

Carlos Hernández
Mayor

Paul B. Hernández
President

Oscar De la Rosa
Vice President



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

Special Meeting of the City Council
(VIRTUAL)
Agenda
June 23, 2020
7:00 p.m.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

- The invocation is to be led by **Marbelys Fatjo, City Clerk**

4. **PLEDGE OF ALLEGIANCE**

- The pledge of allegiance is to be led by **Council Member Perez**

5. **MEETING GUIDELINES**

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

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 on March 20, 2020, suspending the "Florida's Government in Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of

Emergency issued on March 9, 2020 as a result of the COVID-19 pandemic affecting the State of Florida. Executive Order 20-69 allows local governments to use communications media technology to hold public meetings during the public health emergency as a result of COVID-19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.

- The following Procedures for Virtual Public Meetings of the City Council using Communications Media Technology in Response to COVID-19 have been adopted as minimum procedures for all emergency public meetings of the City Council, board and committees of the City of Hialeah effective the execution of **Order on Emergency Public Meeting Guidelines and Procedures using Communications Media Technology in Response to COVID19**, signed by Mayor Carlos Hernandez on April 8, 2020.
- The virtual public meeting shall be broadcast live for members of the public to view on the City's Facebook page. A Facebook account is not required in order to view this virtual public meeting. In addition, members of the public may hear the meeting live through telephonic conferencing. You can join the meeting via 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.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to virtualmeeting@hialeahfl.gov by 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. Email comments and questions shall not exceed three (3) minutes when read. Only the first three minutes of e-mail comments and questions received by the deadline will be read into and form part of the public record.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so during the meeting by joining the meeting using Zoom or any other similar web-based meeting platform being used as identified in the notice. The person interested in joining the meeting to participate for this purpose must register with the City Clerk by completing a registration form, providing the information required and submitting the completed form to the City Clerk no later than 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. All registered participants will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City’s Facebook page and retained pursuant to the Florida Public Records Law.
- All existing laws or rules of procedure applicable to public meetings (i.e. three minute limit on speaking, three in favor and three in opposition on any item on the agenda, lobbyist registration requirements), that are not in conflict with these procedures and can be observed under the circumstances remain in effect and to the greatest extent practicable should be observed.
- Public comments and questions, whether on general matters of public concern or on a matter on the agenda, will be heard at the beginning of the meeting and once heard no other public participation will be permitted.
- Persons making public comments must identify themselves by first and last name and provide their address for the record, prior to speaking.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

6. COMMENTS AND QUESTIONS

7. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

8. CONSENT AGENDA

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

- A. Request permission to approve the minutes of the Virtual Special Meeting of the City Council held on June 9, 2020.
(OFFICE OF THE CITY CLERK).
- B. Proposed resolution approving the naming of West 19th Court from West 72nd Street to West 76th Street as “Dr. Ana Maria Polo Way”, with the cost signage to be paid by the City, in her honor, as one of the most prominent and influential figures in Hispanic television.
(ADMINISTRATION)

- C.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Verizon Wireless Services, LLC, vendor providing the lowest quotation per unit of the subject hardware, for the purchase of thirty-three (33) Apple iPads, thirty-three (33) Apple Pencils, twenty-nine (29) Logitech Cases and four (4) Apple Magic Keyboards for the implementation of a new Building program, in a total cumulative amount not to exceed \$40,172.87.
(INFORMATION TECHNOLOGY DEPARTMENT)
- D.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Mystic Gardens Lawn Contractors Inc., for the service of tree trimming six (6) Oak Trees and seven (7) Royal Palms, as well as for the removal of two (2) dead Royal Palm Trees located around the Fire Administration Building in preparation for the 2020 hurricane season, in a total cumulative amount not to exceed \$2,985.
(FIRE DEPARTMENT)
- E.** Request permission to increase Purchase Order No. 2020-906, issued to Best Garage Doors, Inc., for emergency repairs and routine maintenance required to keep all overhead doors at the eight (8) City fire stations, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000.
(FIRE DEPARTMENT)
- F.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor was recommended by the City's Selection Committee for engineering services in response to Request for Qualifications No. 2009/10-9500-00-0007 – *General Consultants for Engineering and Architectural Services* which was approved by the City Council on June 8, 2010 and expired in 2018, and issue a purchase order to The Corradino Group, Inc., for Construction Engineering and Inspection (CEI) Services for the roadway improvements to NW 102nd Avenue, from 162nd to 170th Street, in a total cumulative amount not to exceed \$139,372.52, amount which is reimbursable through the City's Florida Job Growth Infrastructure Grant Agreement with the State of Florida Department of Economic Opportunity dated June 28, 2018.
(STREETS)
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)
- G.** Proposed resolution approving the expenditure in an amount not to exceed \$22,054.75 from the Law Enforcement Trust Fund - *Federal* for the purchase of twenty-five (25) stream light TLR1-HL weapon lights, twenty-five (25) Trijicon Red Dot Mounts and twenty-five (25) Glock 17T Training pistols 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)
- H.** Proposed resolution approving the expenditure in an amount not to exceed \$14,999.85 from the Law Enforcement Trust Fund - *Federal* for the purchase of eight (8) assault plate carriers, eight (8) side ballistic panels, and sixteen (16) ballistic level three rifle plates (body armor) from SRT Supply, LLC and requesting an exemption from competitive bidding based on the use of a competitively bid governmental contract administered by the State of Colorado (NASPO Master Agreement 2016-181), upon such costs having been approved by the Chief of Police, and providing for an effective date.
(POLICE DEPARTMENT)
- I.** Proposed resolution authorizing the Mayor and or his designee to execute and implement

budget amendments to the City of Hialeah Action Plan and Community Development Block Grant (CDBG) Program for program year 2019, covering the period from October 1, 2019 through September 30, 2020.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

