

**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**  
**June 8, 2021**  
7:00 p.m.

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1. **CALL TO ORDER**

A. **REPORT:** Council President Tundidor called the meeting to order at 7:07 p.m.

2. **ROLL CALL**

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

1. Council President Tundidor
2. Council Vice President Perez
3. Council Member Cue-Fuente
4. Council Member De la Rosa
5. Council Member Hernandez
6. Council Member Zogby

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

1. Council Member Garcia-Roves

C. **REPORT:**

1. Mayor Hernandez was present.
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 during the Special Meeting of the City Council held at 5:30 p.m.

#### 4. **PLEDGE OF ALLEGIANCE**

A. **REPORT:** Council Member De la Rosa 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

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A. **REPORT**: None.

## 7. COMMENTS AND QUESTIONS

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- 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 expressed interested in making comments or posing questions on matters of public concern registered with the Office of the City Clerk to participate live during the Comments and Questions portion of the meeting using Zoom.
- C. **REPORT**: No one 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**: Three (3) individuals expressed interest in speaking during this portion of the meeting.
- (1) **Jose Azze**, with a home address of **788 SE Park Drive**, addressed the City Council regarding the Parks and Recreation Department, as well as impact fees.
  - (2) **Eric Johnson, Local 1102**, with a home address that is exempt from public disclosure per Florida law, addressed the City Council regarding Consent Item S, cases of cancer within the Hialeah Fire Department and life scans.
  - (3) **Frank De la Paz**, with an address of **9341 Bird Road**, addressed the City Council regarding civil service appointments on the agenda, and requested a workshop regarding the approval process of business tax receipts.

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

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- Consent Items S, T, U, V, W, X and Y have been added to the agenda.
- The proposed ordinance for Administrative Item 10E has been updated.
- Administrative Item 10C has been postponed until June 22, 2021, per the administration. On June 22, 2021, the proposed ordinance will be considered again on first reading due to material changes in the proposed ordinance.
- Administrative Item 10D has been withdrawn from the agenda, per the administration.
- Board Appointment items 11B and 11C have been added to today's agenda.

## 9. CONSENT AGENDA

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

**REPORT: Mayor Hernandez requested separate discussion on Consent Items S, T, U, V, and W.**

**REPORT: Council Vice President Perez requested separate discussion on Consent Items M and N.**

**REPORT: Council Member Hernandez requested separate discussion on Consent Items L and J.**

**REPORT: Council Member De la Rosa requested separate discussion on Consent Items B and S.**

**REPORT: Motion to Approve the Consent Agenda, except items B, J, L, M, N, S, T, U, V and W, made by Council Member Cue-Fuente, and seconded by Council Member De la Rosa. Motion passed 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT: The items for separate discussion were considered by the City Council in the following order: S, T, U, V, W, B, J, L, M and N.**

- A. Request permission to approve the minutes of the City Council Meeting held on May 25, 2021.  
(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- B. Request permission to reject Hialeah Bid No. 2020/21-3230-00-012 – *Fire Alarm Affordable Housing 57 Units and 32 Units Annex* because all bidders were deemed unresponsive, and further request permission for the Construction and Maintenance Department to re-bid the project.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT: Vicente Rodriguez, Director of the City's Construction and Maintenance Department, 900 East 56 Street, addressed the City Council.**

**REPORT: Motion to Approve Consent Item B made by Council Member De la Rosa, and seconded by Council Member Hernandez. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- C. Request permission to award Hialeah Bid No. 2020-21-3230-00-010 – *C&M Building Re-Roofing* to Tecta America South Florida, Inc., lowest responsive and responsible bidder, for the re-roofing of the City building occupied by the Construction and Maintenance Department, in the amount of \$69,900.00, and further request a five percent (5%) contingency in the amount \$3,495.00 for the reimbursement of permit fees, as well as to cover the cost of any unforeseen work that may arise, for a total cumulative expense

