

Esteban Bovo, Jr.
Mayor

Carl Zogby
President

Monica Perez
Vice President



Council Members
Bryan Calvo
Vivian Casàls-Muñoz
Jacqueline Garcia-Roves
Luis Rodriguez
Jesus Tundidor

City Council Meeting
Minutes
September 27, 2022
7:00 p.m.

1. CALL TO ORDER

A. **REPORT:** Council President Zogby called the meeting to order at 7:04 p.m.

2. ROLL CALL

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

1. Council President Zogby
2. Council Vice President Perez
3. Council Member Calvo (*arrived at 7:08 p.m. during the Item 6B presentation*)
4. Council Member Casàls-Muñoz
5. Council Member Garcia-Roves
6. Council Member Rodriguez
7. Council Member Tundidor

B. REPORT:

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

3. INVOCATION

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

4. PLEDGE OF ALLEGIANCE

A. Council President 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 YouTube page (www.youtube.com/cityofhialeahgov).
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

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

6. PRESENTATIONS

- A. Big Check Presentation by Miami-Dade County Commissioner Rene Garcia to the City of Hialeah of the allocation of \$50,000.00 of FTX Arena Monies from Miami-Dade County District 13 for the Early Prevention and Intervention Youth Program (EPI).

(DEPARTMENT OF PARKS AND RECREATION)

POSTPONED UNTIL OCTOBER 11, 2022.

- B. The Hialeah Department of Parks and Recreation presents the Mayor and the Members of the City Council with special items honoring their participation in the parks during their youth and their continued support for the services the department provides.

(DEPARTMENT OF PARKS AND RECREATION)

REPORT: Steven Diaz, on behalf of the Parks and Recreation Department presented Mayor Bovo, all City Council Members, the City Attorney and the City Clerk with a City of Hialeah Parks and Recreation T-Shirt.

7. COMMENTS AND QUESTIONS

- A. **REPORT:** The Office of the City Clerk did not receive any email message to be read into the record from a person interested in making comments or posing questions on matters of public concern.
- B. **REPORT:** No member of the public participating via Zoom expressed interest in making comments or posing questions on matters of public concern.
- C. **REPORT:** Four (4) members of the public present in the Council Chambers expressed interest in speaking during this portion of the meeting:
- 1) **Juan Santana, 5601 West 10 Avenue**, expressed support towards a Community Reinvestment Act (CRA) in Hialeah, and spoke regarding an increase in the cost of water and sewer.
 - 2) **Lauren Garcia, 10224 West 30 Street**, addressed the City Council on the White Rock Quarries blasting and its effect on homes located nearby.
 - 3) **Tere Menendez, 6435 West 4 Avenue**, addressed the City Council regarding the lack of sufficient parking in new apartment complexes.
 - 4) **Gabriel Rodriguez, 361 East 12 Street**, addressed the City Council on garage pickup and water and sewer rates.
 - 5) **Gonzalo Planas, 4450 East 10 Court**, owner of G & R, Corp., spoke regarding business relations between the City and the company, and provided the City Council with a copy of Miami-Dade Commission on Ethics & Public Trust Conclusion Memorandum for case number PI 20-10, a copy which is on file in the Office of the City Clerk.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

A. Postponed Items:

- Consent Item C is postponed by the administration until further notice.
- Consent Item G is postponed by the administration until further notice.
- PZ 1 is postponed until the City Council Meeting of October 11, 2022.

B. Add-On Items:

- Consent Item RR
- Consent Item SS
- Consent Item TT

9. CONSENT AGENDA

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

REPORT: Council Member Calvo requested that Consent Items O, Y and QQ be removed from the Consent Agenda for separate discussion.

REPORT: Motion to Approve the Consent Agenda, except Consent Items O, Y and QQ made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

- A. Request permission to approve the minutes of the City Council Meeting held on September 13, 2022 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- B. Request permission to approve the minutes of the Meeting of the City Council – First Budget Hearing for fiscal year 2023 held on September 14, 2022 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- C. **RESOLUTION:** Proposed resolution repealing and rescinding Resolution No. 2021-112 (August 24, 2021) that authorized a “Piggyback Contract” with FPL Services, LLC., pursuant to Hialeah Code of Ordinances § 2-818 that approved, pursuant to Section § 489.145 Florida Statutes, a Guaranteed Energy Performance Savings Master Agreement not to exceed \$15,000,000.00, and allowed the payment of an Investment Grade Audit at a price of \$242,369.00 to determine the scope of the energy conservation improvements, and approved related schedules; and providing for an effective date.

(ADMINISTRATION)

ITEM IS POSTPONED BY THE ADMINISTRATION UNTIL FUTHER NOTICE.

On September 13, 2022, the item was postponed until September 27, 2022.

On April 12, 2022, the City Council postponed the item until September 13, 2022.

On March 22, 2022, the item was postponed until April 12, 2022.

