

**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  
**July 13, 2021**  
7:00 p.m.

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1. **CALL TO ORDER**

A. **REPORT:** Council President Tundidor called the meeting to order at 7:10 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 Member Cue-Fuente
3. Council Member Garcia-Roves
4. Council Member Zogby

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

1. Council Vice President Perez
2. Council Member De la Rosa
3. Council Member Hernandez

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.

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

A. **REPORT:** Council Member Zogby led the Pledge of Allegiance.

#### 5. **MEETING GUIDELINES**

*The following guidelines have been established by the City Council:*

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on matters of public concern or on any item on the agenda, may do so during the meeting.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.
- The public can view public meetings on the City's Facebook page (@CityofHialeah).
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

**REPORT: Marbelys Fatjo, City Clerk, read the meeting guidelines.**

## 6. PRESENTATIONS

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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:** The following three (3) individuals present in the Council Chambers 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 City's Parks and Recreation Department and provided the City Council with a document on City letterhead dated May 20, 2013 titled "Lease Agreement dated November 19, 1974 as amended, as incorporated in the Master Lease dated October 12, 1998, as amended and extended: Hialeah Middle School ("Lease").
  - (2) **Joseph McCabe** of **Faulkner Plastics**, located at **7275 West 20<sup>th</sup> Avenue**, addressed the City Council regarding his company's initiative of creating a drop-off location at the business for acrylic products being discarded.
  - (3) **Eric Johnson, Local 1102**, with a home address that is exempt from public disclosure per Florida law, spoke regarding Faulkner Plastics, as well as regarding the need to maintain City roads open during protests.

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

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- A. Consent Item K has been withdrawn from today's agenda.
- B. Consent Items U, V, W, X, Y, Z, AA, BB, CC and DD have been added to today's agenda and placed on the dais for the City Council's review.
- C. Council Member De la Rosa has requested that Administrative Item 10A be postponed until August 10, 2021.
- D. Additional backup documentation to Administrative Item 10C has been added to the item and a copy has been placed on the dais for the City Council's review.

- E. Items PZ 1 and PZ 2 have been postponed until August 10, 2021.
- F. Item PZ 4 has been postponed until August 10, 2021, per the applicant's request.
- G. Additional backup documentation to Item PZ 5 has been added to the item and placed on the dais for the City Council's review.
- H. Items LU 1, LU 2, LU 3 and LU 4 are postponed until August 3, 2021 at 5:30 p.m. at a Special Meeting of the City Council due to the need of the publication of an ad required by state law.

## 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: Motion to Approve the Consent Agenda made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passed 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- A. Request permission to approve the minutes of the Special Meeting of the City Council held on June 22, 2021 at 5:30 p.m.  
(OFFICE OF THE CITY CLERK)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- B. Request permission to approve the minutes of the City Council Meeting held on June 22, 2021 at 7:00 p.m.  
(OFFICE OF THE CITY CLERK)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- C. Request permission to reject Hialeah Bid No. 2020/21-3230-00-015 – *O'Quinn Park Recreation Building Re-Roofing* because the lowest responsive bidder was deemed non-responsive and the second lowest bidder exceeded the approved project budget by nearly one hundred percent (100%), and further request permission for the Construction and Maintenance Department to re-bid the project.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- D. Request permission to issue a purchase order to Medical Priority Consultants, Inc., sole source vendor, for the annual maintenance, service and support of the Priority Dispatch System for the period of December 22, 2019 through December 22, 2020, in a total cumulative amount not to exceed \$32,405.12.  
(FIRE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- E. Request permission to issue a purchase order to Medical Priority Consultants, Inc., sole source vendor, for the annual maintenance, service and support of the Priority Dispatch System for the period of December 22, 2020 through December 22, 2021, in a total cumulative amount not to exceed \$32,405.12.  
(FIRE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- F. Report of Scrivener's Error – On June 22, 2021, the City Council approved Consent Item O, approving an expenditure in an amount not to exceed \$100,000.00 from the Law Enforcement Trust Fund – *Federal*, from account number 127.1000.521.491, for costs associated with protracted and complex investigations. The item was approved with the incorrect account number reflected on the agenda item letter from the Chief of the Hialeah Police Department to the Mayor and City Council Members. The item is being amended to reflect the correct account number as *127.1000.521.492*.  
(OFFICE OF MANAGEMENT AND BUDGET)  
(POLICE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- G. Proposed resolution approving the expenditure in an amount not to exceed \$24,495.00 from the Law Enforcement Trust Fund - *State* for the purchase of two (2) unmanned Aerial Vehicle (UAV) Brinc Lemur Drone S Kits, two (2) Brinc Lemur Drone Accessory Kits and a Brinc three (3) day training course from Enterprise UAS, LLC d/b/a DSLRPros, the lowest quoted vendor, upon such costs having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-090**

