

Esteban Bovo, Jr.
Mayor

Carl Zogby
President

Monica Perez
Vice President



Council Members
Bryan Calvo
Oscar De la Rosa
Jacqueline Garcia-Roves
Luis Rodriguez
Jesus Tundidor

City Council Meeting
Minutes
January 11, 2022
7:00 p.m.

1. CALL TO ORDER

A. REPORT: Council President Zogby called the meeting to order at 7:08 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 Member Calvo
3. Council Member Rodriguez
4. Council Member Tundidor

B. The following Council Members were absent:

1. Council Vice President Perez
2. Council Member De la Rosa
3. Council Member Garcia-Roves

C. 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 Member Tundidor led the Pledge of Allegiance.

5. MEETING GUIDELINES

The following guidelines have been established by the City Council:

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

REPORT: Brigitte Leal, Office Coordinator of the Office of the City Clerk, read the meeting guidelines.

6. PRESENTATIONS

- A. **Jorge Lazo** addresses the Mayor and City Council regarding the theater production “Los Toxicos” at Goodlet Theater on January 22, 2022.

(MAYOR BOVO)

REPORT: **Jorge Lazo**, with a home address of 8808 Northwest 143rd Terrace, Miami Lakes, Florida 33018, discussed details regarding the comedy show and invited the Mayor and Council Members to attend the premiere. Mr. Lazo also spoke about the installation of a façade that reads “Goodlet Theater” at the site.

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 one expressed interested in making comments or posing questions on matters of public concern registered with the Office of the City Clerk to participate live during the Comments and Questions portion of the meeting using Zoom.
- C. **REPORT:** No one present in the Council Chambers expressed interest in speaking during this portion of the meeting.
- D. **REPORT:** No one participating in the meeting via Zoom expressed interest in making comments posing questions on matters of public concern during this portion of the meeting.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- The following items have been **amended** to include language that provides that the expenditure amount is not subject to the Consultant Competitive Negotiations Act which requires a competitive solicitation for an expenditure of \$35,0000.00 or more for professional services provided for in the Consultant Negotiations Act:
- Consent Item L
 - Consent Item M
- Consent Item W has been **amended** to reflect the correct expenditure account number.
- The following items have been added to today’s agenda:
- Consent Item AA
 - Board Appointment Item 11D

- Administrative Item 10D is postponed until January 25, 2022.

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 Tundidor requested separate discussion on Consent Item G.

REPORT: Motion to Approve the Consent Agenda, except Consent Item G, made by Council Member Tundidor, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- A. Request permission to approve the minutes of the City Council Meeting held on December 14, 2021.

(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- B. Report of Scrivener's Error – On December 14, 2021, the City Council approved Consent Item O, approving an increase to Purchase Order No. 2022-132, by an additional \$25,000.00, for renovations and cleaning services necessary to prepare affordable housing vacant rental units for rental. However, Purchase Order No. 2022-132, issued to Action Cleaning Services, is for janitorial services at City Hall. The item was approved with the incorrect purchase order number. The item is being amended to reflect the correct purchase order number as 2022-137, issued to Action Cleaning Services, for the cleaning of affordable housing apartments.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- C. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the sole source distributor for Federal Signal Corporation Emergency Products in Miami-Dade County for all equipment used by city, state or federal agencies, and issue a purchase order to Rainbow Window Tinting, Inc, doing business as Rainbow Emergency Equipment, for the purchase and installation of emergency equipment for the Hialeah Fire Department vehicles and fire trucks, in a total cumulative amount not to exceed \$22,000.00. The funding for this expenditure is to be charged to the Fire Rescue Transportation – Repair & Maintenance - Vehicles Account No. 109.2000.522.463.

(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- D. Request permission to utilize Lake County Contract No. 17-0606H – *Fire Equipment, Parts, Supplies and Services*, effective through June 30, 2022, and issue a purchase order to Municipal Equipment Company, LLC, for the purchase of fire suppression foam, in a total cumulative amount not to exceed \$20,000.00. The funding for this expenditure is to be charged to the Fire Rescue Transportation Fund – Capital Outlay - Equipment Account No. 109.2000.522.640.

