

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Minutes/ Summary Agenda June 28, 2016 7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:19 p.m.**

Roll Call - **City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- **Councilman Jose Caragol**
- **Councilwoman Vivian Casáls-Muñoz**
- **Councilwoman Isis-Garcia Martinez**
- **Council President Luis Gonzalez**
- **Councilwoman Lourdes Lozano**
- **Councilman Paul Hernandez**
- **Councilman Vice-President Cue-Fuente**

• Also present were:

- **Lorena Bravo, City Attorney**
- **Mayor, Carlos Hernandez**

Invocation - **Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance - **Council Vice-President Cue-Fuente led the Pledge of Allegiance**

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.
- 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.

REPORT: The meeting guidelines were read into the record by the City Clerk in English and by Lisette Perez, Administrative Aide, Office of the City Clerk, in Spanish.

REPORT: Council President Gonzalez recognized the honorable Robert Luck, Judge for the Eleventh Judicial Circuit of Florida, who introduced himself to the Council.

Presentations –

- **John Casbarro, President of Kids and the Power of Work (KAPOW), recognized the City of Hialeah, on behalf of the organization, for the City's support. (MAYOR'S OFFICE)**
- **Presentation of a proclamation by Mayor Hernandez to the Hialeah Parks and Recreation Department recognizing the month of July as Parks and Recreation Month in the City of Hialeah.**

1. Announcement of Amendments/Corrections to the Agenda –

- a) **Item F has been withdrawn from today's agenda.**
- b) **Items L, M, N and O have been added to today's agenda.**
- c) **The zoning of the subject property for Item LU 4 has been amended to reflect R-3-2 (Multiple Family District).**

2. Consent Agenda-

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

REPORT: Councilwoman Garcia-Martinez requested separate discussion on Item E.

REPORT: Council President Gonzalez requested separate discussion on Item O.

REPORT: Motion to Approve the Consent Agenda, except Items E and O, made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed 7-0.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on June 14, 2016. (OFFICE OF THE CITY CLERK) **APPROVED 7-0**
- B. Proposed resolution approving a services agreement with A. Oliveros, Inc. to provide bus transportation services to the City's after-school, summer and holiday camps programs, for a

term commencing on December 1, 2015 and ending on December 31, 2016; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the services agreement attached hereto in substantial form, and made a part hereof as Exhibit "1". (EDUCATION AND COMMUNITY SERVICES DEPT.)) **APPROVED 7-0 RESOLUTION NO. 2016-54**

- C. Proposed resolution approving a professional services agreement with Common Threads, Inc. to provide hands on nutrition lessons to participants, together with supplies, for a term commencing on June 1, 2016 and ending on August 31, 2016, in an amount not to exceed \$2,104.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto in substantial form, and made a part hereof as Exhibit "1". (EDUCATION AND COMMUNITY SERVICES DEPT.) **APPROVED 7-0 RESOLUTION NO. 2016-55**
- D. Proposed resolution approving a professional services agreement with Mind Lab South Florida, LLC to provide classroom instruction to the participants of the Creative Learning and Play Summer Program, together with supplies, for a term commencing on June 1, 2016 and ending on August 31, 2016, in an amount not to exceed \$11,160.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto in substantial form, and made a part hereof as Exhibit "1". (EDUCATION AND COMMUNITY SERVICES DEPT.) **APPROVED 7-0 RESOLUTION NO. 2016-56**
- E. Request approval of an adjustment to the Fire Rescue Impact Fee Schedule in the amount of 5.013 percent, designated "Consumer Price Index for All Urban Consumers (CPI). Ordinance No. 07-24 passed and adopted on February 27, 2007, provides for a recalculation of the Fire Rescue Impact Fee to allow for the annual adjustment based on inflation using the Consumer Price Index (CPI). (FIRE DEPT.) **APPROVED 6-1 with Councilwoman Garcia-Martinez voting "NO"**.