- D.** Request from Richard Centauro of Tents N Events, on behalf of Home Depot USA Inc., for a Christmas tree sale permit, with the installation of a temporary canopy taking place on Monday, November 14, 2022, and take down on Wednesday, December 21, 2022, and with sales from Friday, November 18, 2022 through Sunday, December 18, 2022, at Home Depot Store No. 6378, located at 950 Southeast 12 Street, Hialeah, Florida, in accordance with the requirements of the Hialeah Risk Management Department, Hialeah Fire Department and Hialeah Police Department.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- E.** Request from Richard Centauro of Tents N Events, on behalf of Home Depot USA Inc., for a Christmas tree sales permit, with the installation of a temporary canopy taking place on Monday, November 14, 2022 and take down on Wednesday, December 21, 2022, and with sales from Friday, November 18, 2022 through Sunday, December 18, 2022, at Home Depot Store No. 202, located at 1590 West 49th Street, Hialeah, Florida, in accordance with the requirements of the Hialeah Risk Management Department, Hialeah Fire Department and Hialeah Police Department.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- F.** Request permission to pay in full satisfaction of the judgment entered on August 30, 2022 against the City of Hialeah and in favor of the Board of Trustees of Hialeah Firefighters Local 1102, et al, Plaintiffs, for \$1,093,994.98.

(LAW DEPARTMENT)

APPROVED 7-0

- G. RESOLUTION:** Proposed resolution accepting a grant from Miami-Dade County in the amount of \$50,000.00 to fund the activities of the Hialeah Early Prevention and Intervention (EPI) Youth Program; authorizing the Mayor, or the Director of Parks, as the Mayor's designee, and the City Clerk, as attesting witness, on behalf of the City, to execute any application, interlocal agreement or other document required by Miami-Dade County in furtherance of this resolution; and providing for an effective date.

(ADMINISTRATION)

(DEPARTMENT OF PARKS AND RECREATION)

ITEM IS POSTPONED BY THE ADMINISTRATION UNTIL OCTOBER 11, 2022.

- H. RESOLUTION:** Proposed resolution accepting a grant in the amount of \$47,141.47 from the University of North Florida Training and Services Institute d/b/a Institute of Police Technology

and Management (“IPTM”); approving and accepting the terms of use of the grant funds as set forth in the Letter of Agreement and Contract attached as Exhibit “A”; on a reimbursement basis, authorizing the Mayor, or the Police Chief, as the Mayor’s designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the Letter of Agreement and any other customary and necessary document in the furtherance of this resolution; and providing for an effective date.

(POLICE DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2022-116

- I. Request permission to issue a purchase order to Sirsi Corporation, for year four (4) of a five (5) year ILS Subscription Agreement, for support and maintenance of the Library’s Symphony SaaS ILS System, from October 1, 2022 through September 30, 2023, in a total cumulative amount not to exceed \$40,626.41. On August 13, 2019, the City Council approved Resolution No. 2019-091 approved the entering of a Software as a Service (SaaS) Master Agreement with this vendor for five (5) years.

The funding for this expenditure is to be withdrawn from General Fund - Contractual Services Account No. 001.3110.571.340 subject to the approval of the fiscal year 2023 budget.

(LIBRARY)

APPROVED 7-0

- J. **RESOLUTION:** Proposed resolution authorizing the application for, and the acceptance of, a State Aid to Libraries Operating Grant from the Florida Department of State, Division of Library and Information Services, for the fiscal year 2022-2023, in an amount based on the City’s Library’s operating expenses for fiscal year 2020-2021 and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a State Aid to Libraries Grant Agreement, attached as Exhibit “1”.

(LIBRARY)

APPROVED 7-0

RESOLUTION NO. 2022-117

- K. **RESOLUTION:** Proposed resolution approving the Library’s Annual Plan of Service for fiscal year 2022-2023, attached as Exhibit “1”, for submittal to the State Library of the State of Florida in order to maintain eligibility as a recipient of state and federal funds.

(LIBRARY)

APPROVED 7-0

RESOLUTION NO. 2022-118

- L. Request permission to waive competitive bidding, since it is advantageous to the City in that the

City utilizes the vendor for the purchase of most of its appliances, parts and related components, and increase Purchase Order No. 2022-142, issued to South Florida Appliance, Inc., to pay pending repairs, as well as for payment of the following outstanding invoices:

Invoice No. 35090 for \$58.99	Invoice No. 35112 for \$68.99	Invoice No. 35178 for \$775.00
Invoice No. 81229 for \$299.09	Invoice No. 81278 for \$97.71	Invoice No. 81491 for \$20.62
Invoice No. 81492 for \$16.89	Invoice No. 279799 for \$435.00	Invoice No. 282636 for \$16.40
Invoice No. 282757 for \$113.63	Invoice No. 282781 for \$12.94	Invoice No. 282901 for \$224.16
Invoice No. 282904 for \$430.00	Invoice No. 282924 for \$40.80	Invoice No. 282925 for \$35.49
Invoice No. 283159 for \$85.15	Invoice No. 283281 for \$91.09	Invoice No. 283351 for \$66.25
Invoice No. 283470 for \$197.76	Invoice No. 283502 for \$13.00	Invoice No. 283503 for \$16.89
Invoice No. 283520 for \$20.62	Invoice No. 283633 for \$33.57	Invoice No. 283643 for \$36.45
Invoice No. 283749 for \$32.83	Invoice No. 283838 for \$35.49	Invoice No. 283949 for \$7.76
Invoice No. 284145 for \$35.49	Invoice No. 284146 for \$18.59	Invoice No. 284444 for \$17.96
Invoice No. 284445 for \$12.77	Invoice No. 284542 for \$45.16	Invoice No. 284996 for \$29.58
Invoice No. 285085 for \$57.40	Invoice No. 285106 for \$121.08	Invoice No. 285107 for \$6.76
Invoice No. 285182 for \$75.40	Invoice No. 285274 for \$29.58	Invoice No. 285659 for \$467.64
Invoice No. 285668 for \$903.69	Invoice No. 285691 for \$85.26	Invoice No. 285745 for \$41.86
Invoice No. 286025 for \$45.94	Invoice No. 286062 for \$90.12	Invoice No. 285275 for \$29.58

by an additional amount of 7,500.00, for a total cumulative expense amount not to exceed \$40,000.00.

