

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
February 22, 2022
7:00 p.m.

1. CALL TO ORDER

A. REPORT: Council President Zogby called the meeting to order at 7:05 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 7:09 p.m.*)
4. Council Member Casàls-Muñoz
5. Council Member Garcia-Roves
6. Council Member Rodriguez
7. Council Member Tundidor (*arrived at 7:07 p.m.*)

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

6. PRESENTATIONS

- A. Mayor Bovo honors **Pastor Carlos Ortiz**, founder and lead Pastor of the Cristo Vive Church, with a key to the City of Hialeah.
(MAYOR BOVO)

PRESENTED

REPORT: Pastor Carlos Ortiz addressed the Mayor and City Council Members.

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:** Eight (8) people present in the Council Chambers expressed interest in speaking during this portion of the meeting.
1. **Jose Azze, 788 Southeast Park Drive**, spoke regarding the City’s Parks and Recreation Department.
 2. **Milly Herrera, 4341 East 8 Lane**, spoke regarding Consent Item C, as well as regarding mobile home residents, and expressed interest in meeting with Mayor Bovo to discuss neighborhood zoning issues.
 3. **Javier Espinosa, 741 East 54 Street**, spoke regarding his nomination to the Eagle Rank within the Boy Scouts of America and presented to the Mayor and City Council his project of an engraved school seal for Westland High School.
 4. **Angelica Pacheco, 1571 West 76 Street**, spoke regarding an incident that occurred in the City with her son, as well as regarding providing assistance to the youth who are at risk of committing crimes.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- The following items are **postponed** until the City Council Meeting of March 8, 2022:
- Consent Item N
 - Consent Item S
 - Administrative Item 10D
 - PZ 1
 - PZ 3

- Item PZ 2 has been **postponed** until further notice.
- Consent Item U has been **added** to the agenda.
- Additional backup documentation to Administrative Item 10H was placed on the dais.
- The following items are **withdrawn** from today's agenda:
 - Consent Item T
 - Administrative Item 10A

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: Mayor Bovo requested a separate discussion on Consent Item C.

REPORT: Council Member Calvo requested separate discussion on Consent Items C and U.

REPORT: Motion to Approve the Consent Agenda, except items B, C and U made by Council Member Casals-Muñoz, and seconded by Council Member Rodriguez. Motion passes 7-0.

- A. Request permission to approve the minutes of the City Council Meeting held on February 8, 2022.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- B. **RESOLUTION:** Proposed resolution approving the street naming at East Palm Court from East 34 Street to East 35 Street "Rene Leopoldo Ramos Way", with the cost of signage to be paid by the City, in his honor, as a Vietnam Veteran and role model in the City of Hialeah.

(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2022-025

REPORT: Motion to Approve Consent Item B made by Council Member Calvo, and seconded by Council Vice President Perez. Motion passes 7-0.

On February 11, 2022, the Historic Board approved Historic Board Resolution No. 2022-001 recommending the street naming.

- C. **RESOLUTION:** Proposed resolution re-naming Veteran’s Park, located at 7900 West 32 Avenue to “Senator Roberto Casas-Veteran’s Park” in honor of the Senator’s public service legacy, with the cost of signage to be paid by the City; and providing for an effective date.

(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2022-026

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

<p><i>On February 11, 2022, the Historic Board approved Historic Board Resolution No. 2022-002 recommending the re-naming of the park</i></p>

(ADMINISTRATION)

- D. Request permission to issue a purchase order to REV RTC, Inc., doing business as Hall-Mark RTC, the sole source supplier of E-ONE built brand parts and service for the State of Florida, to purchase tools and parts for E-ONE fire apparatus, 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. 109.2000.522640.

(FIRE DEPARTMENT)

APPROVED 7-0

- E. Request permission to utilize Lake County, Florida Contract No. 17-0606B – *Fire Equipment, Parts, Supplies, and Services*, contract which is effective until June 30, 2022, and issue a purchase order to Bennett Fire Products Company, Inc., to purchase personal protective equipment for firefighters, including bunker gear, boots, gloves and helmets in order to outfit the new fire recruits with safety gear, as well as to replace existing outdated bunker gear and equipment for all fire personnel, in a total cumulative amount not to exceed \$55,000.00. The funding for this expenditure is to be charged to the Fire Rescue Transportation Fund – Capital Outlay - Equipment Account No. 109.2000.522640.