- H. Proposed resolution approving a Construction Agreement between the State of Florida, Department of Transportation (FDOT), and the City of Hialeah, Florida, in substantial conformity with the copy attached hereto and made a part hereof as Exhibit "1", for improvements to state right-of-way as part of the reconstruction of West 76 Street at West 20 Avenue; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the agreement; and providing for an effective date.  
(STREETS)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-091**

- I. Proposed resolution approving an Off-System Construction and Maintenance Agreement between the State of Florida, Department of Transportation, and the City of Hialeah, Florida, a copy of which is

attached hereto and made a part hereof as Exhibit "1", for improvements to West 18 Avenue from Okeechobee Road to West 35 Street in Hialeah, Florida, at no cost to the City, subject to the obligation to repair and maintain the roadway improvements in perpetuity upon final acceptance; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the agreement; and providing for an effective date.

(STREETS)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-092**

- J. Proposed resolution authorizing the City to join with the State of Florida and other local governmental units as a participant in the Florida Memorandum of Understanding and formal agreements implementing a unified plan for the allocation and use of opioid litigation settlement proceeds; approving the terms of the Memorandum of Understanding; authorizing the Mayor, and the City Clerk as attesting witness, on behalf of the City to execute the Memorandum of Understanding, any formal implementing agreement and any other necessary and customary documents in furtherance hereof; and providing for an effective date hereof.

(LAW DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-093**

- K. ~~Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Unlimited Windows and Doors, L.L.C, vendor providing the lowest quotation, for new impact windows and doors for the property located at 685 East 18<sup>th</sup> Street, Hialeah, Florida, through the State Housing Initiatives Partnership (SHIP) Program, in a total amount of \$16,309.26, and further request a ten percent (10%) contingency, in the amount of \$1,631.00, to cover any unforeseen issues that may arise during the work, for a total cumulative expense amount not to exceed \$17,940.26.~~

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**WITHDRAWN**

- L. Request permission to utilize Florida Sheriffs Association Contract No. FSA20-VEF14.02 - *Fire Rescue Vehicles & Other Equipment*, effective through March 31, 2023, and issue a purchase order to Ten-8 Fire & Safety, LLC, for the purchase of a 2021 Pierce Saber Fire Truck for the Hialeah Fire Department, in a total cumulative amount not to exceed \$563,147.00.

(FIRE DEPARTMENT)

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- M. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-915, issued to Law Enforcement Psychological and Counseling Associates, Inc., for psychological screening services for the hiring of certified police officers, firefighters and Employee

Assistance Program (EPA), by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$45,000.