The funding for this expenditure is to be withdrawn from General Fund – Inventory - Construction & Maintenance Account No. 001.0000.141.150.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- M. Request permission to utilize the Board of Directors of Region 4 Education Service Center of the State of Texas Contract No. R201101 – *Athletic, Physical Education Supplies, and Team Uniforms*, effective through September 30, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add BSN Sports, LLC, to the list of vendors for the purchase of athletic, physical education supplies, and

team uniforms to be used by City programs offered through various City departments.

(PURCHASING DIVISION)

APPROVED 7-0

- N. **RESOLUTION:** Proposed resolution approving Purchase Order Q-03935259, an agreement between the City of Hialeah and West Publishing Corporation, for a term of three years, beginning on November 1, 2022 and ending on October 31, 2025, for a monthly payment of \$1,504.91 for the first year, and a five percent (5%) increase each subsequent year, for a total amount not to exceed \$18,058.92 for year one, \$18,961.92 for year two, and \$19,910.04 for year three, subject to appropriations, for access by authorized law enforcement officers and unsworn staff of the Hialeah Police Department to West's Clear Databases for investigative purposes.

(POLICE DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2022-119

- O. Request retroactive permission to waive competitive bidding, since it is advantageous to the City in that at the beginning of this calendar year a purchase order was issued to this vendor for \$15,000.00 and the number of affordable housing unit work was more than expected, and to increase Purchase Order No. 2022-1773, issued to E & D Paint Service Corp, for the payment of outstanding invoices for affordable housing painting, striping and floor waxing, and general cleaning services, by an additional amount of \$1,660.00, for a total cumulative expense amount not to exceed \$16,660.00.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

REPORT: Tim Benjamin, Acting Director of the City's Department of Construction and Maintenance, spoke on this item.

REPORT: Luis Suarez, Purchasing Manager, spoke on this item.

REPORT: Mayor Bovo spoke on this item.

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

- P. Request retroactive permission to waive competitive bidding, since it is advantageous to the City in that at the beginning of this fiscal year a purchase order was issued to this vendor for \$15,000.00 and the amount of debris required to be removed is unusually high and timely removal is in the City's best interest, and to increase Purchase Order No. 2022-351, issued to Waste Management Inc. of Florida, for the removal and disposal of debris, by an additional

amount of \$2,621.20, for a total cumulative expense amount not to exceed \$17,621.20.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- Q.** Request permission to increase Purchase Order No. 2022-259, since it is advantageous to the City in that due to numerous emergency repairs required to satisfy the annual fire alarm certifications, elevator inspections, unexpected repairs due to the age and condition of the equipment at some of the City's older buildings and acts of God the allocated allowance of \$125,000.00 has been depleted, issued to G. & R. Electric Corp., to pay for outstanding invoices, as well as to cover all future repairs that may arise through the end of the 2022 fiscal year, by an additional amount of \$25,000.00, for a total cumulative expense amount not to exceed \$150,000.00. On September 22, 2020, the City Council awarded Hialeah Invitation to Bid No. 2019/20-8500-36-0022 – *Fire Alarm Monitoring, Maintenance and Annual Testing* to this vendor for a period ending on September 30, 2023.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- R.** Request permission to award Hialeah Bid No. 2021-22-3230-00-29 – *Fire Alarm System Victor Wilde Park* to Dan Enterprises Team LLC, lowest responsive and responsible bidder, in the amount of \$43,510.00 for fiscal year 2022.

The funding for this expenditure is to be withdrawn from General Fund – Repair & Maintenance - Building Account No. 001.3130.572.461.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- S.** Request permission to waive competitive bidding, since it is advantageous to the City in that at the beginning of this fiscal year a purchase order was issued to this vendor for \$15,000.00 and increased by \$5,000.00 on April 12, 2022, and due to the higher than anticipated need for electrical supplies for numerous city-wide repairs the allocated allowance needs to be increased, and increase Purchase Order No. 2022-360, issued to ASP Alarm & Electrical Supplies, Inc., for the purchase of electrical supplies and parts, by an additional amount of \$11,153.12, for a total cumulative expense amount not to exceed \$31,153.12.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- T. Request retroactive permission to waive competitive bidding, since it is advantageous to the City in that at the beginning of the 2022 fiscal year two (2) purchase orders were issued to this vendor totaling \$15,000.00 (\$5,000.00 for affordable housing and \$10,000.00 for general government), and due to the higher than anticipated amount of painting needs for affordable housing and throughout the City the allocated allowance needs to be increased, and to increase Purchase Order No. 2022-136 (affordable housing), by an additional amount of \$11,799.31, and Purchase Order No. 2022-349 (general government), by an additional amount of \$3,833.87, both issued to The Sherwin-Williams Company, for a total cumulative expense amount not to exceed \$30,633.18.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- U. Request retroactive permission to waive competitive bidding, since it is advantageous to the City in that at the beginning of this fiscal year two (2) purchase orders were issued to this vendor totaling \$15,000.00 (\$5,000.00 for affordable housing and \$10,000.00 for general government), and due to numerous acts of vandalism at City facilities, the City's Department of Construction and Maintenance was required to replace damaged and stolen fire extinguishers, as well as recharge those that had been set off and so the allocated allowance needs to be increased, and to increase Purchase Order No. 2022-345 (affordable housing), by an additional amount of \$2,894.49, and Purchase Order No. 2022-334 (general government), by an additional amount of \$6,246.23, both issued to Pye-Barker Fire & Safety, LLC, for a total cumulative expense amount not to exceed \$24,140.72.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- V. Request permission to waive competitive bidding, since it is advantageous to the City in that a purchase order was issued to this vendor for \$10,000.00 and increased by \$25,000.00 on December 14, 2021, and due to numerous unexpected repairs and replacements the allocated allowance has been depleted, and increase Purchase Order No. 2022-301, issued to Carrier Corporation, to pay for outstanding invoices and cover all future air conditioning repairs that may arise until the end of the 2022 fiscal year, by an additional amount of \$10,000.00, for a total cumulative expense amount not to exceed \$45,000.00.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- W. Request retroactive permission to waive competitive bidding, since it is advantageous to the City in that in the beginning of the 2022 fiscal year two (2) purchase orders were issued to this vendor totaling \$15,000.00 (\$5,000.00 for affordable housing and \$10,000.00 for general government) for the replacement of air conditioning units, and to increase Purchase Order No. 2022-241, issued to Trane U.S. Inc., to pay for outstanding invoices due to the higher than expected number of air conditioner parts and supplies needed in affordable housing, by an additional amount of \$7,892.83, for a total cumulative expense amount combining both purchase orders of \$22,892.83.