(FIRE DEPARTMENT)

APPROVED 7-0

- F. Request permission to utilize the contract entered into pursuant to City of Miami Beach Invitation to Bid No. 2018-028-ND – *For Door Related Repair, Replacement and Preventive Maintenance*, contract which is effective through November 18, 2022, and issue a purchase order to Best Garage Doors, Inc., for the maintenance and repair of all overhead garage doors at fire stations on an as needed basis, 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 – Repair & Maintenance - Building Account No. 109.2000.522461.

(FIRE DEPARTMENT)

APPROVED 7-0

- G. Request permission to issue a purchase order to REV RTC, Inc., doing business as Hall-Mark RTC, the sole source supplier of E-ONE built brand parts and service for the State of Florida, for repairs to out of service fire apparatus, 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 – Repair & Maintenance - Vehicles Account No. 109.2000.522463.

(FIRE DEPARTMENT)

APPROVED 7-0

- H. Request permission to issue a purchase order to TEN-8 Fire & Safety, LLC, the exclusive dealer for the sale, service, parts and warranty of custom and commercial fire apparatus manufactured by Pierce in the states of Florida and Georgia, for repairs to the out of service Pierce Fire Trucks, 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 – Repair & Maintenance - Vehicles Account No. 109.2000.522463.

(FIRE DEPARTMENT)

APPROVED 7-0

- I. Request permission to utilize Lake County, Florida Contract No. 17-0606G - *Fire Equipment Parts, Supplies, and Services*, contract that expires on June 30, 2022, and issue a purchase order to Municipal Emergency Services, Inc., to purchase firefighting tools and equipment, in a total cumulative expense 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. 109.2000.522640.

(FIRE DEPARTMENT)

APPROVED 7-0

- J. Request permission to utilize Lake County, Florida Contract No. 17-0606D - *Fire Equipment Parts, Supplies and Services*, contract that expires on June 30, 2022, and issue a purchase order to Fisher Scientific Company L.L.C., to purchase SCBA breathing air equipment, such as face masks, air cylinders and SCBA Packs, in a total cumulative expense amount not to exceed \$20,000.00. The funding for this expenditure is to be charged to the Fire Rescue Transportation Fund– Repair & Maintenance-Capital Outlay Equipment Account No. 109.2000.522640. The funding for this expenditure is to be charged to the Fire Rescue Transportation Fund – Capital Outlay - Equipment Account No. 109.2000.522640.

(FIRE DEPARTMENT)

APPROVED 7-0

- K. Request permission to issue a purchase order to Zoll Medical Corporation, the only company that manufactures and markets the AutoPulse, to purchase Zoll Automatic CPR machines for the Emergency Medical Services (EMS) Division, in a total cumulative expense amount not to exceed \$25,062.85. The funding for this expenditure is to be charged to Fire Rescue Transportation Fund – Capital Outlay – Equipment Account No. 109.2000.522.640.

(FIRE DEPARTMENT)

APPROVED 7-0

- L. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the only Caterpillar Dealer located in Miami, Florida, and increase Purchase Order No. 2022-883, issued to Kelly Tractor Co, to purchase parts and service for the City's heavy equipment, such as excavators and backhoes, by an additional amount of \$35,000.00, for a total cumulative expense amount not to exceed \$50,000.00. The funding for this expenditure is to be charged to the General Fund – Inventory – Auto Parts Account No. 001.0000.141120.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- M. Request permission to utilize City of Miami contract awarded pursuant to Invitation for Bid No. 781382(29) – *Citywide Sidewalk Repair and Replacement Services*, contract that is effective through July 29, 2023, and increase Purchase Order No. 2022-309, issued to G P E Engineering & General Contractor Corp., for the installation of sidewalks in the general field area of Cotson Park, by an additional amount of \$9,919.14, for a total cumulative expense amount not to exceed \$19,324.14. On October 21, 2021, the Department of Parks and Recreation opened a purchase order for \$9,405.00 to pay for this service based on an erroneous measurement of 1,500 square feet of sidewalk, but when the vendor physically measured onsite, the actual measurement is 3,082 square feet. The funding for this expenditure is to be charged to Park, Recreation and Open Spaces – Capital Outlay – Infrastructure Account No. 342.3130.572.630.