(HUMAN RESOURCE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- N. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Mystic Gardens Lawn Contractors Inc., vendor providing the lowest quotation, for the removal of palm stumps and replacement of Montgomery Palms that have been damaged due to vehicular accidents along Okeechobee Road, in a total cumulative amount not to exceed \$8,415.00.  
(STREETS)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- O. Request permission to award Hialeah Invitation to Bid No. 2020-21-3210-00-017 – *Roadway & Drainage Improvements along West 76<sup>th</sup> Street from 20<sup>th</sup> to 24<sup>th</sup> Avenue*, to JVA Engineering Contractor Inc, lowest responsive and responsible bidder, in a total cumulative amount not to exceed \$1,191,795.95, amount which is reimbursable through the City’s Joint Participation Agreement with Miami-Dade County dated November 22, 2013.  
(STREETS)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- P. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Northern Tool & Equipment Company, Inc., vendor providing the lowest quotation, for the purchase of a FS400 Husqvarna (20 inch, 11 horsepower) Walk Behind Concrete Saw, needed by the City’s Streets Department for daily maintenance and construction operations, in a total amount of \$2,049.99, and further request \$1,050.01 for the purchase of replacement blades for the saw, for a total cumulative expense amount not to exceed \$3,100.00.  
(STREETS)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- Q. Proposed resolution approving an amendment to a software as a Service Agreement between Tyler Technologies, Inc. and the City of Hialeah dated June 19, 2018, approved by Hialeah, Fla. Resolution 2018-046 (May 24, 2018) to provide additional products and services for the purpose of streamlining the intake review and approval of Business Tax Receipt applications in furtherance of the City’s obligation under the Consent Agreement dated January 30, 2020 with Miami-Dade County DERM in an amount not to exceed \$197,940.00 for the services added and an additional yearly fee of \$56,520.00, subject to appropriation; and further authorizing the Mayor and the City Clerk as attesting witness, on behalf of the City to execute the amendment, in substantial conformity with the amendment attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date.  
(LICENSE)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-094**

7/14/2021 11:37 AM

- R. Request permission to waive competitive bidding, since it is advantageous to the City in that the City has worked with the referring recruiting agency in the past, and increase Purchase Order No. 2021-572, issued to Gen Recruiting Solutions, LLC, to continue providing recruiting and staffing services, by an additional amount of \$5,000.00, for a total cumulative amount not to exceed \$35,000.00.  
(HUMAN RESOURCES DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- S. Request permission to increase Purchase Order No. 2021-140, issued to DSM Technology Consultants LLC, to cover the cost of installing and configuring the DRaaS agent on new servers and seeding the data for the months of June, July and August 2021, by an additional amount of \$23,100.00, for a total cumulative expense amount not to exceed \$65,260.32. On February 13, 2018, the City Council approved the issuance of a purchase order to this vendor for the purchase and implementation of a Disaster Recovery-as-a-Service Solution for all critical systems.  
(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- T. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Allied Trucking of Florida Inc., vendor providing the lowest price per ton including delivery, for the purchase and delivery of the aggregate necessary to finalize the fill and base work of the West 92<sup>nd</sup> Street Park and to replenish the aggregate inventory of the Streets Department, in a total cumulative amount not to exceed \$31,000.00.  
(STREETS)  
(PARKS AND RECREATION DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- U. Request permission to reject Hialeah Bid No. 2020/21-3210-00-022 – *Hialeah Entrance Feature at NW 97<sup>th</sup> Avenue and 138<sup>th</sup> Street*, because there was only one bid received and the bid exceeded the estimated construction cost, and further request permission for the City’s Construction and Maintenance Department to obtain quotes from contractors, and provide the City Council with a recommendation at a City Council Meeting for the City Council’s approval.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- V. Request from MD Turbines Inc., located at 3850 West 108<sup>th</sup> Street, Suite 15, to host a Veteran’s Fundraiser Event, to take place on Saturday, November 6, 2021, to be located at 3760 West 108<sup>th</sup> Street, Hialeah, Florida, in accordance with the recommendations from the Hialeah Fire Department.  
(OFFICE OF THE CITY CLERK)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- W. Proposed resolution approving the expenditure in an amount not to exceed \$97,020.00 from the Law



Enforcement Trust Fund - *State* for the purchase of thirty-three (33) Paraclete SRV Plate Carriers with AXB Soft Body Armor Plate Backers and sixty-six (66) Paraclete Omega Plus Rifle Plates from Lou's Police Distributors, Inc., lowest quoted vendor, upon such costs having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-095**

- X. Proposed resolution approving the expenditure in an amount not to exceed \$15,831.40 from the Law Enforcement Trust Fund - *State* for the purchase of thirty (30) GSA - 12' Stop Stick Rack Kits - red and one (1) GSA-12' Stop Stick Training Kit with storage bag, from stop stick, LTD and utilizing general services administration Contract Number 47QSWA19D0035 (Federal Supply Schedule MAS - Law Enforcement, Fire & Security), upon such costs having been approved by the Chief of Police, and providing for an effective date.  
(POLICE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-096**

