permission to waive competitive bidding, since it is advantageous to the City in that the cost of piggybacking off of existing state and municipal contracts for staffing services is higher than the cost offered by this vendor to the City, and issue a purchase order to Culmin Staffing Group, vendor assigned to the City's Department of Public Works by the Human Resources Department for temporary employment services, in the amount of \$154,700. Further request permission to ratify the Mayor's approval to authorize the Department of Public Works to proceed with issuing payments to the vendor for the current six (6) employment positions staffed by this vendor, which consist of three (3) customer service representatives, two (2) cashiers, and one (1) office clerk, in the amount of \$77,016.93, for a total cumulative expense amount not to exceed \$231,716.93.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Mayor Hernandez addressed the City Council on this item.

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

REPORT: Gelien Perez, Director, Human Resources Department, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item AA made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

BB. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to R & C Management, Inc., vendor providing the lowest quotation, for bimonthly orders of printing services for utility billing, bills and envelopes for the Department of Public Works, in a total cumulative amount not to exceed \$41,340.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

CC. Request permission to waive competitive bidding, since it is advantageous to the City in that the construction of a new pump station on NW 99th Avenue, north of Northwest 162 Street, approved by the City Council on January 28, 2020 *and awarded to this vendor*, is now in need of the construction of a force main connecting the pump station to the City's force main along NW 97th Avenue, and issue a purchase order to Downrite Engineering & Development Corporation, for the cost associated with the construction of the said force main, for a new total cumulative amount not to exceed \$185,000. Local developers in the area have contributed \$150,000 towards this project.
(DEPARTMENT OF PUBLIC WORKS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

DD. Request permission to waive competitive bidding, since it is advantageous to the City in that during the emergency modernization of the subject elevator, as approved by the City Council on November 12, 2019, it was discovered that the packing on the telescoping piston was damaged and required replacement, and increase Purchase Order No. 2020-979, issued to South Shore Elevator Service Corp, for the emergency repairs to the elevator packing of the elevator located in Villa Aida Annex, by an additional amount of \$8,500, and further request a contingency in the amount of \$5,000 to cover any emergency and unforeseen issues that may arise in the future, for a new total cumulative amount not to exceed \$63,300.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

9. ADMINISTRATIVE ITEMS

A. Second reading and public hearing of proposed ordinance amending Chapter 70 entitled “Retirement and Pension”, Article IV. Employees General Retirement System, Division 1 entitled “Generally”, Division 4 entitled “Membership”, Division 5 entitled “Benefits”, and Division 7 entitled “Deferred Retirement Option Program”; implementing the changes to the Retirement Plan contained in 2019-2022 Collective Bargaining Agreement between the City and IAFF for Firefighter Members, in particular revising § 70-96, entitled “Definitions”; revising § 70-210 entitled “Member Contributions to Retirement Plan”; revising § 70-238 entitled “Service Retirement Allowance”; revising § 70-260 entitled “Eligibility;” repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties hereof; providing for inclusion in the code; providing for an interpretation and savings clause; providing for a severability clause and providing for an effective date.

(ADMINISTRATION)

Item was approved on first reading by the City Council on May 12, 2020. Second reading and public hearing was scheduled for May 26, 2020.

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

ORDINANCE NO. 2020-016

REPORT: One individual 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 meeting using Zoom:

- (1) **Eric Johnson**, on behalf of Local 1102 – Hialeah Firefighters, with a home address which is exempt under Florida law addressed the City Council on this item.

REPORT: Motion to Approve Administrative Item 9A made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- B. Second reading and public hearing of proposed ordinance amending Chapter 70 entitled “Retirement and Pension”, Article IV. Employees General Retirement System, Division I entitled “Generally”; implementing a change to the definition of compensation for police officers; revising § 70-96, entitled “Definitions”; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties hereof; providing for inclusion in the code; providing for an interpretation and savings clause; providing for a severability clause and providing for an effective date.

(ADMINISTRATION)

Item was approved on first reading by the City Council on May 12, 2020.

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

ORDINANCE NO. 2020-017

REPORT: One individual 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 meeting using Zoom:

- (1) **Eric Johnson**, on behalf of Local 1102 – Hialeah Firefighters, with a home address which is exempt under Florida law reserved his comments.