(PARKS AND RECREATION DEPARTMENT)

APPROVED 7-0

- N. Request permission to award Hialeah Invitation to Bid No. 2021-22-9500-00-001 – *Wastewater Collection System Rehabilitation*, to two vendors: (1) Insituform Technologies, LLC and (2) Miller Pipeline, LLC, lowest responsive and responsible bidders, in that Insituform Technologies, LLC is awarded one lining contract in the amount of \$7,522,696.30, and Miller Pipeline, LLC is awarded the second lining contract in the amount of \$7,522,696.30, for a total cumulative expense amount not to exceed \$15,045,392.00. The funding for this expenditure is to be charged to Coronavirus State and Local Fiscal Fund – Capital Outlay – Infrastructure Account No. 131.9540.536630.

(DEPARTMENT OF PUBLIC WORKS)

ITEM IS POSTPONED UNTIL MARCH 8, 2022.

- O. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been providing staffing services to the City's Department of Public Works for several years and the Department of Public Works has decided to terminate the services with the vendor and hire the employees directly through the City, and issue a purchase order to Culmin Staffing Group Inc, for temporary employment services, in the amount of \$13,447.01, and further request permission to ratify payments already made to Culmin Staffing Group Inc without Council approval, as authorized by the Mayor, in the amount of \$16,972.33, for a total cumulative expense amount not to exceed \$30,419.34. The funding for this expenditure is to be charged to the Water & Sewers Division Fund – Contractual Services Account No. 450.9500.536340.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 7-0

- P. Request permission to utilize an agreement between the City of Cooper City and Laboratory Testing Services entered into pursuant to Invitation to Bid No. 2018-11-UTL – *Laboratory Testing Services*, contract that expires on October 9, 2022, and increase Purchase Order No. 2022-1167, issued to Advanced Environmental Laboratories, Inc., for the purchase of water quality testing, by an additional amount of \$70,000.00, for a new total cumulative expense amount not to exceed \$100,000.00. The funding for this expenditure is to be charged to Water & Sewers Division Fund – Professional Services – Water Quality Testing Account No. 450.9510.533315 after a transfer of \$70,000.00 from Water & Sewers Division Fund – Contingency Reserve Account No. 450.9500.536500.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 7-0

- Q. Request permission to increase Purchase Order No. 2022-927, issued to Core & Main LP, exclusive authorized distributor of Sensus products for the State of Florida, for the emergency purchase of five hundred and ninety (590) 5/8-inch water meters in order to replenish the stock room inventory due to the national supply chain shortages, as well as the high demands for meters due to new construction in the City, by an additional amount of \$47,100.00, for a new total cumulative amount not to exceed \$137,100.00. Further request permission to issue a purchase order to Core & Main LP, to purchase one hundred (100) 1-inch Sensus meters needed to support new construction, as well as to replenish the City's inventory, in a total cumulative amount not to exceed \$20,000.00. The funding for these expenditures is to be charged to Water & Sewers Division Fund – Inventory – Meters & Meter Boxes Account No. 450.0000.141004.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 7-0

- R. Request permission to issue a purchase order to SRS Engineering, Inc., for in-house engineering services from January 1, 2022 to March 31, 2022 while the City's hiring process is completed, in a total cumulative amount not to exceed \$42,396.00. The funding for this expenditure is to be charged to Water & Sewers Division Fund – Professional Services – Engineering Account No. 450.9500.536311.

(DEPARTMENT OF PUBLIC WORKS)

APPROVED 7-0

- S. Request permission to reject the bid received from Ric-Man Construction Florida, Inc. in response to Invitation to Bid No. 2021-22-9500-00-001 – *Wastewater Collection System Rehabilitation*, as non-responsive and non-responsible.

FOR THE AWARD OF THE BID, PLEASE SEE CONSENT ITEM N.

ITEM IS POSTPONED UNTIL MARCH 8, 2022.

(DEPARTMENT OF PUBLIC WORKS)

T. ~~**RESOLUTION:** Proposed resolution authorizing the use of State Housing Initiatives Partnership (SHIP) Program funds under the SHIP Safe Home Project in an amount not to exceed \$250,000.00 to conduct residential demolition and reconstruction of the home of Juan C. and Karla A. Balbastro, an approved strategy under the Local Housing Assistance Plan (LHAP) for funding years 2019-2020, 2020-2021, 2021-2022, as set forth in Exhibit "1"; authorizing the Mayor and his designee, to execute any and all agreements in furtherance of the project on behalf of the City, and providing for an effective date.~~

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

ITEM IS WITHDRAWN

U. Request from 305 Day Holdings Group LLC, doing business as 305 Day, with an address of 4770 Biscayne Boulevard, Suite 900, Miami, Florida 33137, for an event permit to host the 9th Annual 305 Day Block Party, to be held on Saturday, March 5, 2022, beginning at 1:00 p.m. and ending at 11:00 p.m., to be held at Factory Town located at 4800 Northwest 37th Avenue, Hialeah, Florida 33142, expecting approximately 3,000 attendees, subject to the recommendations of the Hialeah Police Department and the Hialeah Fire Department.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

REPORT: JennyLee Molina, 1690 Southwest 27 Avenue, addressed the City Council on the item.