(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- E. Request permission to utilize Lake County Contract No. 17-0606H – *Fire Equipment, Parts, Supplies and Services*, effective through June 30, 2022, and issue a purchase order to Municipal Equipment Company, LLC, for the purchase of firefighting hose, tools and equipment, in a total cumulative amount not to exceed \$15,000.00. The funding for this expenditure is to be charged to the Fire Rescue Transportation Fund – Capital Outlay - Equipment Account No. 109.2000.522.640.

(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- F. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2022-656, issued to Federal Security of America, L.L.C., for security services and guards at the Triangle Park (Christmas Park), by an additional amount of \$6,000.00, for a total cumulative amount not to exceed \$21,000.00. The funding for this expenditure is to be charged to the General Fund - Contractual Services Account No. 001.1000.521.340.

(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- G. Request permission to issue a purchase order to Synthetic Turf Resources Corporation, secondary vendor selected by the vendor under contract with the City for the purchase of materials and installation of new synthetic turf for Milander Park Ted Hendrick Stadium, APT Acquisition Construction Corp., doing business as AstroTurf, contract which contains an Owner Direct Purchasing Clause requiring the City to set up accounts with AstroTurf's selected vendors for the purchase of synthetic turf, rubber infill and any specialty items, to purchase turf materials from Syntetic Turf Resources Corporation, in the amount of \$170,111.57, cost that will be deducted from the expense amount approved by the City Council for AstroTurf and reallocated to a new purchase order issued to Syntetic Turf Resources Corporation. On May 26, 2021, the City Council approved issuing a purchase order to APT Acquisition Construction Corp., doing business as AstroTurf, for the purchase of materials and installation of new synthetic turf for Milander Park Ted Hendrick Stadium, in a total cumulative amount not to exceed \$361,517.00, amount which will not change with the approval of this request. The funding for this expenditure is to be charged to the Parks, Recreation and Open Spaces – Capital Outlay - Infrastructure Account No. 342.3130.572.630.

(DEPARTMENT OF PARKS AND RECREATION)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

REPORT: Joseph Dziedzic, Director of the Department of Parks and Recreation spoke regarding this item.

REPORT: Lorena Bravo, City Attorney, spoke on this item.

REPORT: **Motion to Approve Consent Item G, made by Council Member Tundidor, and seconded by Council Member Calvo. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.**

- H. Request permission to award Hialeah Invitation to Bid No. 2021/22-3230-00-003 – *Milander Center Landscaping Rooftop Terrace Planters*, to VisualScape, Inc., sole bidder, in the amount of \$57,405.00, and further request a ten percent contingency in the amount of \$5,740.00 to cover the cost of any unforeseen issues that may arise during the performance of the work, for a total cumulative expense amount not to exceed \$63,145.00. The funding for this expenditure is to be charged to the General Fund – Capital Outlay - Building Account No. 001.3140.574.620 after a transfer of funds from the General Fund - Capital Outlay Building Account No. 001.8500.519.620.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- I. Request permission to utilize Lake County Florida Contract No. 17-0606L - *Fire Equipment Parts – Supplies – Service*, effective through June 30, 2022, and issue a purchase order to Ten-8 Fire & Safety LLC, doing business as Ten-8 Fire Equipment, for the purchase of factory authorized tools, parts and equipment, in a total cumulative amount not to exceed \$25,000.00. The funding for this expenditure is to be charged to the Fire Rescue Transportation Fund - Capital Outlay - Equipment Account No. 109.2000.522.640.

(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- J. Request permission to utilize Sourcewell Contract No. 121219-SHW– *Paint with Related Supplies*, effective through January 15, 2024, and issue a purchase order to The Sherwin-Williams Company, for the purchase of paint with related supplies, in a total cumulative amount not to exceed \$30,000.00, to be allocated through various City departments. The City department utilizing the service from this vendor will provide the funding for this expenditure.