9. ADMINISTRATIVE ITEMS

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

<i>Item was approved as amended on first reading by the City Council on June 9, 2020.</i>
<i>On May 28, 2020 the item was postponed until June 9, 2020 on first reading by the City Council.</i>

- B. First reading of proposed ordinance repealing, rescinding and vacating the ingress/egress easement recorded on August 12, 2011 in the Public Records of Miami Dade County, Florida, in OR Book 27790, Pages 4983-4984, providing an easement for ingress/egress for emergency vehicles for a day care facility that was demolished and has been replaced by a Navarro Discount Pharmacy constructed on the site. Property located at **2401 East 8 Avenue, 801 East 24 Street**, the location of the demolished daycare and **802 East 25 Street**, the location of the demolished Latin Café Restaurant, Hialeah, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
(ADMINISTRATION)
- C. First reading of proposed ordinance approving the covenant in favor of Miami-Dade County to maintain, operate, protect and preserve a Stormwater Management System along N.W. 102 Avenue, from N.W. 138 Street to N.W. 142 Street, as more particularly described in the form Covenant, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; authorizing the execution of the covenant by the Mayor and City Clerk, on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.
(STREETS)
- D. First reading of proposed ordinance amending Hialeah, Fla., Ordinance 2017-095 (December 18, 2017) that granted a variance permit to allow the re-platting of property into two substandard lots as the lots as platted were adjusted allowing on lot 1 now lot 2 the existing single family residence having a lot area of 6,375 now 6,099 square feet, where 7,500 feet are required; on Lot 2 now Lot 1 to construct a single family residence having a lot area of 3,825 now 3,852 square feet, where 7,500 feet are required; on lot 1 now lot 2 a depth of 80.83 now 79.67 feet, where 100 feet are required; on lot 2 now lot 1, a frontage of

45.92 feet now 46.92, where 75 feet are required; a depth of 75 feet now 74.88, where 100 feet are required; and on lot 1 now lot 2, a 15 foot now 13.88 foot rear setback, where 20 feet are required; all contra to Hialeah Code of Ordinances §§ 98-499, and 98-502; property zoned R-1 (One Family District). **Property located at 705 East 18th Street, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
(ZONING)

10. BOARD APPOINTMENTS

11. UNFINISHED BUSINESS

12. NEW BUSINESS

13. CITY COUNCIL'S NEW BUSINESS

14. ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item.

PZ 1. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow the expansion of an existing 55 student, K-8 school to a 100 student K-12; variance permit to allow 95 parking spaces, where 327 are required and allow 9 of those 33 existing parking spaces to back out into the street. **Property located at 5800 Palm Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On March 10, 2020, the item was postponed until further notice, per the applicant's request.</i>
<i>On February 11, 2020, the item was postponed until March 10, 2020, per the applicant's request.</i>
<i>On January 28, 2020, the item was postponed until February 11, 2020, per the applicant's request.</i>

<i>On January 14, 2020, the item was postponed until January 28, 2020, per the applicant's request.</i>
<i>On December 10, 2019, the item was postponed until January 14, 2020, per the applicant's request.</i>
<i>Item was postponed on November 26, 2019 until December 10, 2019 per the applicant's request.</i>
<i>On November 12, 2019, the item was postponed until November 26, 2019, per the applicant's request.</i>
<i>On October 22, 2019, the City Council postponed the item until November 12, 2019.</i>
<i>Item was approved on first reading by the City Council on October 8, 2019.</i>
<i>On September 25, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with the condition that the school remains with 60 students and 6 staff members until the proposed parking lot is completed. A Declaration of Restrictive Covenants should describe the operational plan, number of students and staff before and after the completion of the parking lot, number of high school students that will be allowed to park on premises, control method to avoid that other high school students park on the swale areas, pick-up and drop-off times and number of parking control employees to manage that process.</i>
<i>Owner of the Property: Daniel Ramos, 5855 West 2 Avenue, Hialeah, Florida 33012 Larry Weeks, 740 SW 61 Avenue, Plantation, Florida 33317 Maria, Elizabeth Vitale, 155 East 61 Street, Hialeah, Florida 33013</i>

- PZ 2.** Recommendation of denial from the Planning and Zoning Board to allow distance separation between an accessory building converted into a living unit and existing covered terrace of 2 inches, where 10 feet is the minimum distance separation required, and allow distance separation of 5 feet 1 inch between said accessory building and shed, where 10 feet is the minimum distance separation required for property located at **262 West 34th Street.**

<i>On February 26, 2020 the item was denied Planning and Zoning Board.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Owner of the Property: Adriana M. Perez, 262 West 34 Street, Hialeah, Florida 33012.</i>

NEXT CITY COUNCIL MEETING: Tuesday, July 14, 2020 at 7:00 p.m.

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

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

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

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

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