

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
April 12, 2022
7:00 p.m.

1. CALL TO ORDER

A. **REPORT:** Council President Zogby called the meeting to order at 7:23 p.m.

2. ROLL CALL

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

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. Pastor Mark Rodriguez of Love Unlimited Church led the invocation during the Police Swearing in Ceremony held in the Council Chambers at 6:30 p.m.

4. PLEDGE OF ALLEGIANCE

A. The Pledge of Allegiance was led by Council President Zogby during the Police Swearing in Ceremony.

5. MEETING GUIDELINES

The following guidelines have been established by the City Council:

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

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

6. PRESENTATIONS

- A. Presentation by **James Carras**, Harvard Professor and Principal at Carras Community Investments regarding a CRA study he conducted in the year 2016 for the Hialeah Market Station.

(COUNCIL MEMBER CALVO)

REPORT: James Carra, 1701 Northeast 6th Street, Fort Lauderdale, Florida, presented a PowerPoint Presentation to the City Council, and a copy is on file in the Office of the City Clerk.

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:** The following persons present in the Council Chambers expressed interest in speaking during this portion of the meeting.
- Roberto Gewanter, 794 Southeast 8th Street, addressed the City Council on the City of Hialeah Police Selection Committee and regarding the CRA presentation.
 - Christopher Monzon, 7540 West 20th Avenue, Hialeah, Florida, addressed the City Council regarding Julio Martinez and provided the City Council with information on Mr. Martinez's credentials and background.
 - Ariel Martinez, resident of Miami Springs, addressed the City Council regarding his candidacy for Circuit Judge.
 - Eric Johnson, Hialeah Fire Fighters, addressed the City Council on the administration, life scans and the promotional ceremony held at 6:30 p.m. for the Hialeah Police Department.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- **Amended Items:**
 - The proposed ordinance for Administrative Item 10 D has been amended.
- **Add-On Items:**
 - Administrative Item 10 D 1
 - Administrative Item 10 D 2
- **Withdrawn Items:**
 - Consent Item N has been withdrawn from today's agenda.

➤ **Deferred Items:**

- Item PZ 1 is deferred until further notice.

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 a separate discussion on Consent Item C.

REPORT: Council Member Calvo requested a separate discussion on Consent Item D.

REPORT: Council Vice President Perez requested a separate discussion on Consent Item H, I and O.

REPORT: Motion to Approve the Consent Agenda, except items C, D, H, I and O made by Council Member Garcia-Roves, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion to approve passed.

- A. Request permission to approve the minutes of the City Council Meeting held on March 22, 2022.

(OFFICE OF THE CITY CLERK)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

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

(ADMINISTRATION)

ITEM DEFERRED UNTIL SEPTEMBER 13, 2022.

REPORT: After the item was approved by the City Council, Mayor Bovo requested that the City Council reconsider the item and postpone it until the first regularly scheduled meeting of September 2022.

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

REPORT: Motion to Defer Consent Item B until September 13, 2022, made by Council Member Tundidor, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

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

- C. Request permission to issue a purchase order to The Corradino Group, Inc., vendor recommended by the City's Selection Committee for Engineering and Architectural Professional Services in response to Request for Qualifications No. 2021/22-9500-00-001 – *Engineering and Architectural Services*, for an Impact Analysis on revenue and costs for the potential annexation area of unincorporated Miami-Dade County adjacent to the northeast sector of the City, in a total cumulative amount not to exceed \$23,500.00. The expenditure is to be withdrawn from the General Fund – Professional Services Account No. 001.8500.519.310. The City Council approved the recommendations of the Selection Committee on March 8, 2022 (Consent Item Q).

(OFFICE OF THE MAYOR)

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

APPROVED 7-0

REPORT: Mayor Bovo spoke on this item.

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

- D. Proposed resolution establishing the City of Hialeah's Internship Program for students and recent graduates and providing for an effective date.