- Y. Proposed resolution authorizing the Mayor or his designee on behalf of the City of Hialeah, Florida, to submit to the United States Department of Housing and Urban Development (HUD) the action plan budgets for program year 21, commencing on October 1, 2021 and ending on September 30, 2022, a copy of which is attached hereafter as Exhibit A, which shall include the allocations and selected programs for CDBG, Home, ESG; authorizing the Mayor or his designee to execute any and all agreements, amendments, certifications and assurances in furtherance of the programs in the Action Plan in accordance with the United States Department of Housing and Urban Development regulations upon the conclusion of the mandatory public comment period; and providing for an effective date.  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**RESOLUTION NO. 2021-097**

- Z. Request permission to award Hialeah Request for Proposal No. 2020/21-8500-36-001 – *Disaster Recovery and Debris Removal Services*, to the following vendors in order of the highest ranking proposers with the number of points awarded as ranked by the Director of the City's Department of Emergency Management based on experience, capacity to perform, and approach to the work and twenty-five (25) points for costs, Southern Disaster Recovery, LLC (*95 Points*), T.F.R., Inc., of Texas (*90 points*), DRC Emergency Services, LLC (*85 Points*), Ceres Environmental Services, Inc. (*75 Points*), and Ashbritt, Inc., doing business as Ashbritt Environmental (*30 Points*).  
(EMERGENCY MANAGEMENT DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- AA. Request permission to award Hialeah Request for Proposal No. 2020/21-8500-36-002 – *Disaster Debris Monitoring Services* to Thompson Consulting, LLC, proposer with the highest rank as awarded by the Director of the City’s Emergency Management Department.  
(EMERGENCY MANAGEMENT DEPARTMENT).

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- BB. Request to increase the expense amount for Zumba classes for the Special Populations Program issued to Nexple LLC, vendor under contract with the City to provide said services, as approved by the City Council on November 10, 2020, by an additional amount of \$2,120.00, for a new total cumulative expense amount not to exceed \$6,480.00.  
(EDUCATION AND COMMUNITY SERVICES)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- CC. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Crown Castle Fiber LLC, vendor providing the lowest quotation, for dedicated internet circuits with Service Level Agreements for the body worn cameras project for the Hialeah Police Department headquarters, as well as all sub-stations, for a monthly cost in the amount of \$3,121.00 for all sites, for a yearly total cumulative expense amount not to exceed \$37,452.00.  
(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- DD. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Florida Power Technologies, Inc., vendor providing the lowest quotation, for the replacement of the Galaxy 3000 UPS Systems located at the 800MHz radio tower site at the Fire Administration Building, in a total cumulative amount not to exceed \$245,014.00.  
(FIRE DEPARTMENT)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

## **10. ADMINISTRATIVE ITEMS**

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- 10 A. 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 of less than three hours; to prohibit rentals to persons under the age of twenty-one (21); requiring identification, a guest check-in procedure and registration log and closed circuit television system or similar monitoring device with recording and retention capabilities; providing for license application, payment of yearly fee to defray the costs of enforcement and approval of a Crime Mitigation Plan; 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)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**ORDINANCE NO. 2021-064**

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for July 13, 2021.</i>
<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>

**REPORT: Motion to Approve Administrative Item 10A made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- 10B.** Second reading and public hearing of proposed ordinance amending the Hialeah Code of Ordinances Chapter 90, entitled “Vehicle for Hire”, Article III - Wrecker Service, § 90-178 adding minimum service requirements for City-Initiated Towing Services; eliminating the requirement that the business operations of a wrecker company be located within the City and expanding the business location to within five miles of the City limits; eliminating the requirement that employees operating wreckers have at least three years experience; eliminating storage charges when a vehicle is on hold at a police impound facility for evidence as an instrumentality of a crime with the Police Department; repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; and providing for an effective date.  
(POLICE DEPARTMENT)

**POSTPONED UNTIL AUGUST 10, 2021.**

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public</i>
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*hearing was scheduled for July 13, 2021.*