REPORT: Motion to Table Item E until July 12, 2016 made by Councilwoman Garcia-Martinez, and seconded by Councilman Hernandez. Motion failed, at the pleasure of the Council (2-5) with Councilwoman Casáls-Muñoz, Council Vice President Cue-Fuente, Council President Gonzalez, Councilwoman Lozano and Councilman Caragol voting "NO".

REPORT: Motion to Approve Item E made by Councilwoman Casáls-Muñoz, and seconded by Council Vice President Cue-Fuente. Motion passed (6-1) with Councilwoman Garcia-Martinez voting "NO".

- ~~F. Request permission to issue a purchase order to Hazen and Sawyer, P.C., one of the firms approved by the City Council on June 8, 2010 for City engineering services, for services for phase 10 of the sewer rehabilitation phase which addresses approximately 54,000 linear feet of lining, in a total cumulative amount not to exceed \$338,600. (DEPT. OF PUBLIC WORKS) **WITHDRAWN**~~
- G. Request permission to increase purchase order # 2016-1275, since it is advantageous to the City, issued to The Corradino Group, the company recommended by the committee members of the Selection Committee for Request for Qualifications No. 2014-15-3210-00-003-*Sidewalk and Guardrails Improvements on West 28th Avenue from West 52nd to 80th Street*

(*Consultants and Engineers*), for project permit costs, by an additional amount of \$6,884.31, for a new total cumulative amount not to exceed \$46,354.31. (STREETS DEPT.)

APPROVED 7-0

- H. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2016-1521, issued to Flower Breeze Corp, to continue the removal of invasive trees along canal banks, by an additional amount of \$25,220, in a total cumulative amount not to exceed \$39,220. (STREETS DEPT.) **APPROVED 7-0**
- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to P & J Striping Inc., vendor providing the lowest estimate, for striping of Palm Avenue to East 4th Avenue from 41st Street to 65th Street, in a total cumulative amount not to exceed \$25,632.54. (STREETS DEPT.) **APPROVED 7-0**
- J. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the first amendment to the lease agreement with the School Board of Miami-Dade County, Florida attached hereto and made a part hereof as Exhibit "1", for the use of Bright Park, for a term of five years, commencing on August 24, 2016 and ending on August 24, 2021. (PARKS AND RECREATION DEPT.) **APPROVED 7-0 RESOLUTION NO. 2016-57**
- K. Proposed resolution accepting a grant award, from the State of Florida Department of Elder Affairs, through Alliance for Aging, Inc in the amount of \$1,400,000 to provide congregate meals at six sites throughout the City for one-year commencing July 1, 2016 and ending on June 30, 2017; and authorizing the Mayor or his designee, and the City Clerk, as attesting witness, on behalf of the City, to execute a local service program agreement between Alliance for Aging Inc. and the City of Hialeah, Florida, a copy of which is attached hereto and made a part of hereof as Exhibit "1". (GRANTS AND HUMAN SERVICES DEPT.) **APPROVED 7-0 RESOLUTION NO. 2016-58**
- L. Proposed resolution authorizing the Mayor and the City Clerk as attesting witness, on behalf of the City, to enter into an agreement with Franco Government Relations, Inc., in substantial conformity with the form attached hereto and made a part hereof as Exhibit 1, in the total amount of \$50,000.00, payable in equal monthly installments of \$4,166.67, for one year, commencing on October 1, 2015 and ending on September 30, 2016 to assist the City in identifying and securing additional federal resources; and providing for an effective date. (GRANTS AND HUMAN SERVICES DEPT.) **APPROVED 7-0 RESOLUTION NO. 2016-59**
- M. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2016-191, issued to Porter's Locksmith, Inc., for vehicle lock repairs, in an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (FLEET MAINTENANCE DEPT.) **APPROVED 7-0**
- N. Request permission to waive competitive bidding, since it advantageous to the City, and increase purchase order # 2016-135, issued to Trimline Graphics International, Inc., to purchase and apply decals for City vehicles, by an additional amount of \$20,000, for a new

total cumulative amount not to exceed \$65,000. (FLEET MAINTENANCE DEPT.)
APPROVED 7-0

- O. Proposed resolution strongly opposing the proposed rate increase by Florida Power and Light (“FPL”). (COUNCIL PRESIDENT GONZALEZ) **APPROVED 7-0 RESOLUTION NO. 2016-60**

REPORT: Motion to Approve Item O, made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed (7-0).