(PURCHASING DIVISION)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- K. Request permission to waive competitive bidding, since it is advantageous to the City considering the vendor’s competitive pricing, inventory and proximity to the City’s facilities, and increase the following two purchase orders:

- (1) Purchase Order No. 2022-142, by an additional amount of \$25,000.00, for the Construction and Maintenance Department

(2) Purchase Order No. 2022-234, by an additional amount of \$10,000.00, for Affordable Housing,

both purchase orders issued to South Florida Appliance, Inc., for the purchase of appliances, parts and related components due to the influx the City has experienced in vacant rental units as a result of COVID-19, for a new total cumulative expense amount not to exceed \$50,000.00, of which \$32,500.00 is the total for Purchase Order No. 2022-142 and \$17,500.00 is the total for Purchase Order No. 2022-234. The funding for this expenditure is to be charged to the General Fund – Inventory – Construction & Maintenance Account No. 001.0000.141.150.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- L. Request permission to issue a purchase order to Hazen and Sawyer, P.C., for additional permitting services for Phase 2 Pump Station Improvement Program needed in order to certify several pump stations recently completed, consisting of revising the design of the 16-inch trunk main to relocate the line due to its proximity to the Gratigny Expressway, in a total cumulative amount not to exceed \$34,923.00, amount which is not subject to the Consultant Competitive Negotiations Act which requires a competitive solicitation for an expenditure of \$35,0000.00 or more for professional services provided for in the Consultant Negotiations Act. The funding for this expenditure is to be charged to the Water & Sewer Division Fund – Professional Services Account No. 450.9520.533.310. This vendor was recommended by the City’s Selection Committee for engineering services in response to Request for Qualifications No. 2009/10-9500-00-007 – *General Consultants for Engineering and Architectural Services* which was approved by the City Council on June 8, 2010 and expired in 2018.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- M. Request permission to issue a purchase order to Hazen and Sawyer, P.C., for the annual update of the GIS based water and sewer atlas required by DERM, in a total cumulative amount not to exceed \$34,454.00. The funding for this expenditure is to be charged to the Water & Sewer Division Fund – Professional Services Account No. 450.9520.533.310. This vendor recommended by the City’s Selection Committee for engineering services in response to Request for Qualifications No. 2009/10-9500-00-007 – *General Consultants for Engineering and Architectural Services* which was approved by the City Council on June 8, 2010 and expired in 2018.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- N. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor completed the laminate flooring for the records section at the main police station and in order to match this flooring for the hallways and offices, the department utilized the same vendor, and increase Purchase Order No. 2022-687, issued to NSJ Floor Supply Inc., for the purchase of laminate flooring supplies for the hallways and offices located on the first floor of the police main station, by an additional amount of \$12,943.60, for a total cumulative amount not to exceed \$21,817.06. The funding for this expenditure is to be charged to the General Fund - Repair & Maintenance - Building Account No. 001.1000.521.461.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- O. Proposed resolution approving the purchase of a Property Insurance Policy with Affiliated FM (Factory Mutual) through Keen, Battle, Mead & Company, pursuant to the insurance proposal dated December 3, 2021 prepared by Timothy A. Battle, attached as Exhibit A, for coverage from December 27, 2021 to December 27, 2022, in an estimated amount not to exceed \$669,058.00 for the Hialeah Reverse Osmosis Water Treatment Plant, of which Miami-Dade County will reimburse the City for its 50% share; and providing for an effective date.

(RISK MANAGEMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-001

- P. Proposed resolution approving a specific appropriation in the amount of \$63,145.00 from the General Fund General Government Capital Building Account No. 001.8500.519620 to Milander Capital Building Account No. 001.3140.574620 to fund the purchase of landscape-rooftop terrace planters pursuant to Invitation to Bid No: 2021-22-3230-00-003; and providing and effective date.

(OFFICE OF MANAGEMENT AND BUDGET)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-002

- Q. Proposed resolution approving the purchase of several policies of insurance through Keen, Battle, Mead & Company pursuant to the insurance proposal dated December 3, 2021 prepared by Timothy A. Battle, attached as Exhibit A, insuring the Department of Water and Sewers' buildings, distribution system and computers from damage, theft and casualty in an amount not to exceed \$79,610; and including commercial general liability for Milander Center in an amount not to exceed \$25,000.00, from December 27, 2021 to December 27, 2022; and providing for an effective date.