The funding for this expenditure will be charged to the individual buildings utilizing this service.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- X. Request permission to enter into a Professional Services Agreement for the STEP Ahead Afterschool Program funded by The Children's Trust grant with J. & M. Vera School Bus Service, Inc., vendor who in response to Hialeah Request for Quote No. 2021-22-004 published through BidNet to secure transportation services from a vendor off the Miami-Dade Schools pool of private bus services, is able to provide a fee that would allow for services that are aligned with the budgeted line item amount for transportation services from the Children's Trust award and comply with safety transportation requirements from the funder, from August 1, 2022 through July 31, 2023, in a total cumulative amount not to exceed \$116,100.00, subject to the approval of the fiscal year 2023 budget.

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 7-0

- Y. Request permission to utilize Contract No. C-15-38-08-WL – *Meter Reading Services*, between the City of Sunrise and this vendor, effective through February 28, 2023, and issue a purchase order to Bermex, Inc., for a six-month demonstration project to compare the effectiveness and efficiency of City services and private services reading water meter routes of similar complexity and size in order to address customer perception regarding the reading of water meters by City personnel, in a total cumulative amount not to exceed \$232,848.00, amount which includes a ten percent (10%) contingency.

The funding for this expenditure is to be withdrawn from Water & Sewers Division Fund – Contractual Services Account No. 450.9500.536.340 after a transfer of \$53,806.11 from Water & Sewers Division Fund – Contingency Reserve Account No. 450.9500.536.500.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 7-0

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

- Z. Request permission to utilize City of Tamarac Contract No. 19-12R – *Office Supplies, Products*

and Related Services, effective through October 13, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and keep Office Depot as the primary vendor for the purchase of office supplies.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- AA.** Request permission to utilize Miami Dade County Contract No. 5516-1/23 and 5516/23-1 – *Arts, Crafts and Ceramic Supplies*, effective through August 31, 2023, to establish a pool of approved vendors from Miami-Dade County for the procurement of arts, crafts, and ceramic supplies.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- BB.** Request permission to utilize Prince William County Public Schools, Virginia Contract No. R-TC-17006, effective through January 18, 2024, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, to keep Amazon Business as the online marketplace for the purchase of items and supplies City departments need to run day-to-day operation.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- CC.** Request permission to utilize University of California, CA Contract No. 2018.000207 – *Maintenance, Repair, Operations (MRO) Supplies and Equipment*, effective through June 30, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and add W.W. Grainger Inc. to the list of vendors to provide maintenance, repair, and operations (MRO) supplies and equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- DD.** Request permission to utilize University of California, CA Contract No. 2018.000208 – *Maintenance, Repair, Operations (MRO) Supplies and Related Services*, effective through June 30, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add Fastenal Company to the list of vendors to provide maintenance, repair and operations supplies and equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- EE.** Request permission to utilize City of Kansas City, Missouri Contract No. EV2370 – *Electrical, Lighting, Data Communications and Security Products and Related Products, Services and Solutions*, effective through January 31, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add Graybar Electric Company, Inc. to the list of vendors for electrical, lighting, data communications and security.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- FF.** Request permission to utilize Maricopa County, Arizona Contract No. R16154 – *Maintenance, Repair, Operating Supplies, Industrial Supplies and Related Products and Services*, effective through December 31, 2026, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add Home Depot Pro to the list of vendors to provide maintenance, repair and operations (MRO) supplies and equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- GG.** Request permission to utilize Region 4 Education Service Center of the State of Texas Contract No. R192006 – *Maintenance, Repair and Operations (MRO) Supplies and Equipment*, effective through March 31, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add Lowe's to the list of vendors to provide maintenance, repair and operations (MRO) supplies and equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- HH.** Request permission to utilize Sourcewell Contract No. 071819-PAL – *Physical Education Equipment & Adapted Physical Education Equipment*, effective through October 3, 2023, contract that is part of a cooperative purchasing program that offers government a network of awarded contracts, and add School Health Corporation to the list of vendors to provide athletic, physical education supplies and team uniforms.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- II.** Request permission to utilize Region 4 Education Service Center of the State of Texas Contract No. R201102 – *Athletic, Physical Education Supplies, and Team Uniforms*, effective through September 30, 2025, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add Riddell Inc. to the list of vendors to provide athletic, physical education supplies and team uniforms.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- JJ.** Request permission to utilize Sourcewell Contract No. 071819-PRO – *Physical Education, Athletic, & Fitness Equipment*, effective through October 3, 2023, contract that is part of a cooperative purchasing program that offers government a network of awarded contracts, and add Gopher Sport to the list of vendors to provide athletic, physical education supplies and team uniforms.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- KK.** Request permission to utilize Region 4 Education Service Center of the State of Texas Contract No. R200601 – *Equipment and Tool Rental Services*, effective through October 31, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts

which the City of Hialeah is registered to utilize, and add Sunbelt Rentals, Inc. to the list of vendors to provide rental equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- LL. Request permission to utilize City of Charlotte, North Carolina Contract No. 2019000318 – *Equipment Rentals and Related Products and Services*, effective through October 31, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and add Herc Rentals Inc. to the list of vendors to provide rental equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- MM. Request permission to utilize Sourcewell Contract No. 041719-CEC – *Generators & Portable Power Equipment*, effective through June 17, 2023, contract that is part of a cooperative purchasing program that offers government a network of awarded contracts, and add Clark Equipment Company, doing business as Doosan Portable Power, to the list of vendors to provide rental equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- NN. Request permission to utilize Sourcewell Contract No. 062320-CAT – *Rental Machines, Tools & Equipment*, effective through August 27, 2024, contract that is part of a cooperative purchasing program that offers government a network of awarded contracts, and add Caterpillar Inc. to the list of vendors to provide rental equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- OO. Request permission to utilize Sourcewell Contract No. 062320-URI – *Equipment Rental and Related Services*, effective through August 27, 2024, contract that is part of a cooperative

purchasing program that offers government a network of awarded contracts, and add United Rentals (North America), Inc. to the list of vendors to provide rental equipment.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- PP.** Request permission to utilize Sourcewell Contract No. 121219-SHW – *Paints with Related Supplies*, effective through January 15, 2024, contract that is part of a cooperative purchasing program that offers government a network of awarded contracts the contract, and add The Sherwin-Williams Company to the list of vendors to provide paint and related supplies.

The funding for this expenditure will be charged to the individual departments utilizing this service.

(PURCHASING DIVISION)

APPROVED 7-0

- QQ. RESOLUTION:** Proposed resolution approving an agreement with Becker & Poliakoff, P.A. to assist the City in identifying and securing federal resources, in an amount not to exceed \$50,000.00, among other needs, for the term commencing on October 1, 2022 and ending on September 30, 2023; and authorizing the Mayor or his designee and the City Clerk, as attesting witness on behalf of the City, to execute the Consulting Agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”; and repealing and rescinding Resolution No. 2022-106 (August 23, 2022) which approved a Federal Resources Agreement with Franco Government Relations Inc.; and providing for an effective date.

(OFFICE OF THE MAYOR)

APPROVED 7-0

RESOLUTION NO. 2022-120

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

- RR. ADD-ON ITEM:** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Fiji Elevator Company, Inc., vendor providing the lowest quotation, for the replacement of the elevator governors device needed to pass the five (5) year inspection for two (2) elevators (elevator 1 and elevator 2) located in City Hall, in a total cumulative amount not to exceed \$36,008.00.

The funding for this expenditure is to be charged to Repair & Maintenance – Equipment Account No. 001.8500.519.461 subject to the approval of the fiscal year 2023 budget.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- SS. ADD-ON ITEM:** Request permission to utilize Miami Dade County Contract No. Invitation to Quote (ITQ) 676-21-23 - *Gasoline and Diesel, Transport and Tank Wagon*, and issue a purchase order to Sunshine Gasoline Distributors, Inc., for the purchase of gas and diesel for City vehicles and equipment, in a total expense amount not to exceed \$2,380,000.00.

The funding for this expenditure is to be charged to Inventory – Fuel & Lubricants Account No. 001.0000.141.130 subject to the approval of the fiscal year 2023 budget.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- TT. ADD-ON ITEM:** Request permission to utilize Florida Sheriffs Association Bid 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 new 2025 Pierce Saber Fire Truck, in a total cumulative amount not to exceed \$1,262,627.00 to be paid in fiscal year 2024-2025.

(FIRE DEPARTMENT)

APPROVED 7-0

10. ADMINISTRATIVE ITEMS

REPORT: Mayor Bovo discussed the potential effects of Hurricane Ian on our community and requested that the City’s second budget hearing scheduled for September 28, 2022 be postponed until October 5, 2022. The **City Clerk** read a proposed ordinance in its entirety into the record and it was passed and adopted by the City Council.