4. Board Appointments

- a. Proposed resolution reappointing Christopher Zacarias as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the citation procedures set forth in Chapter 22, Article III, of the Hialeah Code, assume all powers authorized by Hialeah Code § 22-186(k), and serve a term commencing on May 31, 2016 and ending on May 31, 2017, at an hourly rate to be established by administrative order of the Mayor; and providing for an effective date. (OFFICE OF THE CITY CLERK) **APPROVED 7-0 RESOLUTION NO. 2016-61**

REPORT: Motion to Approve Item 4A, made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed (7-0).

5. Unfinished Business - **None**

6. New Business

- a. **Council President Gonzalez reminded everyone that there will be a City Council meeting on July 12, 2016 at 7:00 p.m.**

7. Comments and Questions –

- **Mayor Hernandez commended the Hialeah Police Department for their efforts. Also, mentioned that Hialeah has been rated the safest largest city in Florida.**
- **Councilwoman Garcia-Martinez commended the Hialeah Police Department for their work, and also provided an update on the matter regarding the condo association resolution recently passed by the City Council.**
- **Ricardo Suarez, City’s CIO, responded Councilwoman Garcia-Martinez’s questions regarding a communications center tower failure.**
- **Councilman Hernandez commended the Hialeah Police Department, discussed I75 lanes issue, and invited all to the next Leah Arts District event.**
- **Council President Gonzalez commented on the crime rate in Hialeah, and reminded all of the July 4th festivities.**

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.

Attention Applicants: Items approved by the City Council are subject to the Mayor’s approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor’s signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.

ZONING

- PZ 1.** First reading of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking). **Property located at 562 East 26th Street, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Representative: Melissa Tapanes Llahue, Esq. on behalf of Hialeah R.E. Investments LLC*) **APPROVED 7-0**

<i>Registered Lobbyist: Melissa Tapanes Llahue, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131.</i>
<i>Property Owner: Hialeah R.E. Investments LLC</i>
<i>Planner’s Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on June 22, 2016.</i>

REPORT: Motion to Approve Item PZ 1 made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for July 12, 2016.

- PZ 2.** First reading of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking). **Property located at 559 East 24th Street, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Melissa Tapanes Llahues on behalf of Leon Medical Centers, Inc.*) **APPROVED 7-0**

<i>Registered Lobbyist: Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 850, Miami, FL 33131.</i>
<i>Property Owner: Leon Medical Centers, Inc.</i>
<i>Planner’s Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on June 22, 2016.</i>

REPORT: Motion to Approve Item PZ 2 made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0. Second reading and public hearing is scheduled for July 12, 2016.

LANDUSE AMENDMENTS

LU 1. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Industrial to Commercial; **property located at 4185 East 10 Court, Hialeah, Florida**, 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. (*Applicant: Suniel Arzola*) **APPROVED 7-0 ORDINANCE NO. 2016-37**

<i>Item was approved on first reading by the City Council on June 14, 2016. Second reading and public hearing was scheduled for June 28, 2016.</i>
<i>Property Owner: Suniel Arzola</i>
<i>Registered Lobbyist: Frank de la Paz, 2300 West 84 Street, #200, Hialeah, FL 33016</i>
<i>Registered Lobbyist: Roger Cabrera</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 25, 2016.</i>

REPORT: Motion to Approve Item LU 1 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 7-0.