amount not to exceed \$73,395.00.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- D. Request permission to reject Hialeah Bid No. 2020-21-3230-00-016 – 7001 West 35<sup>th</sup> Avenue #244- Tile Roof Re-Roofing (Grants Ship Safe Home) because no bids were submitted to the City. Further request permission to allow the Construction and Maintenance Department to request quotes from roofing contractors, and once the quotes are reviewed, report to the City Council the recommendation of the Construction and Maintenance Department.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- E. Request permission to waive competitive bidding, since it is advantageous to the City in that upon conducting an inspection of the Milander Parking Garage, it was determined that the original joint sealants were deteriorated, thus causing water intrusion and affecting the structural integrity of the parking structure, and issue a purchase order to Florida Lemark Corporation, vendor providing the lowest quotation, to provide and install a new joint sealant and waterproofing system at the Milander Parking Garage, in the amount of \$29,800.00, and further request a ten percent (10%) contingency in the amount of \$2,980.00 to cover the cost of any unforeseen work that may arise, for a total cumulative expense amount not to exceed \$32,780.00.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- F. Request permission to waive competitive bidding, since it is advantageous to the City in that the three (3) vendors Keri Systems provided the City with were contacted for a quotation, and issue a purchase order to VCS Tech Systems, LLC, vendor providing the lowest quotation, for the replacement of the Keri Systems Access Control system for the Fire Administration building, in a total cumulative amount not to exceed \$35,678.00.  
(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- G. Request permission to waive competitive bidding, since it is advantageous to the City in that this is the vendor currently providing repair and maintenance service to chemical chlorinators, filters and miscellaneous parts needed for the City's Department of Parks and Recreation and due to ongoing repairs and new equipment needs, the department has surpassed the amount of the existing purchase order, and issue increase Purchase Order No. 2021-48, issued to Commercial Energy Specialists, LLC, for a new chemical control, chlorine/filtration system and energy efficient part to the existing pump of the pool of Babcock Park, by an additional amount of \$21,000.00, for a new total cumulative amount not to exceed \$33,000.00.  
(DEPARTMENT OF PARKS AND RECREATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- H. Request permission to waive competitive bidding, since it is advantageous to the City and increase Purchase Order No. 2021-912, issued to the Broward County Sheriff's Office, vendor providing the lowest quotation, for the purchase of new firefighter tactical BDU pants and Class-A dress hats for the new fire recruit class, fire

personnel and newly promoted personnel in the Fire Department, by an additional amount of \$6,000.00, for a new total cumulative amount not to exceed \$16,000.00.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- I. Proposed resolution approving the expenditure in an amount not to exceed \$29,551.05 from the Law Enforcement Trust Fund - *Federal* for the purchase of simunition training equipment and related accessories from SRT Supply and utilizing the Florida Department of Management Services State Term Contract 46000000-15-1 and providing for an effective date.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-071**

- J. Request permission to approve the expenditure of sponsoring thirty (30) recruits through the police academy during fiscal year 2021 and 2022 through a police recruit program to be established through a Memorandum of Understanding between the City and the Fraternal Order of Police Lodge No. 12 due to the urgent need to hire and train individuals to perform law enforcement duties, in the amount of \$6,100.00 per each accepted recruit, for a total cumulative expense amount not to exceed \$183,000.00 to be paid over a period of two (2) fiscal years and subject to appropriations.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

**REPORT:** Sergio Velasquez, Hialeah Police Chief, addressed the City Council.

**REPORT: Motion to Approve Consent Item J made by Council Member Hernandez, and seconded by Council Member Zogby. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- K. Proposed resolution ratifying and approving the Memorandum of Understanding between the Fraternal Order of Police Lodge No. 12 and the City of Hialeah providing an amendment to the Collective Bargaining Agreement effective through September 30, 2021 pertaining to the establishment of a Police Recruit Program.

(ADMINISTRATION)

(CONSENT ITEM K IS RELATED TO CONSENT ITEM J)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-072**

- L. Request permission to award City of Hialeah Invitation to Bid No. 2020-21-3210-00-014 – *Tree Canopy Restoration Project Phase II* - to Visualscape, Inc., lowest responsive and responsible bidder, in a total cumulative amount not to exceed of \$148,995.00.