➤**RESOLUTION:** Proposed resolution postponing the meeting of the City Council for the purpose of fixing the millage rate and adopting the final budget for fiscal year 2023 to Wednesday, October 5, 2022, at 7:00 p.m. in Council Chambers at City Hall, as a result of the statewide state of Emergency Declaration made by Governor Ron DeSantis by Executive Order 22-218 (September 23, 2022), as amended by Executive Order 22-219 (September 24, 2022), in response to the imminent threat of peril to life and property posed by Hurricane Ian; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2022-121

REPORT: Motion to Approve the proposed resolution made by Council Member Tundidor, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

- 10 A. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, Division 16. “C-2 Liberal Retail Commercial District”, Section 98-1111 entitled “Permitted Uses” of the Code of Ordinances of

the City of Hialeah prohibiting smoke shops and schools, parks or places of worship from siting within 1,000 foot radius from each other; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

(CO-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

<i>On September 13, 2022, the item was postponed. Second reading and public hearing is scheduled for September 27, 2022.</i>

<i>On August 23, 2022, the item was postponed. Second reading and public hearing was scheduled for September 13, 2022.</i>

<i>On August 9, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 23, 2022.</i>

<i>On June 28, 2022, the item was postponed until August 9, 2022.</i>

APPROVED 7-0

ORDINANCE NO. 2022-072

REPORT: Council President Zogby opened the item for public participating for persons present in the Council Chambers or via Zoom. One (1) person via Zoom expressed interest in speaking:

1. **Richard Thurer, 1019 Castile Avenue**, addressed the City Council in favor of Administrative Item 10 A.

REPORT: Motion to Approve Item 10 A made by Council Vice President Perez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

- 10 B. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 18 entitled “Businesses” Article V. “Establishments Offering Alcoholic Beverages and/or Entertainment”, Division 1. “Generally” Section 18-206 entitled “Definitions”, Section 18-207 entitled “Zoning Requirements”, and Section 18-208 entitled “Inspection by Police”, and adding Section 18-211 entitled ‘Smoke Shop Regulations’ and Section 18-212 entitled “Program for the Prevention of Deleterious Health Effects of Tobacco, Nicotine, and Vape Use” to the Code of Ordinances of the City of Hialeah; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

(CO-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

<i>On September 13, 2022, the item was postponed. Second reading and public hearing is scheduled for September 27, 2022.</i>

<i>On August 23, 2022, the item was postponed. Second reading and public hearing was scheduled for September 13, 2022.</i>
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On August 9, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 23, 2022.

On June 28, 2022, the item was postponed until August 9, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-073

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

REPORT: Motion to Approve Item 10 B made by Council Member Garcia-Roves, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Member Tundidor absent.

- 10 C. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 2 entitled “Administration”, Article IV. entitled “Purchasing and Competitive Bidding”, and in particular amending Section 2-781 entitled “Spending Limitations” to raise the expenditure threshold above which all expenditures of municipal funds must be approved by the City Council from \$15,000.00 to \$25,000.00; repealing all ordinances or parts of ordinances in conflict hereof; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-074

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

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

- 10 D. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 2 entitled “Administration”, Article III. entitled “Boards, Commissions and Committees”, by creating Division 9 “Beautification Committee” Sections 2-759 “Established”, 2-760 “Composition and Term of Service”, 2-761, “Duties and Powers”, and 2-762 “Meetings; Quorum and Voting; Attendance Requirements; Rules of Procedures; Minutes”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ADMINISTRATION)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-075

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

REPORT: Motion to Approve Item 10 D as amended made by Council Vice President Perez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

- 10 E. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,358 square feet, more or less, located along NW 158 Street/West 104 Street and west of NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-076

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

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

- 10 F. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 800 square feet, more or less, located along NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and preventing it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-077

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

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

- 10 G. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,279 square feet, more or less, located along West 104 Street/NW 158 Street and immediately west of NW 97 Avenue/West 36 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and preventing it from continuing to move offsite and contaminate adjacent areas via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-078

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

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

- 10 H. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,780 square feet, more or less, located along NW 162 Street/West 108 Street and west of NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-079

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

REPORT: Motion to Approve Item 10 H made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.

- 10 I. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 8,820 square feet or 0.20 acres, more or less, located along and across West 40 Avenue (NW 102 Avenue), as depicted in Exhibit "A"; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

APPROVED 7-0

ORDINANCE NO. 2022-080

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

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

- 10 J.** First reading of proposed ordinance amending Chapter 42 entitled "Floods and Water Management" for the purpose of ensuring compliance with the State's Floodplain Management Model Ordinance and National Flood Insurance Program; repealing ordinances in conflict hereof; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date.

(BUILDING)

ITEM IS POSTPONED UNTIL OCTOBER 11, 2022.

- 10 K.** First reading of proposed ordinance amending the organizational structure of the City placing the functions and operations of Retirement under the supervision of the Human Resources

Department as a Division of Human Resources; amending Chapter 2 of the Code of Ordinances of the City of Hialeah entitled “Administration,” Article II “Departments, Offices and Divisions,” providing duties and responsibilities of the new Retirement Division and other amendments to conform; providing for a severability clause; repealing all ordinances in conflict herewith; providing for inclusion in the code; and providing for an effective date.

(ADMINISTRATION)

APPROVED 7-0

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

REPORT: Second reading and public hearing is scheduled for October 11, 2022.

11. BOARD APPOINTMENTS

- 11A. **RESOLUTION:** Proposed resolution reappointing **Esmiley Iglesias** as Council President Zogby’s appointment to the Planning and Zoning Board for a two (2)-year term ending on September 9, 2024.

(COUNCIL PRESIDENT ZOGBY)

APPROVED 7-0

RESOLUTION NO. 2022-122

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

- 11B. **RESOLUTION:** Proposed resolution appointing **Priscilla Consuegra** as one of the four member appointments to the Cultural Affairs Council of the City of Hialeah for a two (2)-year term ending on September 28, 2024.

(CITY COUNCIL)

(NOMINATION MADE BY COUNCIL MEMBER TUNDIDOR)

APPROVED 7-0

RESOLUTION NO. 2022-123

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

12. UNFINISHED BUSINESS

- **Council Member Tundidor** spoke on the sale of a residential property originally owned by

James H. Bright and possibility of designating the property as historical in order to preserve its history.