REPORT: Motion to Approve Administrative Item 9B made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- C. First reading of proposed ordinance terminating a Land Lease and Easement Agreement dated December 31, 2012, by and between the City and Renegade at Hialeah Blvd, LLC, a Florida Limited Liability Company, for a term of 30 years and three successive 10-year renewals at an annual rent of \$1.00 approved by Hialeah, Fla. Ordinance 12-78 (November 27, 2012); approving the conveyance by Quit-Claim Deed of a vacant parcel of land consisting of approximately 6,703 square feet, more or less, in area to Renegade at Hialeah Blvd., LLC, in exchange for the payment of \$65,000.00; approving a Parking and Cross Access Easement Agreement by and between the City and the Renegade pursuant to the terms and conditions as set forth in the agreement attached hereto and made a part hereof as “Exhibit 2”, authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Quit Claim, Parking and Cross Access Easement Agreement and all other necessary documents in furtherance hereof; Repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Lorena Bravo, City Attorney, addressed the City Council on this item.

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Motion to Approve Administrative Item 9C made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent. Second reading and public hearing is scheduled for June 9, 2020.

- D. First reading of proposed ordinance amending Chapter 2 entitled “Administration”, Article III. Boards, Commissions and Committees, of the Code of Ordinances of the City of Hialeah, by creating Division 9, Standing and Ad Hoc Committees, Sections 2-759 through 2-763; to provide for the name, makeup, purpose of committees and number of committee members selected by the President of the Hialeah City Council; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for an effective date.
(COUNCIL PRESIDENT HERNANDEZ)

POSTPONED UNTIL JUNE 9, 2020 (5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent).

REPORT: Marbelys Fatjo, City Clerk, announced that Council President Hernandez requested that the City Council postpone this item until June 9, 2020 due to his absence at this meeting.

REPORT: Motion to Table Administrative Item 9D until June 9, 2020 made by Council Member Tundidor, and seconded by Council Member Perez. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

- E. First reading of proposed ordinance approving covenants in favor of Miami-Dade County to maintain, operate and preserve a Stormwater Management System as designed on N.W. 102 Avenue, from N.W. 162 Street to N.W. 170 Street, as more particularly described in the form Covenants, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; authorizing the execution of the Covenants by the Mayor and City Clerk, on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.
(STREETS)

APPROVED 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Motion to Approve Administrative Item 9E made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent. Second reading and public hearing is scheduled for June 9, 2020.

- F. First reading of proposed ordinance consenting to the ground lease with PTI US Towers II, LLC for a wireless communications facility located at Goodlet Park for a period of five years, commencing on March 31, 2020 and ending on March 30 2025, providing for an annual rental of \$65,100, with a 5% annual increase with three successive five-year renewals; 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 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent.

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Lorena Bravo, City Attorney, addressed the City Council on this item.

REPORT: Vicente Rodriguez, Director, Department of Construction and Maintenance, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Administrative Item 9F made by Council Member Tundidor, and seconded by Council Member Perez. Motion passes 5-0-2 with Council President Hernandez and Council Vice President De la Rosa absent. Second reading and public hearing is scheduled for June 9, 2020.

10. UNFINISHED BUSINESS

- A. Quarterly Progress Report (January 2020 – May 2020), pursuant to Hialeah, Fla. Resolution No. 2020-021 (February 11th, 2020), on the status of compliance by City with the Consent Agreement by and between the City and Miami-Dade County DERM dated January 30th, 2020.
(LAW DEPARTMENT)

REPORT: Mayor Hernandez addressed the City Council.

REPORT: Lorena Bravo, City Attorney, addressed the City Council.

11. NEW BUSINESS

- A. Mayor Hernandez spoke on the following:
- (1) Thanked the City Council Members on their leadership during the pandemic.
 - (2) Gave an updated on the reopening of the City.
 - (3) Flooding that occurred on May 26, 2020.
 - (4) Fourth of July Event.

12. CITY COUNCIL'S NEW BUSINESS

- A. Council Member Tundidor spoke on the following:

- (1) Long-term care facilities oversight committee.
- (2) Flooding that occurred on May 26, 2020.
- (3) Donation of trees on a quarterly basis.
- (4) Provided an update on the issuing of funds for businesses and landlord tenant programs (COVID-19).

B. Council Member Perez spoke on the following:

- (1) Reopening of businesses such as nail tech vocational school, dance studio, swimming academy.
- (2) Social distancing signs at parks.
- (3) Postponing Planning and Zoning items until meetings are no longer virtual.
- (4) Scholarships being awarded with the collaboration of Florida National University.

REPORT: The meeting was adjourned by Council Member Cue-Fuente at 9:41 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, June 9, 2020 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 25, 2020 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

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

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

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