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

10. ADMINISTRATIVE ITEMS

10 A. ~~**ORDINANCE:** Second reading and public hearing 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)

<i>On February 8, 2022, the item was postponed until February 22, 2022.</i>
<i>On January 25, 2022, the item was approved on first reading by the City Council.</i>
<i>On January 11, 2022, the item was postponed by the administration until January 25, 2022.</i>

ITEM WITHDRAWN

10 B. RESOLUTION: Proposed resolution appointing Acting Councilmember **Vivian Casáls-Muñoz** to the Oversight Committee of the City of Hialeah Elected Officers' Retirement Trust to serve concurrently with the remaining portion of the term to which she was appointed by Hialeah, Fla. Resolution 2022-017 (February 8, 2022).

(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2022-027

REPORT: Motion to Approve Administrative Item 10 B made by Council Member Garcia-Roves, and seconded by Council Vice President Perez. Motion passes 7-0.

10 C. ORDINANCE: Second reading and public hearing of proposed ordinance amending Chapter 98 entitled "Zoning", Article VII entitled "Concurrency Management System", Division 1 "Generally", creating Sections "98-2397 through 98-2400"; establishing a pre-application process for land use applications; 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.

(PLANNING AND ZONING)

<i>On February 8, 2022, the item was approved on first reading by the City Council.</i>

APPROVED 7-0

ORDINANCE NO. 2022-010

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 Administrative Item 10 C made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

10 D. ORDINANCE: Second reading and public hearing 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"; allowing retail tent sales other than the sale of Christmas trees and fireworks as a special event; allowing for a Farmers' Market; 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)

<i>On February 8, 2022, the item was approved on first reading by the City Council.</i>

<i>On January 25, 2022, the item was postponed by the administration until February 8, 2022.</i>

On January 11, 2022, the item was postponed by the administration until January 25, 2022.

ITEM IS POSTPONED UNTIL MARCH 8, 2022.

- 10 E. ORDINANCE:** First reading of proposed ordinance amending its Comprehensive Plan by replacing in its entirety the existing recreation and open space element data, inventory and analysis section attached as Exhibit “A” with a new data, inventory and analysis section attached as Exhibit “B” and with updated goals, objectives, and policies attached as Exhibit “C”; and providing for an effective date.

(ZONING)

On February 8, 2022, the City Council postponed the item on first reading until February 22, 2022.

APPROVED 7-0

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

REPORT: Silvia Vargas with Calvin, Jordano and Associates, 10800 Biscayne Boulevard, Suite 950, addressed the City Council with a PowerPoint presentation, a copy of which is on file in the Office of the City Clerk.

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

REPORT: Second reading and public hearing is scheduled for March 8, 2022.

- 10 F. ORDINANCE:** First reading of proposed ordinance approving the abandonment of the triangular portion identified in the sketch attached as Exhibit “A” located to the north and west of the single-family home located at **3380 West 7 Avenue, Hialeah, Florida**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

(ZONING)

APPROVED 6-0-1 with Council Vice President Perez not present during roll call.

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

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

REPORT: Motion to Approve Administrative Item 10 F made by Council Member Calvo, and seconded by Council Member Rodriguez. Motion passes 6-0-1 with Council Vice President Perez not present during roll call. Council Vice President Perez recorded her vote as “Yes” after the item was approved.

REPORT: Second reading and public hearing is scheduled for March 8, 2022.

- 10 G.** Proposed resolution appointing City of Hialeah Council Member, Bryan Calvo, as the City’s representative to the Miami-Dade County League of Cities.

(ADMINISTRATIVE)

APPROVED 6-0-1 with Council Vice President Perez not present during roll call.

RESOLUTION NO. 2022-028

REPORT: Motion to Approve Administrative Item 10 G made by Council Member Rodriguez, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Vice President Perez not present during roll call. Council Vice President Perez recorded her vote as “Yes” after the item was approved.

- 10 H.** First reading of proposed ordinance amending Chapter 50 of the City of Hialeah Code of Ordinances entitled “Housing”, creating a new Article IV, entitled “Rental Housing”, Section 50-121; “Written Notice Required to Increase Rent and Terminate a Tenancy”, establishing a required notice period, to which all residential landlords must comply, prior to increasing the rental rate of tenants above a certain percentage and terminating a tenancy; 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.