(RISK MANAGEMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-003

- R. Proposed resolution accepting an American Rescue Plan Act (ARPA) grant in the amount of \$42,600.00 on a reimbursement basis, from the Institute of Museum and Library Services (IMLS) for the fiscal year 2021-2022, pursuant to the project proposal attached as Exhibit "1".

(LIBRARY)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and

Garcia-Roves absent.

RESOLUTION NO. 2022-004

- S. Request permission to utilize NASPO Value Point Contract No. 43211500-WSCA-15-ACS - *Computer Equipment, Peripherals and Services*, effective through July 31, 2022, and issue a purchase order to Lenovo (United States) Inc., for the purchase of equipment and services for the City's dispatch center, in a total cumulative amount not to exceed \$77,699.40. The funding for this expenditure is to be charged to the E-911 Wireless Fund - Capital Outlay - Equipment Account No. 124.1500.521.640.

(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- T. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Foxhire, LLC, for the continuation of temporary employment services provided to the City for seven (7) full-time City Council Aides, in a total cumulative amount not to exceed \$315,328.88. The funding for this expenditure is to be charged to the General Fund - Professional Services Account No. 001.0220.512310.

(HUMAN RESOURCES DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- U. Request permission to waive competitive bidding, since it is advantageous to the City in that the City has been conducting business with the vendor for over fifteen (15) years and the vendor always maintains a large quantity of the silkscreened polos and Class-A dress uniforms with the department's logo in stock ready for immediate delivery for the City if needed, and issue two (2) purchase orders to All Uniform Wear Corp., the first purchase order in the amount of \$40,000.00, for the purchase of uniforms for fire personnel, and the second purchase order in the amount of \$5,000.00, for the purchase of uniforms for dispatch personnel, for a total cumulative expense amount not to exceed \$45,000.00. The funding for the first purchase order in the amount of \$40,000.00 is to be charged to the Fire Rescue Transportation Fund – Uniforms & Clothing Allowance Account No.109.2000.522.525, and the second purchase order in the amount of \$5,000.00 is to be charged to the General Fund - Uniforms & Clothing Allowance Account No. 001.1500.520.525.

(FIRE DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- V. Request permission to issue a purchase order to Tidal Basin Government Consulting, LLC, vendor under contract with the City for emergency management administrative support services, for payment of the following invoices:

- COHIALEAH-03-07 in the amount of \$20,828.75
- COHIALEAH-03-08 in the amount of \$14,731.25
- COHIALEAH-03-09 in the amount of \$14,656.25
- COHIALEAH-03-10 in the amount of \$19,557.50
- COHIALEAH-03-11 in the amount of \$13,510.00

- COHIALEAH-03-12 in the amount of \$13,946.25
- COHIALEAH-03-13 in the amount of \$17,392.50
- COHIALEAH-03-14 in the amount of \$21,305.00

for disaster recovery services related to Hurricane Irma closeout project (DR4337), for a total cumulative amount not to exceed \$135,927.50 On June 25, 2019, the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – Emergency Management Administrative Support Services to this vendor for a period of three (3) years, with the option to renew the agreement for up to two (2) consecutive one-year terms. The funding for this expenditure is to be charged to the General Fund - Professional Services Account No. 113.8500.525.310.

(EMERGENCY MANAGEMENT DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

W. Request permission to issue a purchase order to Tidal Basin Government Consulting, LLC, vendor under contract with the City for emergency management administrative support services, for payment of the following invoices:

- COHIALEAH-02-16 in the amount of \$48,300.00
- COHIALEAH-02-17 in the amount of \$33,191.25
- COHIALEAH-02-18 in the amount of \$35,886.25

for disaster recovery services related to COVID-19 (DR4486 project), in a total cumulative amount not to exceed \$117,377.50 On June 25, 2019, the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – Emergency Management Administrative Support Services to this vendor for a period of three (3) years, with the option to renew the agreement for up to two (2) consecutive one-year terms. The funding for this expenditure is to be charged to the Emergency Disaster - COVID-19 – Professional Services Account No. 112.8500.525.310.