(STREETS)

**APPROVED 5-0-2 with Council Member De la Rosa away during the roll call for a vote and Council**

**Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

**REPORT:** Jose Sanchez, Director of the City's Streets Department, addressed the City Council.

**REPORT: Motion to Approve Consent Item L made by Council Member Hernandez, and seconded by Council Vice President Perez. Motion passes 5-0-2 with Council Member De la Rosa not present during the roll call for a vote and Council Member Garcia-Roves absent. Council Member De la Rosa recorded his vote as "Yes" after the Motion to Approved passed.**

- M. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to American Tire Recycling Group, LLC, vendor providing the lowest quotation, for the hauling and/or disposal of car tires and truck tires that have been illegally dumped along City right-of-ways, in a total cumulative amount not to exceed \$60,000.00.  
(STREETS)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

**REPORT:** Jose Sanchez, Director of the City's Department of Streets, addressed the City Council.

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

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

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

- N. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor was awarded City of Hialeah Bid. 2018/19-3210-00-009 – NW 97<sup>th</sup> Avenue from NW 154<sup>th</sup> Street to NW 162<sup>nd</sup> Street Phase I Roadway and Drainage, and has agreed to extend the pricing of this competitively bid project, and issue a purchase order to Acosta Tractors Inc, for the side walk improvements of NW 97<sup>th</sup> Avenue from 144<sup>th</sup> Street to 146<sup>th</sup> Street, in a total cumulative amount not to exceed \$44,738.27.  
(STREETS)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Jose Sanchez, Director of the City's Department of Streets, addressed the City Council.

**REPORT: Motion to Approve Consent Item N made by Council Member Zogby, and seconded by Council Member Hernandez. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- O. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City of Hialeah, as landlord, and the City of Hialeah Educational

Academy, Inc., a Florida Non-for-Profit Corporation, as tenant, for use of the school facility located at Slade Park consisting of 45,880 square feet, more or less, located at 2590 West 76 Street, Hialeah, Florida, for one year, beginning on July 1, 2021 and ending on June 30, 2022, for an annual base rent amount of \$550.00 for each student enrolled, payable in equal monthly installments, and a usage fee of \$196,704.19, including \$75.00 for each student enrolled as a cost allocation to the ECS Department for its administrative services, and use of library and park facilities, in substantial form as attached hereto and made a part hereof as Exhibit "1"; providing for a severability clause and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-073**

- P. Request permission to cancel the upcoming July 27, 2021 City Council meeting for summer recess, pursuant to §3.01 of the City Charter. (OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- Q. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to AC Perfect Tree Services Inc., vendor providing the lowest quotation, to plant trees on the City's corridors in an effort to reach the Million Trees Miami goal, in a total cumulative amount not to exceed \$48,810.00. Neat Streets Miami is a multi-jurisdictional county board dedicated to the maintenance and beautification of transportation corridors, gateways and connection, and through the Million Trees Miami Campaign launched by Net Streets Miami, Miami-Dade County joined the communitywide effort to plant one million trees in order to achieve a thirty percent tree canopy cover for the county, and the county expressed interest in planting trees with the City.  
(STREETS).

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

- R. Proposed resolution authorizing the use of surtax proceeds to defray the City's costs of providing free on-demand transportation services provided to City residents; and providing for an effective date.  
(TRANSIT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-074**

- S. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Willians F. Guerra, subject to civil service rules and regulations, to the position of Fire Chief.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

**REPORT: Motion to Approve Consent Item S made by Council Member Hernandez, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- T. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Yesenia Gruich, subject to civil service rules and regulations, to the position of Occupational License Official.  
(ADMINISTRATION)



**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

**REPORT: Motion to Approve Consent Item T made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- U. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Armando Rojas, subject to civil service rules and regulations, to the position of Director of Emergency Management.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

**REPORT: Motion to Approve Consent Item U made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- V. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Luis Suarez, subject to civil service rules and regulations, to the position of Purchasing Manager.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

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

- W. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Jose Sanchez, subject to civil service rules and regulations, to the position of Director of Streets.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez, spoke on this item.