- **Mayor Bovo** thanked the City of Hialeah Parks and Recreation employees for packing and distributing sand bags in response to Hurricane Ian, and William Sanchez Director of Parks and Recreation for his leadership.
- **Jose Sanchez, Director of the Hialeah Streets Department,** spoke regarding flooding.

13. NEW BUSINESS

REPORT: None.

14. ZONING

REPORT: All were duly sworn in.

PLANNING AND ZONING

PZ 1. Second reading and **public hearing** of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a K-1 grade school with an enrollment of 20 students within a facility that also includes a daycare with an enrollment of 33 students; **property located at 543 East 9 Street, Hialeah, zoned C-2 (Liberal Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

ITEM IS POSTPONED UNTIL OCTOBER 11, 2022.

<i>On September 13, 2022, the item was postponed. Second reading and public hearing is scheduled for September 27, 2022.</i>

<i>On August 23, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for September 13, 2022.</i>

<i>On August 10, 2022, the Planning and Zoning Board recommended approval with conditions.</i>

<i>Planner's Recommendation: Approve with the condition that the old signs are replaced by two new state-of-the-art signs.</i>

<i>Property Owner: Gladys Perez, 971 East 26th Street, Hialeah, FL 33013</i>

PZ 2. First reading of proposed ordinance rezoning property from RO (Residential Office) to RO (Residential Office) incorporating a Site Plan as required by § 98-784 of the City of Hialeah Code of Ordinances. **Property located at 260 Hialeah Drive, Hialeah, zoned RO**

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

<i>On September 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Nelson Sanchez and Yahanka Perrira, 14900 SW 164th Terrace, Miami FL 33187</i>

APPROVED 7-0

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

REPORT: **Motion to Approve Item PZ 2 made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

REPORT: **Second reading and public hearing is scheduled for October 11, 2022.**

PZ 3. First reading of proposed ordinance rezoning property from C-1 (Restricted Retail Commercial District) to C-3 (Extended Liberal Commercial District); to allow a proposed expansion of the adjacent gas station and convenience store; **property located at 336 West 9 Street, Hialeah, zoned C-1 (Restricted Retail Commercial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Mostafa Setayesh, President, 107755 Sandhill Road, Dallas, TX, 75288</i>

APPROVED 7-0

REPORT: **John Oshy, 10755 Sandhill Road**, addressed the City Council.

REPORT: **Motion to Approve Item PZ 3 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.**

REPORT: **Second reading and public hearing is scheduled for October 11, 2022.**

PZ 4. First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow the expansion of the footprint of a 276-bed skilled nursing facility with a distance separation of less 500 feet from single family homes and less than 1,200 feet from another existing similar facility; granting a variance permit to allow the expansion of the footprint of a legal non-conforming use for the redevelopment of an existing senior living facility currently having 100 assisted living facility beds and 276 skilled nursing beds; **properties located at 195 West 27 Street, 141 West 27 Street, 130, 140, 150 and 160 West 28 Street, Hialeah, zoned R-3 (Multiple-Family District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33133, on behalf 140 LLC, 10800 Biscayne Boulevard, Suite 600, Miami, FL 33161.</i>
<i>On September 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: HLRE LLC and Abraham Shaulson</i>

APPROVED 7-0

REPORT: Alex Menendez, 10520 NE 6 Avenue, Miami Shores, addressed the City Council.

REPORT: Motion to Approve Item PZ 4 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for October 11, 2022.

PZ 5. First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah code of Ordinances § 98-181 to allow a K-6 grade school with an enrollment of 47 students within a facility that also includes a daycare with an enrollment of 36 children; **property located at 380 West 21 Street, Hialeah, zoned M-1 (Industrial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 7, 2022, the Planning and Zoning Board recommended approval with the condition that the site improvements detailed in the plans prepared by Octavio Santurio, Architect, be permitted and the work finalized before August 2023 prior to the start of the</i>

school year. The Planning and Zoning Board further recommended that if the condition is not met, the Business Tax Receipt for the school not be renewed in the year 2023.

Planner's Recommendation: Approval with conditions

Property Owner: AJM Hialeah Holdings, LLC, c/o Alicia Paez, 380 West 21 Street, Hialeah FL 33010

APPROVED 7-0

REPORT: Motion to Approve Item PZ 5 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for October 11, 2022.

15. LANDUSE

LU 1. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Residential Office District to Commercial District; **property located at 355 West 49 Hialeah, zoned RO (Residential Office)**; 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.

Registered Lobbyist: Felix Lasarte, 3250 Northeast 1 Avenue, Hialeah, Florida Suite 334, on behalf of Aileen Tablado.

On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.

On August 24 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Aileen Tablado - 355 West 49th Street, Hialeah FL 33012.

APPROVED 7-0

ORDINANCE NO. 2022-081

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

REPORT: Felix Lasarte, 3250 Northeast 1 Avenue, Hialeah, Florida Suite 334, addressed the City Council.

REPORT: Motion to Approve Item LU 1 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.

LU 2. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Industrial to Transit Oriented Development District; **property located at 1140 East 25 Street Hialeah, zoned M-1 (Industrial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: 1140 East Owner, LLC</i>

APPROVED 7-0

ORDINANCE NO. 2022-082

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

REPORT: Motion to Approve Item LU 2 made by Council Member Tundidor, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

LU 3. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Major Institutions to Commercial District; **property located at 8155 West 12 Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>Registered Lobbyists: Hugo P. Arza, Esq., and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami FL 33131, on behalf Prestige Builders Construction Management, LLC.</i>

<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Daniel Caamano and Daniel Tobias Caamano Living Trust, 5400 N 35 Street, Hollywood Florida 33021.</i>

APPROVED 6-0-1 with Council Vice President Perez having abstained from voting.