(COUNCIL MEMBER CALVO)

APPROVED 7-0

RESOLUTION NO. 2022-054

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

- E. Request permission to waive competitive bidding, since it is advantageous to the City in that the Miami Herald is a newspaper of general circulation in the City of Hialeah as required by state law, and increase Purchase Order No. 2022-1332, issued to the Miami Herald, for the cost of legal and classified advertisements for fiscal year 2022-2023, by an additional amount of \$49,000.00, to pay for the cost of pending invoices and upcoming advertisements through the end of fiscal year 2022, for a total cumulative amount not to exceed \$144,000.00. The funding for this expenditure is to be withdrawn from Publicity & Advertising Account No. 001.0220.512.481.

(OFFICE OF THE CITY CLERK)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as "Yes" after the motion was approved.

- F. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has provided excellent service to the City and will honor the same cost charged to the City for previous events, and issue a purchase order to The Celebration Source Inc, vendor providing the lowest quotation of the four (4) vendors contacted for a quote, to provide mechanical rides and kids' activity equipment for the City's Eggstravaganza event, in a total cumulative amount not to exceed \$14,000.00. The funding for this expenditure is to be withdrawn from the General Fund – Special Events Account No. 001.3150.573.492.

(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- G. Request permission to increase Purchase Order No. 2022-200, issued to Mowrey Elevator Company of Florida, Inc., vendor currently under a Service Agreement with the City for Citywide elevator maintenance, inspection and repairs, by an additional amount of \$30,000.00, to cover the cost of emergency repairs, for a new total cumulative amount not to exceed \$50,000.00. The funding for this expenditure is to be charged to the individual department utilizing the services.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- H. Request permission to increase the allowance allocated to G. & R. Electric Corp. for citywide fire alarm monitoring, maintenance and annual testing, by an additional amount of \$25,000.00, to cover the cost of numerous emergency repairs required to satisfy the annual fire alarm certifications, as well as due to elevator inspections, unexpected repairs due to the age and condition of the equipment at older City buildings, and acts of God, for a new total expense amount not to exceed \$125,000.00. On September 22, 2020, the City Council awarded Hialeah Invitation to Bid No. 2019/20-8500-36-0022 – *Fire Alarm Monitoring, Maintenance and Annual Testing* to this vendor for a period ending on September 30, 2023. The funding for this expenditure is to be charged to the individual department utilizing the services.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

REPORT: Vicente Rodriguez, Director of the City's Department of Construction and Maintenance addressed the City Council.

REPORT: Mayor Bovo spoke on this item.

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

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

- I. Request permission to waive competitive bidding, since it is advantageous to the City in that the City uses various vendors on a rotational basis to purchase electrical equipment, components and supplies, and increase the following purchase orders for General Government/Citywide use as follows:

- Purchase Order No. 2022-359, issued to Mercedes Electric Supply, Inc., by an additional amount of \$5,000.00, for a new total amount of \$10,000.00.
- Purchase Order No. 2022-358, issued to Graybar Electric Company, Inc., by an additional amount of \$15,000.00, for a new total amount of \$30,000.00.
- Purchase Order No. 2022-357, issued to Royal Electric Supply, Inc., by an additional amount of \$15,500.00, for a new total amount of \$30,000.00.
- Purchase Order No. 2022-557, issued to Electro Industrial AP Corp, by an additional amount of \$10,000.00, for a new total amount of \$20,000.00.
- Purchase Order No. 2022-360, issued to ASP Electrical Supplies, LLC, by an additional amount of \$10,000.00, for a new total amount of \$20,000.00.
- Purchase Order No. 2022-356, issued to Manhattan Electric & Hardware Corporation, by an additional amount of \$5,250.00, for a new total amount of \$10,000.00.
- Purchase Order No. 2022-355, issued to Miami Dade Electric, Inc., by an additional amount of \$15,000.00, for a new total amount of \$25,000.00.
- Purchase Order No. 2022-354, issued to Miami-Dade Electric and A/C Supply, LLC, by an additional amount of \$15,000.00, for a new total amount of \$25,000.00.