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

- X. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Grisell Aedo, subject to civil service rules and regulations, to the position of Retirement Department Director.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT:** Mayor Hernandez spoke on this item.

- Y. Proposed resolution approving the Memorandum of Agreement between the City of Miami, as the sponsoring agency of the UASI Grant Program 2020, under the U.S. Department of Homeland Security's Urban Area

Security Initiative (UASI), and the City of Hialeah, as participating agency; accepting the award of sub-grant in the amount of \$1,268,131.00 pursuant to said Memorandum of Agreement for approving planning and equipment costs identified in the program budget; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute the Memorandum of Agreement attached hereto, and made a part hereof as Exhibit "1", and any other documents in furtherance hereof; and providing for an effective date.

(EMERGENCY MANAGEMENT DEPARTMENT)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-075**

## **10. ADMINISTRATIVE ITEMS**

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- 10 A.** Second reading and public hearing 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, between NW 154 Street, and NW 162 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 and Council Member Cue-Fuente not present during the roll call for a vote, and Council Member Garcia-Roves absent.**

**ORDINANCE NO. 2021-056**

*The item was approved on first reading by the City Council on May 25, 2021. Second reading and public hearing was scheduled for June 8, 2021.*

**REPORT: Motion to Approve Administrative Item 10A made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 4-0-3 with Council President Tundidor and Council Member Cue-Fuente not present during the roll call for a vote, and Council Member Garcia-Roves absent. Council President Tundidor and Council Member Cue-Fuente each recorded their vote as "Yes" after the Motion to Approved passed.**

- 10 B.** Second reading and public hearing 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 6-0-1 with Council Member Garcia-Roves absent.**

**ORDINANCE NO. 2021-057**

*The item was approved on first reading by the City Council on May 25, 2021. Second reading and public hearing was scheduled for June 8, 2021.*

**REPORT: Motion to Approve Administrative Item 10B made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Garcia-Roves absent.**

- 10 C. Second reading and public hearing of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, creating Article XII. – Hotels and Motels, and a new Section 18-613 entitled “Hotel and Motel Rentals” to prohibit hourly rentals, rentals to minors and require identity verification of renters; 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.  
(SPONSOR: COUNCIL PRESIDENT TUNDIDOR)  
(CO-SPONSOR: COUNCIL MEMBER DE LA ROSA)

**POSTPONED UNTIL JUNE 22, 2021**

<i>Due to material changes made to the proposed ordinance, the item will be reconsidered on first reading on June 22, 2021, per the administration.</i>
<i>On May 11, 2021, the City Council postponed the item until June 8, 2021.</i>
<i>Registered Lobbyist: Robert H. Fernandez, Esq., RHF Law Firm, LLC on behalf of 151 East Okeechobee Road, LLC.</i>
<i>On April 27, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for May 11, 2021.</i>
<i>Registered Lobbyist: Ben Fernandez, Bercow Radell Fernandez Larkin &amp; Tapanes, PLLC, on behalf of 151 East Okeechobee Road, LLC.</i>
<i>Registered Lobbyist: Wolfpack Consulting and Governmental Relations (Arnaldo Alonso), on behalf of (1) Nexx Motels, LLC, doing business as Nexx Motel; and (2) Miami Motel, LLC, doing business as Unique Motel.</i>
<i>Registered Lobbyist: Melissa Tapanes Llahues, Bercow Radell Fernandez Larkin &amp; Tapanes, on behalf of 151 East Okeechobee Road, LLC</i>

- 10 D. ~~First reading of proposed ordinance amending Chapter 98, Division 33 “NBD Neighborhood Business District” of the Code of Ordinances of the City of Hialeah, FL to include “Workforce Housing Program”; providing for purpose and definitions; providing for incentives for the development of Workforce Housing in the City; a Workforce Housing Plan for onsite units; Workforce Housing Restrictive Covenants Agreement; 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.~~