**REPORT: Motion to Table Administrative Item 10 B until August 10, 2021 made by Council Member Garcia-Roves, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- 10 C.** Second reading and public hearing of proposed ordinance authorizing the sale of real property located at 601 West 20 Street, Hialeah, Florida, identified by folio number 04-3013-034-0110; approving the terms of the commercial contract and first addendum to commercial contract with Kraftsow Family Investments, LP, a Delaware Limited Partnership, and City of Hialeah, attached hereto as Composite Exhibit “1”; accepting the offer price of \$850,000.00 and all other offer terms; authorizing the Mayor, and the City Clerk, as attesting witness, on behalf of the City to execute the contract, addendum, special warranty deed, seller’s affidavits, closing statements and such other customary documents, in a form acceptable to the City Attorney, as are necessary to close the sale; approving payment for professional legal services rendered by Gardner, Bist, Bowden, Dee, Lavia, Wright, Perry & Harper, P.A. in connection with the sale in an amount not to exceed \$10,000.00 and all other closing costs as provided by the terms of the contract from the proceeds of sale; repealing ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**ORDINANCE NO. 2021-065**

*On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for July 13, 2021.*

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

**REPORT: Sean Kelly, with a home address of 1010 Brickell Avenue, employee of the broker hired by the City for the sale of the property, addressed the City Council.**

**REPORT: Motion to Approve Administrative Item 10C made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

- 10 D.** First reading of proposed ordinance amending Chapter 98 entitled “Zoning” Article III. “Plans and Plats”, Division 3. Subdivision Plats; Section 98-349 Unity of Title; Covenant in lieu thereof, of the Code of Ordinances of the City of Hialeah, by clarifying that the exception to the subdivision of plat requirement for the BDH Business Development District, is subject to compliance with the subdivision provisions of Chapter 28 of the Miami-Dade County Code; 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.

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**REPORT: Motion to Approve Administrative Item 10D made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 4-0-3 with Council Vice President Perez,**

Council Member De la Rosa and Council Member Hernandez absent.

REPORT: Second reading and public hearing is scheduled for August 10, 2021.

**11. BOARD APPOINTMENTS**

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A. REPORT: None.

**12. UNFINISHED BUSINESS**

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A. REPORT: None.

**13. NEW BUSINESS**

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**14. ZONING**

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**PLANNING AND ZONING**

- PZ 1.** Second reading and public hearing 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.

**ITEM IS POSTPONED UNTIL AUGUST 10, 2021.**

<i>On July 13, 2021, the item was postponed per the applicant's request until July 13, 2021.</i>
<i>The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.</i>
<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>

**PZ 2.** Second reading and public hearing 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.

**ITEM IS POSTPONED UNTIL AUGUST 10, 2021.**

<i>On July 13, 2021, the item was postponed per the applicant's request until July 13, 2021.</i>
<i>The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.</i>
<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, (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>

**PZ 3.** First reading of proposed ordinance granting a variance permit to allow only residential uses where a mixed use is required; allow residential use on the ground floor, where residential uses are allowed above the ground level only; allow all residential units with an area of approximately 646 square feet, where area of 850 square feet is the minimum required and only 10% of the units may have an area of 600 square feet; allow 5.66 feet front setback for the main building, 2.66 feet for balconies above the ground floor fronting Palm Avenue, allow front setback of 4.25 feet for the main building, and 1.25 feet

for the balconies above the ground floor fronting East 46 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; all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(e)(1), 98-2189(16)a., and 98-205(b)(1). **Property located at 4597-4599 Palm Avenue, Hialeah, zoned R-3-5 (Multiple-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

<i>On June 22, 2021, the City Council overturned the Recommendation of Denial by the Planning and Zoning Board. First reading is scheduled for July 13, 2021.</i>
<i>On June 8, 2021, the City Council tabled the item until June 22, 2021.</i>
<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, 4597-4599 Palm Avenue, Hialeah, Florida.</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 Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for August 10, 2021.**