(SPONSOR: COUNCIL MEMBER CALVO)

APPROVED AS AMENDED 7-0

REPORT: Item was amended as follows:

- (1) Remove the following language from subparagraph (b) of the proposed ordinance: “Alternatively, either party may terminate the tenancy after providing the 30-day notice of termination as required in Section 17-03 of the Code of Miami-Dade County, Florida.
- (2) Amend subparagraph (a) of the proposed ordinance to reflect, “any increase in rent by more than 10%...”
- (3) Remove the language of subparagraph (a) of the proposed ordinance providing for the 15 day notice requirement from the tenant.

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

REPORT: Second reading and public hearing is scheduled for March 8, 2022.

11. BOARD APPOINTMENTS

- 11 A.** Proposed resolution appointing **Abdel Jimenez** as a member of the Planning and Zoning Board for a two (2)-year term ending on February 23, 2024.

(COUNCIL MEMBER CALVO)

APPROVED 7-0

2/25/2022 5:02 PM

RESOLUTION NO. 2022-029

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

- 11 B.** Proposed resolution appointing **Maria M. Negron Gonzales** to the Veteran’s Affairs Board of the City of Hialeah for a (2)-year term ending on February 23, 2024.

(COUNCIL VICE PRESIDENT PEREZ)

APPROVED 5-0-2 with Council Member Calvo and Council Member Tundidor not present during roll call.

RESOLUTION NO. 2022-030

REPORT: Motion to Approve Item 11 B made by Council Vice President Perez, and seconded by Council Member Casáls-Muñoz. Motion passes 5-0-2 with Council Member Calvo and Council Member Tundidor not present during roll call. Council Member Calvo and Council Member Tundidor recorded their vote as “Yes” after the item was approved.

- 11 C.** Proposed resolution appointing **Hillary Marrero** to the Youth Advisory Board of the City of Hialeah for a (2)-year term ending on February 23, 2024.

(COUNCIL MEMBER RODRIGUEZ)

APPROVED 5-0-2 with Council Member Calvo and Council Member Tundidor not present during roll call.

RESOLUTION NO. 2022-031

REPORT: Motion to Approve Item 11 C made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 5-0-2 with Council Member Calvo and Council Member Tundidor not present during roll call. Council Member Calvo and Council Member Tundidor recorded their vote as “Yes” after the item was approved.

- 11 D.** Proposed resolution appointing **Laura Sainz** to the Youth Advisory Board of the City of Hialeah for a (2)-year term ending on February 23, 2024.

(COUNCIL VICE PRESIDENT PEREZ)

APPROVED 6-0-1 with Council Member Calvo not present during roll call.

RESOLUTION NO. 2022-032

REPORT: Motion to Approve Item 11 D made by Council Vice President Perez, and seconded by Council Member Casáls-Muñoz. Motion passes 6-0-1 with Council Member Calvo not present during roll call. Council Member Calvo his vote as “Yes” after the item was approved.

12. UNFINISHED BUSINESS

- **Council Vice President Perez** recognized Joseph Dzedzic, Parks and Recreation Department Head, for his years of service to the City.
- **Mayor Bovo** acknowledged Joseph Dzedzic for his service to the City and thanked all the department heads and staff that participated in the Community Outreach Program held on February 12, 2022 at Milander center.
- **Council Member Casáls-Muñoz** invited the everyone to the 6th Annual Pig Cook Off.
- **Council Vice President Perez** requested that the recreational vehicle discussion and license for recreational vehicles be placed on New Business for the City Council Meeting of March 8, 2022.

13. NEW BUSINESS

REPORT: Council President Zogby called a ten-minute recess at 9:44 p.m.

REPORT: Council President Zogby called the meeting to order, and the City Council reconvened at 9:49 p.m.

14. ZONING

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 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.

<i>On January 25, 2022, the item was postponed until February 8, 2022, per the applicant's request.</i>

<i>On January 11, 2022 the item was postponed until January 25, 2022 per the applicants request.</i>

<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>
<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</i>

ITEM IS POSTPONED UNTIL MARCH 8, 2022.