Further request permission to waive competitive bidding, since it is advantageous to the City in that the City uses various vendors on a rotational basis to purchase electrical equipment, components and supplies, and increase the following purchase orders for Affordable Housing use as follows:

- Purchase Order No. 2022-143, issued to ASP Electrical Supplies, LLC, by an additional amount of \$5,000.00, for a new total amount of \$10,000.00.
- Purchase Order No. 2022-222, issued to Manhattan Electric & Hardware Corporation, by an additional amount of \$5,250.00, for a new total amount of \$10,000.00.
- Purchase Order No. 2022-224, issued to Miami Dade Electric, Inc., by an additional amount of \$5,000.00, for a new total amount of \$10,000.00.
- Purchase Order No. 2022-223, issued to Miami-Dade Electric and A/C Supply, LLC, by an additional amount of \$5,000.00, for a new total amount of \$10,000.00.

The total cumulative expense amount for general government/citywide use is not to exceed \$170,000.00, and the total cumulative expense amount for affordable housing use is not to exceed \$40,000.00. The funding for this expenditure is to be charged to the individual department utilizing the services.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

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

REPORT: Motion to Approve Consent Item I made by Council Vice President Perez, and

seconded by Council Member Rodriguez. Motion passes 5-0-2 with Council Member Casáls-Muñoz and Council Member Calvo not present during roll call. Council Member Casáls-Muñoz and Council Member Calvo recorded their vote as “Yes” after the item was approved.

- J. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2022-1359, issued to Image First of SE Florida, LLC, to provide weekly pick-up and delivery of cleaned linens and laundry services for all nine (9) fire station for the remaining of fiscal year 2021-2022, by an additional amount of \$35,000.00, for a new total cumulative amount not to exceed \$50,000.00. The funding for this expenditure is to withdrawn from the Fire Rescue Transportation Fund- Contractual Services Account No. 109.2000.522340.

(FIRE DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- K. Request permission increase Purchase Order 2022-1541, issued 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, to cover the costs of emergency repairs and out of warranty repairs needed to be performed by a certified emergency vehicle technician to the Fire Department’s fleet of emergency vehicles, by an additional amount of \$40,000.00, for a new cumulative amount not to exceed \$65,000.00. The funding for this expenditure is to be withdrawn from Fire Rescue Transportation Fund – Repair & Maintenance - Vehicles Account No. 109.2000.522463.

(FIRE DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- L. Request permission to utilize Government Services Administration Federal Acquisition Service Contract No. GS-35F573GA, contract that expires on July 26, 2027, and issue a purchase order to DSM Technology Consultants LLC, to renew the Disaster Recovery as a Service (DRaaS) for fiscal years 2022, 2023, 2024 and 2025, in a total cumulative amount not to exceed \$219,174.00 to be paid as follows: \$37,929.00 for fiscal year 2022, \$72,498.00 for fiscal 2023, \$72,498.00 for fiscal year 2024, and \$36,249.00 for fiscal year 2025. The funding for this expenditure is to be withdrawn from the General Fund - Contractual Services Account No. 001.0201.519340.

(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- M. Request permission to issue a purchase order to Miami-Dade Transportation Planning Organization (TPO) to pay for the City of Hialeah participation fee, fee that assists the TPO to engage in transportation activities, advance TPO priorities, and the implementation of the Strategic Miami Area Rapid Transit (SMART) Plan, in a total cumulative amount not to exceed \$22,222.00. The funding for this expenditure is to be withdrawn from the General Fund - Municipal Dues Account No. 001.8500.519495.

(FINANCE MANAGEMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- ~~N. Proposed resolution approving the terms of the Memorandum of Understanding, (The “MOU”) among the City of Hialeah, Miami-Dade County, and the Town of Miami Lakes (The “Parties”), attached as Exhibit “A”, pertaining to their dispute concerning the East West Bridges located at N.W. 170 Street and N.W. 154 Street; resolving the lawsuit between the parties in the Circuit Court of Miami-Dade County, Case No. 2019-29261; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the MOU and any customary and necessary documents in furtherance of this resolution; and providing for an effective date.~~

(ADMINISTRATION)

ITEM IS WITHDRAWN

- O. Proposed resolution initiating conflict resolution procedures pursuant to Chapter 164, Fla Stat., the Florida Governmental Conflict Resolution Act, regarding a conflict between the City of Hialeah and Miami-Dade County, Florida; and providing for an effective date.