## **WITHDRAWN**

- 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; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.  
(ZONING)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT: Motion to Approve Administrative Item 10E made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

**REPORT: Second reading and public hearing is scheduled for June 22, 2021.**

## **11. BOARD APPOINTMENTS**

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- 11 A.** Proposed resolution reappointing **Diego Perez** as a member of the Planning and Zoning Board for a two (2)-year term ending on June 28, 2023.  
(COUNCIL MEMBER CUE-FUENTE)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-076**

**REPORT: Mayor Hernandez** spoke on this item.

**REPORT: Motion to Approve Item 11A made by Council Vice President Perez, and seconded by Council Member De la Rosa. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- 11 B.** Proposed resolution reappointing **Eugene M. Steinfeld** as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the citation procedures set forth in Chapter 22, Article III, of the Hialeah Code, assume all powers authorized by Hialeah Code § 22-186(k), and serve a term commencing on June 1, 2021 and ending on May 31, 2022, at an hourly rate to be established by administrative order of the mayor; and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-077**

**REPORT: Motion to Approve Item 11B made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

- 11 C.** Proposed resolution reappointing **Christopher Zacarias** as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the citation procedures set forth in Chapter 22, Article III, of the Hialeah Code, assume all powers authorized by Hialeah Code § 22-

186(k), and serve a term commencing on June 1, 2021 and ending on May 31, 2022, at an hourly rate to be established by administrative order of the mayor; and providing for an effective date.

(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-078**

**REPORT: Motion to Approve Item 11C made by Council Member Zogby, and seconded by Council Member Hernandez. Motion passes 6-0-1 Council Member Garcia-Roves absent.**

## **12. UNFINISHED BUSINESS**

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- 12 A.** Report from the Law Department on removing the ban on medical marijuana treatment center facilities in the City of Hialeah.  
(LAW DEPARTMENT)

**REPORT: Lorena Bravo, City Attorney, addressed the City Council regarding the report.**

**REPORT: Mayor Hernandez spoke on this topic.**

## **13. NEW BUSINESS**

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

- a. Hotels/Motels legislation related topics
- b. ALF Safety Procedure Ordinance
- c. Section 3.02(b) of the City's Charter

**B. Council Vice President Perez** spoke on a free workshop for workforce event with Miami-Dade College.

**C. Mayor Hernandez** spoke on upcoming items for the City Council's consideration the expenditure of funds related to the State Housing Initiative Partnership (SHIP) Program for residential rehabilitation.

**D. Council President Tundidor** spoke on a food drive event at San Lazaro Church.

## **14. ZONING**

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### **PLANNING AND ZONING**

**PZ 1.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One-Family

6/15/2021 3:15 PM

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.

**APPROVED 5-0-2 with Council Member De la Rosa not present during the roll call for a vote and Council Member Garcia-Roves absent.**

**ORDINANCE NO. 2021-058**

<i>The item was approved on first reading by the City Council on May 25, 2021. Second reading and public hearing was scheduled for June 8, 2021.</i>
<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: Osney Rivero and Yudit Rivero, 798 East 54 Street, Hialeah, FL 33013.</i>

**REPORT: Motion to Approve Item PZ 1 made by Council Vice President Perez, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council Member De la Rosa not present during the roll call for a vote and Council Member Garcia-Roves absent. Council Member De la Rosa recorded his vote as "Yes" after the Motion to Approve passed.**

- PZ 2.** First reading of proposed ordinance rezoning property from AU and GU (Miami-Dade County Zoning Designations) to RH-CD (Mixed Use Multiple Family District); and Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a multifamily development, including 614 units on property located within a quarter mile radius of the Hialeah Heights Commercial Development District. **Property located at 4030 West 88 Street and 10350 NW 142 Street (folio numbers 04-2020-001-0050, 04-2020-001-0061 and 04-2020-001-0060).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 5-0-2 with Council Member De la Rosa not present during the roll call for a vote and Council Member Garcia-Roves absent.**