LU 2. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Transportation and Utilities and Low Density Residential to Transit Oriented Development; **properties located at 955 East 25 Street and 980 East 26 Street, Hialeah, Florida**, zoned C-1 (Restricted Retail Commercial District) and R-1 (One-Family District), respectively; 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. (*Applicant: L. Michael Osman, Esq.*) **APPROVED 7-0 ORDINANCE NO. 2016-38**

<i>Item was approved by the City Council on first reading on June 14, 2016. Second reading and public hearing was scheduled for June 28, 2016.</i>
<i>Property Owner: Pivotal Utility Holdings, Inc.</i>
<i>Registered Lobbyist: L. Michael Osman</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 25, 2016.</i>

REPORT: Motion to Approve Item LU 2 made by Councilwoman Garcia-Martinez, and second by Councilwoman Casáls-Muñoz. Motion passed 7-0.

LU 3. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential and Commercial to Medium Density Residential. **Property located on a vacant parcel of land lying on the west side of West 4th Court and the east side of West 5th Avenue, between West 23rd Street and West 25th Street, Hialeah, Florida**, zoned C-1 (Restricted Retail Commercial District) and R-2 (One and Two 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. (*Applicant: Hialeah Housing Authority c/o Felix M. Lasarte, Esq.*) **APPROVED 7-0 ORDINANCE NO. 2016-39**

<i>Item was approved by the City Council on first reading on June 14, 2016. Second reading and public hearing was scheduled for June 28, 2016.</i>
<i>Property Owner: Hialeah Housing Authority</i>
<i>Registered Lobbyist: Felix M. Lasarte, 3250 NE 1st Avenue, Miami, FL 33137</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 25, 2016.</i>

REPORT: Motion to Approve Item LU 3 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 7-0.

LU 4. 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 20 West 40th Place, Hialeah, Florida**, zoned R-3-2 (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. (*Applicant: Andres Guariguata*) **APPROVED 7-0 ORDINANCE NO. 2016-40**

<i>Item was approved by the City Council on first reading on June 14, 2016. Second reading and public hearing was scheduled for June 28, 2016.</i>
<i>Property Owner: Global Dunamis</i>
<i>Planner's Recommendation: Approve land use change from Low Density Residential to Medium Density Residential</i>
<i>The Planning and Zoning Board approved the item as recommended on May 25, 2016.</i>

REPORT: Motion to Approve Item LU 4 made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0.

LU 5. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Industrial to High Density Residential; **property located at 7925 West 2nd Court, Hialeah,**

Florida, 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. (*Applicant: Hugo P. Arza on behalf of Jetway Properties, LLC*) **APPROVED 7-0 ORDINANCE NO. 2016-41**

<i>Item was approved by the City Council on first reading on June 14, 2016. Second reading and public hearing was scheduled for June 28, 2016.</i>
<i>Property Owner: Jetway Properties, LLC</i>
<i>Registered Lobbyist: Juan J. Mayol, 701 Brickell Avenue, Miami, FL 33131</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 25, 2016.</i>

REPORT: Motion to Approve Item LU 5 made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0.

- LU 6.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential and Residential Office to Commercial; **Properties located at 1440, 1450 and 1460 West 68th Street, 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. (*Applicant: Elizabeth Bello on behalf of M & E Holdings, LLC*) **APPROVED 7-0 ORDINANCE NO. 2016-42**

<i>Item was approved by the City Council on first reading on June 14, 2016. Second reading and public hearing was scheduled for June 28, 2016.</i>
<i>Registered Lobbyist: Elizabeth Bello, 200 Crandon Blvd Suite 313, Key Biscayne, FL 33149</i>
<i>Property Owner: M&E Holdings, LLC</i>
<i>Planner's Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on May 25, 2016.</i>

REPORT: Elizabeth Bello, 200 Crandon Blvd, Key Biscayne, FL, addressed the Council on this item.

REPORT: Motion to Approve Item LU 6 made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0.

REPORT: Council President Gonzalez adjourned the meeting at 8:26 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, July 12, 2016 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 23, 2016 at 6:30 p.m.

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

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

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) 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).