(ADMINISTRATION)

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

RESOLUTION NO. 2022-055

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

- P. Request permission to utilize State of Florida Department of Management Services Contract No. 43230000 – NASPO-16-ACS-SVAR, contract that expires on June 30, 2022, and issue a purchase order to Insight Public Sector, Inc., for the subscription renewal of NetMotion Mobility Full Access, from March 27, 2022 through March 26, 2023, in a total cumulative amount not to exceed \$39,347.88. The funding for this expenditure is to be withdrawn from the General Fund - Contractual Services Account No. 001.0201.519340.

(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as “Yes” after the motion was approved.

- Q. Request permission to ratify payment made to CDW Government LLC on March 8, 2022, for the purchase of additional licenses and installation services for the deployment of DigitalPersona citywide, utilizing State of Florida Department of Management Services Contract No. 43230000-NASPO-16-ACS-SVAR, contract that expires on June 30, 2022, through Purchase Order No. 2022-1559 in the amount of \$28,673.28 for the purchase of licenses, and Purchase Order No. 2022-1558 in the amount of \$5,787.37 for implementation services, for a total cumulative expense amount not to exceed \$34,460.65. The funding for Purchase Order No. 2022-1559 was withdrawn from the General Fund-Capital Outlay- Software Account No. 001.0201.519.641. The funding for Purchase Order No. 2022-

1558 was withdrawn from the General Fund - Professional Services Account No. 001.0201.519310 after a budget transfer in the amount of \$16,772.00 was made from the General Fund - Contractual Services Account No. 001.0201.519.340.

(INFORMATION TECHNOLOGY DEPARTMENT)

- R.** Request permission to utilize City of Mesa State of Arizona Contract No. 2018011-02 - *Information Technology Solutions and Services*, contract which expires on February 28, 2023, and issue a purchase order to SHI International Corp., for the purchase of twenty (20) additional licenses of Carbon Black, in the amount of \$1,062.40, and the upgrade and True-Up of the City's current licenses of Carbon Black, in the amount of \$7,485.20, for a total cumulative amount not to exceed \$8,547.60. The funding for this expenditure is to be withdrawn from the General Fund - Capital Outlay - Software Account No. 001.0201.519641.

(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 6-0-1 with Council Member Rodriguez not present during roll call. Council Member Rodriguez recorded his vote as "Yes" after the motion was approved.

10. ADMINISTRATIVE ITEMS

- 10 A. ORDINANCE:** *Second reading and public hearing* of proposed ordinance accepting the dedication of land improved with a pump station of approximately 2,925 square feet, as depicted in the Surveyor's Sketch attached as Exhibit "A"; subject to and approving the terms of the Quit-Claim Deed attached as Attachment "1", from Two Lakes Lennar, LLC, a Delaware Limited Liability Company; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

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

ORDINANCE NO. 2022-027

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 A made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. 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.

On March 22, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 12, 2022.

(ADMINISTRATION)

- 10 B. ORDINANCE:** *Second reading and public hearing* of proposed ordinance accepting the dedication to enable construction of a roadway of approximately 11,548 square feet of land more or less abutting West 38 Avenue (NW 99 Avenue) to City of Hialeah for right-of-way purposes from WGC 97th

Property, LLC, a Delaware Limited Liability Company pursuant to the Right-of-Way Deed attached hereto and made a part hereof as Exhibit “A”; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

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

ORDINANCE NO. 2022-028

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 B made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. 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.

On March 22, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 12, 2022.

10 C. ORDINANCE: First reading of proposed ordinance submitting to the electorate at a Special Election conducted during the Primary Election of the City of Hialeah occurring in the City of Hialeah, Florida on Tuesday, November 8, 2022, wherein the electors of the City of Hialeah, Florida shall be privileged to vote on the following question:

Title: Charter Amendment to Article V entitled “Elections”, providing for transfer of administration between succeeding mayors.