(EMERGENCY MANAGEMENT DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

X. Report of Scrivener’s Error – On December 14, 2021, the City Council approved Resolution numbered 2021-167, approving a professional services agreement between the City of Hialeah and Nexplore, LLC to provide Zumba classes to the participants of the CDBG-Step Ahead Social Enrichment Program. The resolution needs to be amended to reflect *CDBG – Senior Program* as the appropriate program.

(LAW DEPARTMENT)

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

Y. Report of Scrivener’s Error – On December 14, 2021, the City Council approved Ordinance numbered 2021-133 and Ordinance numbered 2021-134, granting certain variances from the zoning code on property located at 14450 Northwest 102nd Avenue and the parcel adjacent to that property identified under Folio No. 04-2020-001-0042. The address provided for the parcel identified under Folio No. 04-2020-001-0042

was 8870 West 40th Street in the title and Section 1 of each of the ordinances. The address was incorrect and should have been 40th Avenue, not 40th Street. Accordingly, the title, Section I and any other reference to this parcel in Ordinances Numbered 2021-133 and 2021-134 should be corrected as follows:

Title:

PROPERTY LOCATED AT 14450 NW 102 AVENUE AND 8870 WEST 40 AVENUE, HIALEAH, ZONED MH (INDUSTRIAL DISTRICT).

Section 1:

Property located at 14450 N.W. 102 Avenue and 8870 West 40 Avenue, Hialeah, zoned MH (Industrial District) and legally described in attached Exhibits "A" and "B"

(LAW DEPARTMENT)
(ZONING)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- Z. Proposed resolution accepting a Division of Library and Information Services (DLIS) American Rescue Plan Act (ARPA) grant from the Florida Department of State, Division of Library and Information Services in the amount of \$72,341.00, for a term beginning September 3, 2021 and ending September 30, 2022 and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the DLIS Florida ARPA grant agreement, attached as Exhibit "1".

(LIBRARY)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-005

- AA. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Exclusive Events by L Corp, vendor providing the lowest quotation, to provide linens for the adult programs senior dances for the 2021-2022 fiscal year, in a total cumulative amount not to exceed \$5,970.00, amount which is funded by the CDBG Public Service, Facilities, Infrastructure and Microenterprise.

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

10. ADMINISTRATIVE ITEMS

- 10 A. First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled "Businesses", Article II. "Carnivals, Shows and Exhibits", retitled as "Special Events"; and amending §18-26 "Definitions"; §18-27 "Prohibited and Restricted Conduct"; §18-28 "Financial Statement"; §18-

30 “Additional Rules”; and creating § 18-31 “Permit For Special Events Other Than Carnivals”; and § 18-32 “Prohibitions”; providing for the permitting of organized special events and assemblies on government or private property of fifty (50) persons or more for monetary gain on private property or within City facilities; for public advocacy upon private or government property, which is not for monetary gain and for the purpose of allowing free expression; providing for an application process to mitigate noise, sound, lighting and traffic to provide for the public safety and welfare; review by the Cultural Affairs Council regarding applications for monetary gain; and approval by the City Council to conduct the special event; 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.

(ADMINISTRATION)

THE ITEM IS POSTPONED UNTIL JANUARY 25, 2022

- 10 B.** First reading of proposed ordinance amending Chapter 2 entitled “Administration”, Article III. entitled “Boards, Commissions and Committees”, Division 3 “Cultural Affairs Council” Sections 2-641 “Established”, 2-642 “Composition and Term of Service”, 2-643 “Meetings”, 2-644 “Duties and Powers”, and creating a new Section 2-645 “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)

THE ITEM IS POSTPONED UNTIL JANUARY 25, 2022

- 10 C.** First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, Article VI. “Peddlers, Solicitors, Itinerant Vendors”, Division 2. “Peddlers, Itinerant Vendors”; §18-311 “Retail Sales from Tents”; 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.

(ADMINISTRATION)

THE ITEM IS POSTPONED UNTIL JANUARY 25, 2022

- 10 D.** First reading of proposed ordinance amending Chapter 70 entitled “Retirement and Pensions”, Article VII. “Elected Officials”, Division 1 “Generally”, Section 70-529 “Oversight Committee” of the Code of Ordinances of the City of Hialeah, to eliminate the Finance Director and Council Member as Oversight Committee Members; providing for appointment of the City Treasurer by the City if the City Clerk is not a member of the Elected Officials Retirement System; and providing for retention of a financial or pension advisor by the committee; 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.