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of JVC Management Corp and Cornerland LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item with the following conditions: (1) build a concrete wall of 8 feet or taller along the west property line, (2) establish a continuous landscape buffer along the exterior side of the sidewalk on West 142<sup>nd</sup> Street and on NW 102<sup>nd</sup> Avenue, and (3) install pedestrian gates with a separation of no more than 165 feet between gates along the exterior perimeter of the site and (4) provide a traffic impact analysis concurrent with the site plan review submittal.</i>

<i>Planner's Recommendation: Approve with conditions.</i>
<i>Owners of the Property: JVC Management Corp., 10350 NW 142 Street, Hialeah, Florida 33018. Juan I. Gonzalez and Juan C. Gonzalez, 14450 NW 102 Avenue, Hialeah, Florida 33018.</i>

**REPORT: Motion to Approve Item PZ 2 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council Member De la Rosa not present during the roll call for a vote and Council Member Garcia-Roves absent. Council Member De la Rosa recorded his vote as "Yes" after the Motion to Approve was approved.**

**REPORT: Second reading and public hearing is scheduled for June 22, 2021.**

**PZ 3.** First reading of proposed ordinance rezoning property from GU (Miami-Dade County Zoning Designation) to RH-CD (Mixed Use Multiple Family District); and Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a multifamily development, including 303 units on property located within a quarter mile radius of the Hialeah Heights Commercial Development District. **Property located at 4200 West 84 Street (folio number 04-2020-001-0080 and 04-2020-001-0100).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 4-0-3 with Council Member Hernandez and Council Member De la Rosa not present during the roll call for a vote and Council Member Garcia-Roves absent.**

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of JVC Management Corp and Cornerland LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item with the following conditions: (1) build a concrete wall of 8 feet or taller along the west property line, (2) establish a continuous landscape buffer along the exterior side of the sidewalk on West 142nd Street, (3) install pedestrian gates with a separation of no more than 165 feet between gates along the south and north sides of the site and (4) provide a traffic impact analysis concurrent with the site plan review submittal.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owners of the Property: Corner Lands LLC, P.O. Box 126370, Hialeah, Florida 33012. Juan Carlos Gonzalez and Juan Ismael Gonzalez, 14450 NW 102 Avenue, Hialeah, Florida 33018.</i>

**REPORT: Motion to Approve Item PZ 3 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council Member Hernandez and Council Member De la Rosa not present during the roll call and Council Member Garcia-Roves absent. Council Member Hernandez and Council Member De la Rosa both recorded their vote as "Yes" after the Motion to Approve passed.**

**REPORT: Second reading and public hearing is scheduled for June 22, 2021.**

**PZ 4.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit

Oriented Development District). **Property located at 879 East 24 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.

**APPROVED 5-0-2 with Council Member Hernandez not present during the roll call for a vote and Council Member Garcia-Roves absent.**

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Macallan Rental Properties LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Macallan Rental Properties LLC, Fountain Investments LLC, and Nancy Ortiz, 100 South Pointe Drive, Suite 2702, Miami Beach, Florida.</i>

**REPORT: Motion to Approve Item PZ 4 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council Member Hernandez not present during the roll call for a vote and Council Member Garcia-Roves absent. Council Member Hernandez recorded his vote as "Yes" after the Motion to Approve passed.**

**REPORT: Second reading and public hearing is scheduled for June 22, 2021.**

**PZ 5.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Property located at 909 East 24 Street, 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.

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Macallan Rental Investments LLC</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Macallan Rental Investments LLC and Nancy Ortiz, 100 South Pointe Drive Suite 2702, Miami Beach Florida.</i>

**REPORT: Motion to Approve Item PZ 5 made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT: Second reading and public hearing is scheduled for June 22, 2021.**

**PZ 6.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Property located at 1091 East 17 Street, 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.