Ballot Question: “Shall the City amend the Charter, which provides that the term of any elected official commence at noon on the third day after election, to provide instead that, beginning with the election held in November 2025, the term of office for Mayor commence at noon on the second Monday in January following election, and if amended, then the incumbent mayor’s term be extended to January 12, 2026, when the successor’s 4-year term shall begin?”

Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in charter; providing for a severability clause and providing for an effective date.

(ADMINISTRATION)

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

REPORT: Motion to Approve Administrative Item 10 C made by Council Member Garcia-Roves, 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.

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

10 D. ORDINANCE: First reading of proposed ordinance amending the organizational structure of the City creating a new “Finance Management Department”; subordinating the Finance Department and Office of Management and Budget as divisions of the new Finance Management Department; placing the Purchasing Division under the supervision of the new Finance Management Department; providing for duties and responsibilities for the new Finance Management Department and three subordinate divisions; and amending Chapter 2 of the Code of Ordinances of the City of Hialeah entitled “Administration”, Article II “Departments, Offices and Divisions,” to conform; repealing all ordinances in conflict herewith; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ADMINISTRATION)

APPROVED 7-0

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

10 D 1. ADD- ON ITEM / RESOLUTION: Proposed resolution designating the Executive Director of Finance Management, Ruth Rubi, as the City Treasurer and providing for an effective date.

(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2022-056

REPORT: Motion to Approve Administrative Item 10 D 1 made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

10 D 2. ADD- ON ITEM / RESOLUTION: Proposed resolution authorizing all depositories of public funds of the City of Hialeah, Florida, to honor any checks, claims, warrants or vouchers that bear the signature of Esteban Bovo, Jr., as Mayor, or Carl Zogby, as Council President, when countersigned by Ruth Rubi, as City Treasurer, or Jorge Blanco, as Finance Director, pursuant to Hialeah Charter § 3.11(a) and (b); repealing all resolutions in conflict herewith; providing for a savings clause; and providing for an effective date.

(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2022-057

REPORT: Motion to Approve Administrative Item 10 D 2 made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 7-0.

10 E. ORDINANCE: First reading of proposed ordinance approving a Drainage Easement and Indemnity Agreement by and between the City of Hialeah, Florida and RELP Beacon Logistics, LLC, a Delaware Limited Liability Company, in connection with the dedication of N.W. 145 Place, from N.W. 102 Avenue to N.W. 107 Avenue, as a public road, in substantial conformity with the copy attached as

“Exhibit 1”; authorizing the execution of the agreement and all other necessary and customary documents 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.

(ADMINISTRATION)

APPROVED 7-0

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

- 10 F. ORDINANCE:** First reading of proposed ordinance amending Chapter 98, entitled “Zoning”, Article V, Zoning District Regulations, Division 20, entitled “ASD Automotive Sales District”, creating a new section, 98-1294, entitled “Exceptions”, establishing an exception allowing automobile rental satellite facilities to operate outside the Automobile Sales District (“ASD”), and amending Chapter 98, Zoning, Article V, Zoning District Regulations, Division 16, C-2 Liberal Retail Commercial District, Section 98-1111, of the City of Hialeah Code of Ordinances entitled “Permitted Uses” to include automobile rental satellite facilities which would provide a convenient alternative to vehicle ownership; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; providing for inclusion in the code, and providing for an effective date.

(ZONING)

APPROVED 7-0

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

On March 23, 2022, the Planning and Zoning Board recommended approval of the item.

- 10 G.** Pursuant to Section 2.01 of the City’s Charter, Mayor Esteban Bovo, Jr. appoints George Fuente, subject to civil service rules and regulations, to the position of Police Chief.

(ADMINISTRATION)

APPROVED 7-0.

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

11. BOARD APPOINTMENTS

- 11 A. RESOLUTION:** Proposed resolution appointing **Patrick Carvevale** to the Veteran’s Affairs Board of the City of Hialeah for a (2)-year term ending on April 11, 2024.