(ADMINISTRATION)

THE ITEM IS POSTPONED UNTIL JANUARY 25, 2022

11. BOARD APPOINTMENTS

- 11 A. Proposed resolution, re-appointing **Clayton Warren Angus** to the Personnel Board of the City of Hialeah, as the International Association of Firefighters and the Fraternal Order of Police appointment, for a two (2)-year term ending on January 14, 2024.

(INTERNATIONAL ASSOCIATION OF FIREFIGHTERS)
(FRATERNAL ORDER OF POLICE)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-006

REPORT: Motion to Approve Item 11 A made by Council Member Rodriguez, and seconded by Council Member Tundidor. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- 11 B. Proposed resolution re-appointing **Juan Junco** to the Board of Commissioners of Hialeah Housing Authority of the City of Hialeah, Florida for a four (4)-year term ending on February 14, 2026.

(MAYOR BOVO)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-007

REPORT: Motion to Approve Item 11 B made by Council Member Tundidor, and seconded by Council Member Calvo. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- 11 C. Proposed resolution reappointing **Fara Alvarez** to the Board of Commissioners of Hialeah Housing Authority of the City of Hialeah, Florida for a four (4)-year term ending on February 14, 2026.

(MAYOR BOVO)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-008

REPORT: Motion to Approve Item 11 C made by Council Member Rodriguez, and seconded by Council Member Tundidor. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

- 11 D. Proposed resolution re-appointing **Jonathan Martinez** to the Board of Trustees of the Employees General Retirement System as the Management Appointment, for a two (2)-year term ending on December 31, 2023.
(MANAGEMENT)

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-009

REPORT: Motion to Approve Item 11 D made by Council Member Calvo, and seconded by Council Member Tundidor. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

12. UNFINISHED BUSINESS

13. NEW BUSINESS

A. Councilman Calvo discusses a proposed resolution regarding the cost of water and sewer that he would like to sponsor for the City Council’s consideration during the City Council Meeting of January 25, 2022.

(COUNCILMAN CALVO)

REPORT: Councilman Calvo discussed the proposed resolution.

REPORT: Mayor Bovo spoke on the subject, and suggested a special meeting of the City Council or a workshop to discuss the issue.

REPORT: Armando Vidal, Director of the City of Hialeah Department of Public Works, 3700 West 4th Avenue spoke on the subject.

14. ZONING

PLANNING AND 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.

REPORT: Marbelys Fatjo, City Clerk, duly swore all in.

PZ 1. Second reading and public hearing of proposed ordinance rezoning from R-1 (One-Family District) to R-3-3 (Multiple-Family District); granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances § 98-1630.8, to allow the expansion of the Neighborhood Business District Overlay, on the 0.63-acre easternmost portion of the site to allow the development of a three-story mixed use building including 5,000 square feet of retail and 12 multifamily units; granting a variance permit to allow 5 feet south side setback, where 10 feet are required for the

development of a two-story/100-unit multifamily development on the 4.27-acre westernmost portion of the site; allow 10 feet north side setback, where 15 feet are required on the 0.63-acre easternmost portion of the site; and allow 50 parking spaces, where 52 parking spaces are required on the mixed use portion of the site, all contra to Hialeah Code of Ordinances §§98-590, §98-1630.3 (e)(2), and 98-2189 (16)(a) and (b). **Property located at 7450 West 4 Avenue, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

ORDINANCE NO. 2022-001

REPORT: Hugo Arza, 701 Brickell Avenue, representing the property owner, The Salvation Army, and his client, Prestige Builders, addressed the City Council with a presentation regarding the proposed project.

REPORT: Motion to Approve Item PZ 1 made by Council Member Rodriguez, and seconded by Council Member Calvo. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

<i>On December 14, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for January 11, 2022.</i>
<i>On December 8, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Registered Lobbyists: Hugo P. Arza, Esq., and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Prestige Builders Construction Management, LLC.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: The Salvation Army, 1424 NE Expressway, N.E, Atlanta, GA 30329.</i>

PZ 2. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow an elementary school with an enrollment of 96 students within a facility that also includes a daycare with an enrollment of 139 children operating on the first and second floor of an existing shopping plaza. **Property located at 585 East 49 Street and 590 East 50 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.