ORDINANCE NO. 2022-083

REPORT: Motion to Approve Item LU 3 made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President Perez having abstained from voting.

REPORT: Council Vice President Perez abstained from voting on the item and filed the Form 8B - Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers with the City Clerk.

- LU 4. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Industrial to Commercial District. **Property located at 7445 West 4 Avenue, Hialeah, zoned M-1 (Industrial District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>Registered Lobbyists: Hugo P. Arza, Esq., and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami FL 33131, on behalf Prestige Builders Construction Management LLC.</i>
<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Feuer Family 2 LLC</i>

APPROVED 7-0

ORDINANCE NO. 2022-084

REPORT: Council President Zogby opened the item for public participating and no one present
9/30/2022 2:22 PM

in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Motion to Approve Item LU 4 made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

LU 5. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low Density Residential and Major Institutions to Medium Density Residential District; **property located at 585 East 26 Street, 591 East 26 Street, 595 East 26 Street, Folio No. 04-3108-001-2570 and 04-3108-001-2580, Hialeah zoned R-1 (One-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>Registered Lobbyist: Manny Reus, 18501 Pines Boulevard #342, Pembroke Pines FL 33029 on behalf of Hialeah Re-Investment, LLC</i>
<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Hialeah Re-Investment, LLC and Odaly Kuck, 8600 NW 41 Street, Doral, Florida 33166.</i>

APPROVED 5-1-1 with Council Member Rodriguez voting “No” and Council Member Calvo not present during roll call.

ORDINANCE NO. 2022-085

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

REPORT: Motion to Approve Item LU 5 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 5-1-1 with Council Member Rodriguez voting “No” and Council Member Calvo not present during roll call. Council Member Calvo recoded his vote as “Yes” after the item was approved.

LU 6. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential District; **property located at 350 East 40 Street, Hialeah, zoned R-1 (One-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>Registered Lobbyist: Frank De La Paz, 9361 Bird Road, Miami Florida 33165, on behalf of Suny Comfort Home, LLC</i>

<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Raul Fernandez and Maria Fernandez, 330 West 43rd Street, Hialeah Florida 33012.</i>

APPROVED 7-0

ORDINANCE NO. 2022-086

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

REPORT: Motion to Approve Item LU 6 made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

LU 7. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential District; **property located at 10 West 53 Terrace, Hialeah, zoned A (Agricultural District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Pedro Felipe Alvarez Pena, 10 West 53 Terrace, Hialeah, Florida 33012</i>

APPROVED 7-0

ORDINANCE NO. 2022-087

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

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

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

LU 8. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Medium Density Residential to Major Institutions; **property located at 141 West 27 Street, 130, 140, 150, 160 West 28 Street, Hialeah, zoned R-3 (Multiple-Family District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33133, on behalf 140 LLC.</i>
<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Abraham Shaulson, 10800 Biscayne Blvd, Suite 600, Miami, Florida 33161.</i>

APPROVED 7-0

ORDINANCE NO. 2022-088

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

REPORT: Motion to Approve Item LU 8 made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

LU 9. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial District; **property located at 291 West 49 Street, Hialeah, zoned RO (Residential Office District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>Registered Lobbyist: Christian de Gale, 1110 Brickell Avenue, Suite 504, Miami, Florida 33131, on behalf of Development Alliance.</i>
<i>On August 24 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Dr. Pablo Guala, 4811 West 4th Avenue, Hialeah FL 33012</i>

APPROVED 7-0

ORDINANCE NO. 2022-089

REPORT: Motion to Approve Item LU 9 made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

LU 10. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial; **property located at 3375 West 4 Avenue, Hialeah, zoned RO (Residential Office)**; repealing all ordinances or parts or ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016 on behalf of J and Y Investment Corp., 4901 Southwest 87th Avenue, Miami, FL 33165.</i>
<i>On September 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Jorge Acevedo and Yenin Acevedo, 181 Leucadendra Drive, Coral Gables FL 33156</i>

APPROVED 7-0

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

REPORT: **Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida**, addressed the City Council via Zoom.

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

REPORT: Second reading and public hearing is scheduled for October 11, 2022.

LU 11. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Commercial; **property located at 374 West 34 Street, Hialeah, zoned R-1 (One-Family District)**; repealing all ordinances or parts or ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016 on behalf of J and Y Investment Corp., 4901 Southwest 87th Avenue, Miami, FL 33165.</i>
<i>On September 7, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Jorge Acevedo and Yenin Acevedo, 181 Leucadendra Drive, Coral Gables FL 33156</i>

APPROVED 7-0

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

REPORT: **Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida**, addressed the City Council via Zoom.

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

REPORT: **Second reading and public hearing is scheduled for October 11, 2022.**

REPORT: **Council President Zogby adjourned the meeting at 9:42 p.m.**

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: **Tuesday, October 25, 2022 at 6:30 p.m.**

NEXT CITY COUNCIL MEETING: **Tuesday, October 11, 2022 at 7:00 p.m.**

SECOND/FINAL BUDGET HEARING: **Wednesday, October 5, 2022 at 7:00 p.m.**

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

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

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

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