(COUNCIL MEMBER TUNDIDOR)

APPROVED 7-0

RESOLUTION NO. 2022-058

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

- 11 B. **RESOLUTION:** Proposed resolution appointing **Carolina Suero** to the Youth Advisory Board of the City of Hialeah for a (2)-year term ending on April 12, 2024.

(COUNCIL MEMBER CALVO)

APPROVED 7-0

RESOLUTION NO. 2022-059

REPORT: Motion to Approve Item 11B made by Council Member Calvo, and seconded by Council Vice President Perez. Motion passes 7-0.

- 11 C. **RESOLUTION:** Proposed resolution reappointing **Javier Casanova** as a member of the Planning and Zoning Board for a two (2)-year term ending on June 27, 2023.

(COUNCIL MEMBER TUNDIDOR)

APPROVED 7-0

RESOLUTION NO. 2022-060

REPORT: Motion to Approve Item 11C made by Council Member Rodriguez, and seconded by Council Vice President Perez. Motion passes 7-0.

- 11 D. **RESOLUTION:** Proposed resolution appointing **Odalys Menegia** to the Cultural Affairs Council of the City of Hialeah for a (2)-year term ending on April 12, 2024.

(CITY COUNCIL APPOINTMENT)

(NOMINATED BY COUNCIL MEMBER RODRIGUEZ)

APPROVED 7-0

RESOLUTION NO. 2022-061

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

- 11 E. Request permission to approve the appointment of **Ruth Rubi, Assistant Director of Finance Management**, to the City of Hialeah Insurance Committee.

(MAYOR BOVO)

APPROVED 7-0

REPORT: Motion to Approve Item 11E made by Council Vice-President Perez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

11 F. Request permission to approve the appointment of **Timothy Benjamin, Internal Auditor**, to the City of Hialeah Insurance Committee.

(MAYOR BOVO)

APPROVED 7-0

REPORT: Motion to Approve Item 11F made by Council Vice-President Perez, and seconded by Council Member Rodriguez. Motion passes 7-0.

12. UNFINISHED BUSINESS

13. NEW BUSINESS

14. ZONING

REPORT: All members present were dully sworn in.

PLANNING AND ZONING

PZ 1. ORDINANCE: 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.

On March 22, 2022, the item was postponed until April 12, 2022, per the applicant's request.

On March 8, 2022, the item was postponed until March 22, 2022, per the applicant's request.

On February 22, 2022, the item was postponed until March 8, 2022, per the applicant's

<i>request.</i>
<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 DEFERRED UNTIL FURTHER NOTICE.

PZ 2. ORDINANCE: 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.

APPROVED 7-0

ORDINANCE NO. 2022-029

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

REPORT: Motion to Approve Item PZ 2 made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Tundidor having abstained from voting.

REPORT: Council Member Tundidor filed Form 8B Memorandum with the Office of the City Clerk.

On February 8, 2022, the item was postponed until further notice per the applicant's request.

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

Form 8B-Memorandum : Council Member Tundidor filed a Form 8b Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers form, which is on file in the Office of the City Clerk.

On January 11, 2022, Council Member Tundidor abstained from voting on this item. Without Council Member Tundidor's presence, there were only three City Council Members present which was not sufficient to take action on the item.

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

PZ *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.

3. ORDINANCE: First reading of proposed ordinance rezoning property from R-1 (One-Family District) to P (Parking); **Property located at 390 East 43 Street, Hialeah, zoned R-1 (One-Family District)**; Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective.

DENIED 6-1-0 with Council President Zogby voting "No".

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

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

REPORT: **Motion to Deny Item PZ 3 made by Council Member Casáls-Muñoz, and seconded by Council Vice President Perez. Motion passes 6-1-0 with Council President Zogby voting "No".**

On March 23, 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owners: Richard Largo, 4290 East 4 Avenue, Hialeah, Florida 33013.

PZ 4. ORDINANCE: First reading of proposed ordinance rezoning property from RO (Residential Office) to B-1 (Highly Restricted Retail District); and granting a variance permit to allow 19 parking spaces, where 22 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(7); **Property located at 301 East 49 Street, Hialeah, zoned RO (Residential Office);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

REPORT: Manny Reus (Architect), 18501 Pines Blvd, Suite 342, Pembroke Pines, Florida, on behalf of Magnum Medical Mgt- LLC., addressed the City Council.