**PZ 4.** First reading of proposed ordinance rezoning properties located at 821 and 831 SE 8 Avenue from R-1 (One-Family District) to B-1 (Highly Restricted Retail District) and property located at 820 SE 8 Court from R-1 (One-Family District) to P (Parking); granting a variance permit to allow a mixed development with 100% of the units having an area of approximately 650 square feet, where only 10% of the units may have an area of less than 850 square feet; allow interior south side setback of 0 feet and 5 feet interior rear setback, where 15 feet setback is required on property lines abutting low density residential; allow 40 parking spaces, where 70 are required and allow 15% pervious area, where 30% is required. **Properties located at 821 and 831 SE 8 Avenue and 820 SE 8 Court, Hialeah, zoned R-1 (One-Family District).**; all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(e)(2), 98-2189(16)a. and 98-2056(b)(1). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**ITEM IS POSTPONED UNTIL AUGUST 10, 2021.**

<i>Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of SJM Hialeah 8<sup>th</sup> Avenue, LLC.</i>
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<i>On May 12, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Victor &amp; Yarelys Marquez, 821 SE 8<sup>th</sup> Avenue, 831 SE 8<sup>th</sup> Avenue &amp; 820 SE 8<sup>th</sup> Court, Hialeah, Florida.</i>

**PZ 5.** First reading of proposed ordinance granting a Conditional Use Permit (CUP) to allow a K-12 Charter School with a maximum capacity of 2,950 students pursuant to Hialeah Code of Ordinances § 98-181; **Property generally located at the southwest corner of East 32 Street and East 4 Avenue, Hialeah zoned HPD (Hialeah Park District).** Repealing all ordinances of 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 Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

<i>Registered Lobbyist: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland &amp; Knight LLP, 701 Brickell Avenue, Suite 3300, Miami, FL 33131</i>
<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida, 33131, on behalf of Mater Academy Inc.</i>
<i>On June 23, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Bal Bay Realty LTD, 2200 East 4 Avenue, Hialeah, Florida 33013</i>

**REPORT: Motion to Approve Item PZ 5 made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 4-0-3 with Council Vice President Perez, Council Member De la Rosa and Council Member Hernandez absent.**

**REPORT: Second reading and public hearing is scheduled for August 10, 2021.**

## **15. LAND USE**

**LU 1.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Kennels to Industrial District. **Property located at 240 West 28 Street, Hialeah, Florida, zoned M-1 (Industrial District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**ITEM IS POSTPONED UNTIL AUGUST 3, 2021.**

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021.</i>



<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Yerandis Leal, 6541 West 12 Avenue, Hialeah, Florida 33012.</i>

- LU 2.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Industrial to Transit Oriented Development District. **Property located at 4800 NW 37 Avenue, Hialeah, Florida, zoned TOD (Transit Oriented Development District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**ITEM IS POSTPONED UNTIL AUGUST 3, 2021.**

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021.</i>
<i>Registered Lobbyist: Felix M. Lasarte, 3520 NE 1<sup>st</sup> Avenue, Suite 334, Miami, Florida 33137, on behalf of 4700 NW 37<sup>th</sup> Investments.</i>
<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: 4700 NW 37<sup>th</sup> Investments, 2665 S. Bayshore Drive, Suite 1020.</i>

- LU 3.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential. **Property located at 2901 East 5 Avenue, Hialeah, Florida, zoned R-1 (One-Family District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**ITEM IS POSTPONED UNTIL AUGUST 3, 2021.**

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021</i>
<i>Registered Lobbyist: Manny Reus, 18501 Pines Boulevard, Pembroke Pines, Florida, on behalf of Marcial Rodriguez.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Juan Barroso.</i>
<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Juan Barroso, 8005 NW 164 Terrace, Miami Lakes, Florida 33016</i>

- LU 4.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Commercial to High Density Residential. **Property located at 3090 Palm Avenue, Hialeah, Florida, zoned C-2 (Liberty Retail Commercial District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and providing for an effective date.

**ITEM IS POSTPONED UNTIL AUGUST 3, 2021.**

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Miami Thirty Palms Inc.</i>
<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Thirty Palms Inc., Cesar Munoz, Marlene Munoz, 144 Hialeah Drive, Hialeah Florida, 33010.</i>

**REPORT: Council President Tundidor adjourned the meeting at 8:03 p.m.**

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

**NEXT SPECIAL MEETING OF THE CITY COUNCIL: August 3, 2021 at 5:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, August 10, 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.

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).