PZ 2. Second reading and public hearing of proposed ordinance granting a variance permit to allow 6 parking spaces, where 11 parking spaces are required and variance to allow a waiver of minimum landscape requirements, allowing 2 feet landscape buffer, where 7 feet are required; and allowing for the mitigation of two trees pursuant to Hialeah Code of Ordinances § 98-2233, by paying for two trees to be planted elsewhere in the City, all contra to Hialeah Code of Ordinances § 98-2189(7) and City of Hialeah Landscape Manual, updated July 9, 2015, ¶ (D)(7). **Property located at 223 West 27 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 February 8, 2022, the item was postponed until February 22, 2022.</i>
<i>On January 25, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for February 8, 2022.</i>
<i>On January 12, 2022, the Planning and Zoning Board recommended approval of the item with the condition that the proffered improvements are built within 90 days, and subject to the proposed business hours proffered in a Declaration of Restrictive Covenants.</i>
<i>Planner's Recommendation: Approve with conditions.</i>
<i>Property Owners: Orlando & Magaly Carballosa, 875 West 30 Street, Hialeah, Florida 33012.</i>

ITEM IS POSTPONED UNTIL FURTHER NOTICE.

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 a 96-student K-5 grade school in conjunction with an existing 78-student daycare with a total of 9 staff members; and allow 126 parking spaces, where 186 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(9). **Property located at 5916 West 16 Avenue, 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.

<i>On February 8, 2022, the item was postponed until February 22, 2022.</i>
<i>On January 25, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 8, 2022.</i>
<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016 on behalf of New Aladdin Learning Center Inc.</i>
<i>On January 12, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Malecon Plaza Inc., Nilo Ventura Sr. and Hector Ventura, 2087 West 76 Street, Hialeah, Florida 33016.</i>

ITEM IS POSTPONED UNTIL MARCH 8, 2022.

15. LAND USE

LU 1. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Residential Office District to Commercial District. **Properties located at 4915 East Palm Court, 4935 East Palm Court and 4910 East 1 Avenue And 4930 East 1 Avenue, Hialeah, Florida, zoned R-1 (One-Family District) and 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 February 8, 2022, the item was approved on first reading by the City Council.</i>
<i>On January 26, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Juan Sarol M.D., P.A., 85 East 49 Street, Hialeah, Florida 33013. Maray Rocher M.D., P.A., 87 East 49 Street, Hialeah, Florida 33013.</i>

APPROVED 7-0

ORDINANCE NO. 2022-011

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 Administrative Item LU 1 made by Council Member Casàls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

- LU 2.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential. **Property located at 1451 West 29 Street, Hialeah, Hialeah**, zoned R-3-3 (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 February 8, 2022, the City Council approved the item on first reading.</i>
<i>Registered Lobbyist: Javier L. Vazquez, Esq., 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, on behalf of 1450 W. 29th ST LLC.</i>
<i>On January 26, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Caparros 2011 Children's Trust, BRP1451, LLC, Arch III, LLC, and Rodriguez Family Capital Holdings, LLC, 16400 NW 59 Avenue, Miami Lakes Florida 33014.</i>

APPROVED 7-0

ORDINANCE NO. 2022-012

REPORT: Javier Vazquez with law offices at 1450 Brickell Avenue addressed the City Council 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 Administrative Item LU 2 made by Council Member Casàls-Muñoz and seconded by Council Member Garcia-Roves. Motion passes 7-0.

- LU 3.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential. **Property located at 541 East 22 Street, Hialeah, 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 February 8, 2022, the City Council approved the item on first reading.</i>
<i>On January 26, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Ricardo J. Hernandez and Maria Hernandez, 14431 Harris Place, Miami Lakes Florida 33014.</i>

APPROVED 7-0

ORDINANCE NO. 2022-013

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 Administrative Item LU 3 made by Council Member Casàls-Muñoz and seconded by Council Vice President Perez. Motion passes 7-0.

- LU 4.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Residential Office District to Commercial District. **Property located at 301 East 49 Street, Hialeah, 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 February 8, 2022, the City Council approved the item on first reading.</i>
<i>On January 26, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Agnes Knowles, Mary Agnes Weeks and Forrest C. Knowles Jr., 301 East 49 Street, Hialeah, Florida.</i>

APPROVED 6-0-1 with Council Vice President Perez away.

ORDINANCE NO. 2022-014

REPORT: Council President Zogby granted Manny Reus request to have Item LU 4 be considered out of the order of the agenda.

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 Administrative Item LU 4 made by Council Member Casals-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President Perez not present during roll call. Council Member Calvo her vote as “Yes” after the item was approved.

REPORT: Council President Zogby adjourned the meeting at 9:55 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, March 8, 2022 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, March 8, 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).