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

ORDINANCE NO. 2022-002

<i>The following language was removed from the proposed ordinance after the City Council's approval of the proposed ordinance on first reading: that also includes other businesses not related to the school (two office bays on the second floor and a manual carwash on the first floor).</i>
<i>On December 14, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for January 11, 2022.</i>
<i>On December 8, 2021, the Planning and Zoning Board recommended approval of the item subject to Declaration of Restriction (DOR) limiting the number of students and incorporating the traffic report's circulation plan.</i>
<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of International Children's Academy Inc.</i>
<i>Planner's Recommendation: Approval subject to Declaration of Restriction (DOR) limiting the number of students and incorporating the traffic report's circulation plan.</i>
<i>Property Owner: (1) International Childrens Academy Inc., 585 East 49 Street, Hialeah, Florida 33013. (2) Mirtha Rodriguez, 8032 NW 164 Terrace, Miami Lakes, Florida 33016.</i>

REPORT: Motion to Approve Item PZ 2 made by Council Member Tundidor, and seconded by Council Member Calvo. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

PZ 3. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow an elementary school including kindergarten, first grade and second grade within a 950 square foot bay, with a maximum of 25 students and 3 teachers, in conjunction with the existing daycare accommodating 28 children and 4 teachers within a contiguous 1,900 square foot bay. **Property located at 6815-6895 West 4 Avenue, Bays 6879, 6873 and 6887, Hialeah, zoned C-2 (Liberal 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.

ITEM IS POSTPONED UNTIL JANUARY 25, 2022, PER THE APPLICANT'S REQUEST.

<i>On December 14, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 11, 2022.</i>
<i>On December 8, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>

*Property Owners: (1) Tevere Apartments LLC
(2) Victor J. Barone TRS, 2014 Barone Family Trust
(3) Vivian Barone TRS
(4) Pasqueale Digiorgio, 1471 Agua Avenue, Coral Gables, Florida 33156*

PZ 4. Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances §98-161 to allow harboring of live lobsters within a property zoned M-1 (Industrial District) where this type of use is not specified as a permitted use in the M-1 (Industrial District) zoning district. **Property located at 3171 East 10 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.

ITEM IS POSTPONED UNTIL JANUARY 25, 2022 - NOT ENOUGH MEMBERS OF THE CITY COUNCIL PRESENT TO TAKE OFFICIAL ACTION ON THE ITEM.

REPORT: Council Member Tundidor abstained from voting on this item due to a conflict.

On December 14, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for January 11, 2022.

On December 8, 2021, the Planning and Zoning Board recommended approval of the item subject to a Declaration of Restrictions (DOR) specifying business operation plan as proffered in connection with the application.

Planner's Recommendation: Approval subject to specifying business operation plan as proffered in connection with the application.

Property Owner: St Real Estate Investments LLC ZVI Shechter, 6300 NW 72 Avenue, Miami, Florida 33166.

15. FINAL DECISIONS

FD 1. Proposed resolution rescinding City of Hialeah, Fla., Resolution No. 2021-079 (June 8, 2021) approving the final decision of the Planning and Zoning Board, **Decision No. 2020-09** that granted an adjustment on the property to also allow an existing accessory building to remain to reflect the decision of the City Council, on property located at **3050 West 2nd Avenue, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

APPROVED 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

RESOLUTION NO. 2022-010

On December 14, 2021, the City Council tabled the item until January 11, 2022.

REPORT: Motion to Approve Item FD 1 made by Council Member Calvo, and seconded by Council Member Tundidor. Motion passes 4-0-3 with Council Vice President Perez, and Council Members De la Rosa and Garcia-Roves absent.

REPORT: Lorena Bravo, City Attorney spoke on this item.

REPORT: Council President Zogby adjourned the meeting at 8:30 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 22, 2021 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, January 25, 2021 at 7:00 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 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).