**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Miami Rental Partners LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Miami Rental Partners, Nancy Ortiz, and Monica Otero 100 South Pointe Drive Suite 2702, Miami Beach Florida.</i>

**REPORT: Motion to Approve Item PZ 6 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT: Second reading and public hearing is scheduled for June 22, 2021.**

- PZ 7.** 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 46<sup>th</sup> 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).**

**TABLED UNTIL JUNE 22, 2021**

<i>On May 25, 2021, the item was postponed, per the applicant's request.</i>
<i>Registered Lobbyist: Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 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: City Clerk, Marbelys Fatjo, administered the oath administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Mr. Alejandro Arias and Mr. Hugo Arza.**

**REPORT: Alejandro Arias, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, addressed the City Council with a presentation, which is on file with the Office of the City Clerk.**

**REPORT:** Debora Storch, Zoning Official of the City of Hialeah, addressed the City of Hialeah Council.

**REPORT:** Lester Diaz, 40 East 46<sup>th</sup> Street, Hialeah, Florida, addressed the City of Hialeah Council in opposition to the approval of this item and provided the City Council with an Overall Site Plan and three (3) photographs, which have been made part of the record.

**REPORT:** Motion to Table Item PZ 7 until June 22, 2021 made by Council Member De la Rosa, and seconded by Council Member Hernandez. Motion passes 6-0-1 with Council Member Garcia-Roves absent.

## **15. FINAL DECISIONS**

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**FD 1.** Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2021-09** that granted an adjustment on the property located at **3050 West 2 Avenue, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

### **RESOLUTION NO. 2021-079**

<i>On May 12, 2021, the Planning and Zoning Board recommended approval of the item as recommended by the City Planner.</i>
<i>Planner's Recommendation: Approval of only 12.2 feet rear setback for a 382 square feet terrace, open on 3 sides that might include a storage area with the condition that Florida Room west side door is removed, accessory building is removed and the legalization process is completed within 180 days.</i>
<i>Property Owner: Victor M. Vazquez and Janet Vazquez, 3050 West 2<sup>nd</sup> Avenue, Hialeah, Florida 33012.</i>

**REPORT:** City Clerk, Marbelys Fatjo, administered the oath administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Ms. Janet Vazquez and Mr. Victor Vazquez.

**REPORT:** Janet Vazquez, with a home address of, **3050 West 2<sup>nd</sup> Avenue**, addressed the City Council provided three (3) photographs to the City Council which have been made part of the record with the item.

**REPORT:** Victor Vazquez, with a home address of, **3050 West 2<sup>nd</sup> Avenue**, addressed the City Council

**REPORT:** Motion to Approve Item FD 1 allowing that the existing shed remain and subject the rest of planner's recommendations made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Garcia-Roves absent.

**FD 2.** Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2021-10** that granted an adjustment on the property located at **660 West 77 Street, Hialeah, Florida, zoned R-1 (One-Family District)**; and providing for an effective date.

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-080**

<i>On May 12, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval of 5 feet east distance separation and 7 feet north distance separation between an existing Tikki Hut and main house.</i>
<i>Property Owners: Eduardo Luis, 660 West 77<sup>th</sup> Street, Hialeah, Florida 33014.</i>

**REPORT: Motion to Approve Item FD 2 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Garcia-Roves absent.**

**16. LAND USE**

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**LU 1.** Proposed resolution expressing its intent to approve and adopt a Text Amendment to the Industrial Land Use classification in the Future Land Use Element of the City of Hialeah Comprehensive Plan allowing Multifamily Residential uses on properties with industrial land use classification that are located within a quarter mile of properties with mixed use Hialeah Heights Land Use Classification.

**APPROVED 6-0-1 with Council Member Garcia-Roves absent.**

**RESOLUTION NO. 2021-081**

**REPORT: Motion to Approve Item LU1 made by Council Member De la Rosa, and seconded by Council Member Zogby. Motion passes 6-0-1 with Council Member Garcia-Roves absent.**

**REPORT: Council President Tundidor adjourned the meeting at 10:49 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 24, 2021 at 6:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, June 22, 2021 at 7:00 p.m.**

**FIRST BUDGET HEARING: Wednesday, September 15, 2021 at 7:00 p.m.**

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

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

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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).