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

Registered Lobbyist: Manny Reus (architect), 18501 Pines Blvd, Suite 342, Pembroke Pines, Florida, on behalf of Magnum Medical Mgt- LLC.

On March 23, 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owners: Roberto Carralero, 5750 Collins Avenue, Suite 14-G, Miami Beach, Florida 33140.

PZ 5. ORDINANCE: First reading of proposed ordinance rezoning from R-1 (One-Family District) to R-3-3 (Multiple-Family District); granting a variance permit to allow front setback of 10 feet, where 25 feet is the minimum required; allow interior east and west side setback of 5 feet, where 10 feet is the minimum required; allow lot coverage of 51%, where 30% is the maximum allowed; and allow pervious area of 24.2%, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-589, 98-590, 98-2056(b)(2) and 98-2056(b)(1); **Property located at 541 East 22 Street, Hialeah, zoned R-1 (One-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

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

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

<i>On March 23, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Ricardo J. Hernandez and Maria Hernandez 14431 Harris Place, Miami Lakes, Florida 33014.</i>

PZ 6. ORDINANCE: First reading of proposed ordinance granting a variance permit to allow 20 parking spaces, where 32 parking spaces are required; allow 15.8% pervious area where 18% pervious area is the minimum required; partially waive a 7 foot landscape buffer adjacent to the parking spaces fronting Palm Avenue; and allow a 3 foot front setback for a dumpster enclosure, where 10 feet is the minimum required; all contra to Hialeah Code of Ordinances § 98-2189(7) and § 78.108(c)(1); and contra to the City of Hialeah Landscape Manual, Latest Edition dated July 9, 2015; **Property located at 4526 and 4546 Palm Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

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

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

<i>Registered Lobbyist: Frank De la Paz, 9361 Bird Rd, Miami, Florida 33165.</i>
<i>On March 23, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Erick Castro, 10725 West Flagler Street, Miami, FL 33174 Ivan A. Herrera and Luis Castro, 528 NW 7 Avenue, Miami, Florida 33136.</i>

15. FINAL DECISION

FD 1. RESOLUTION: Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2022-04** granting an adjustment on the property located at **6447 East 4 Avenue, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2022-062

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

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

On March 9, 2022, the Planning and Zoning Board recommended approval of the item with the condition that the two side doors on the north side of the addition be removed and that a 6 feet opening is provided to connect the house and addition in a manner consistent with a single-family home layout.

Planner's Recommendation: Approve with conditions.

Property Owner: Anailys Anoceto, 6447 East 4 Avenue, Hialeah, Florida 33013

FD

2. RESOLUTION: Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2022-05** granting an adjustment on the property located at **7105 West 15 Avenue, Hialeah, zoned R-4 (Townhouses)**; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2022-063

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

REPORT: Motion to Approve Item FD 2 made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

On March 9, 2022, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owner: Lizvette Hermida, 7105 West 15 Avenue, Hialeah, Florida 33014.

16. LAND USE

LU 1. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Commercial; **Property located at 4526 and 4546 Palm Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

<i>Registered Lobbyist: Frank De la Paz, 9361 Bird Rd, Miami, Florida 33165.</i>
<i>On March 23, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Erick Castro (4526 Property Holding LLC), 528 NW 7 Avenue, Miami, Florida 33136.</i>

LU 2.

ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Transit Oriented Development District; **Property located at 991 East 26 Street, Hialeah, zoned R-1 (One-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

REPORT: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, addressed the City Council via Zoom with a PowerPoint Presentation.

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

REPORT: Second reading and public hearing is scheduled for April 26, 2022.

<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida, on behalf of, Miami Rental Partners LLC.</i>
<i>On March 23, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Miami Rental Partners LLC., Nancy Ortiz, Monica Otero, 100 South Pointe Drive, Suite 2702, Miami Beach, Florida 33139.</i>

REPORT: Council President Zogby adjourned the meeting at 10:27 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 24, 2022 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, April 26, 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).