

**Carlos Hernández**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis González**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Agenda

**February 10, 2015**

**7:00 P.M.**

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Call to Order -

Roll Call-

Invocation given by Carmen Hernandez, Acting Deputy City Clerk

Pledge of Allegiance led by Councilwoman Vivian Casáls-Muñoz

### 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.

### **Presentations –**

- **Recognition to Police Reserve Major Raul Capo's, who is retiring from the Police Reserve program after 40 years of honorable service.**
- **Recognition and welcoming of Hialeah Police Officer Dimitri Emilien, who is back from his overseas deployment, and will be honored for his 20 years of military service as a Sergeant in the US Army Reserves and as a combat veteran.**
- **University of Miami School of Architecture students present their Market Station project.**

1. Announcement of Amendments/Corrections to the Agenda –
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.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on January 27, 2015. (OFFICE OF THE CITY CLERK)
- B. Proposed resolution authorizing the Mayor and the Acting Deputy City Clerk, as attesting witness, on behalf of the City, to renew an exclusive license agreement with Martin Outdoor Media, Inc., a Florida corporation, to provide, install and maintain bus passenger benches at City – approved sites within City limits, for an additional five year term, commencing on February 4, 2015 and ending on February 4, 2020, in the exercise of the second renewal option, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1". (TRANSIT DEPT)

<i>Item was tabled during the meeting January 27, 2015</i>
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- C. Request permission to award Hialeah Bid # 2014/15-3230-00-23 – Milander Recreation Center Renovation-Framing/Drywall & Acoustical Ceilings, to Marrero Group Builders, LLC., lowest responsive bidder, in a total cumulative amount not to exceed \$19,600. (CONSTRUCTION & MAINTENANCE DEPT.)
- D. Request permission to award Hialeah Bid # 2014/15-3230-00-22 – Milander Recreation Center Renovation-Vinyl, Ceramic & Porcelain Tile, to D 'Elite Floors of Miami, Inc., lowest responsive bidder, in a total cumulative amount not to exceed \$22,997. (CONSTRUCTION & MAINTENANCE DEPT.)
- E. Request permission to award Hialeah Bid # 2014/15-3230-00-19 – Milander Recreation Center Renovation-Impact Windows and Doors, to Hurricane Home Protection Inc., lowest responsive bidder, in a total cumulative amount not to exceed \$29,799. (CONSTRUCTION & MAINTENANCE DEPT.)
- F. Request permission to award Hialeah Bid # 2014/15-3230-00-021 – Milander Recreation Center Renovation-Electrical and Fire Alarm, to AGC Electric, Inc., lowest responsive bidder, in a total cumulative amount not to exceed \$98,830. (CONSTRUCTION & MAINTENANCE DEPT.)
- G. Request permission to award Hialeah Bid # 2014/15-3230-00-020 – Milander Recreation Center Renovation-Roofing, to A-1 Duran Inc., sole responsive bidder, in a total cumulative amount not to exceed \$112,000. (CONSTRUCTION & MAINTENANCE DEPT.)



- H. Proposed resolution accepting the award of a Florida's Twenty-First (21<sup>st</sup>) Century-Soaring Beyond Expectations Grant for five years from the Florida Department of Education to fund afterschool and summer programs operating out of three 21<sup>st</sup> Century Community Learning Centers, for students from grades 6 through 8, in the amount of \$695,250.00 for the first year commencing on August 1, 2015 and ending on July 31, 2016, and a five percent (5%) declining award amount for the remaining four years; ratifying the City's proposal in response to the Florida Department of Education RFP project number 13b-2445a-5ccc1; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES)
- I. Proposed resolution accepting the award of a Florida's Twenty-First (21<sup>st</sup>) Century-Soaring Beyond Expectations Grant for five years from the Florida Department of Education to fund summer programs operating out of two 21<sup>st</sup> Century Community Learning Centers, for students from grades 9 through 12, in the amount of \$699,922.00 for the first year commencing on August 1, 2015 and ending on July 31, 2015, and a five percent (5%) declining award amount for the remaining four years; ratifying the City's proposal in response to the Florida Department of Education RFP project number 13b-2445a-5ccc2; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES)
- J. Proposed resolution accepting a grant award from the Health Foundation of South Florida in the amount of \$80,000.00 for a complete streets plan and project for twelve months, commencing on April 1, 2015 and ending on March 31, 2016, ratifying the grant agreement, and further authorizing the Mayor or his designee to execute any and all documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES)
- K. Proposed resolution accepting the grant award from the Miami-Dade under the Targeted Initiatives Grants Program and authorizing the Mayor and the Acting Deputy City Clerk, as attesting witness, on behalf of the City, to enter into a grant agreement commencing on October 1, 2014 and ending September 30, 2015, in furtherance thereof, in a form acceptable to the City Attorney. (EDUCATION AND COMMUNITY SERVICES)
- L. Report of Scrivener's- On November 4, 2014 City Council approved Item F the service contract for Inphynet Contracting Services, Inc. The account number #109.2000.522.342 listed on the council letter is incorrect. The account number to be used should be #109.2000.522.340. The correction has not changed the intent of the agreement and this report is hereby incorporated into the official records of the City. (FIRE DEPT.)
- M. Request permission to utilize Palm Beach County School Board Contract # 13C37T, and issue as purchase order to TAW, Inc., d/b/a TAW Power Systems for the purchase of two (2) Stationary power generators to replace existing ones at the Hialeah Police Department tower site, and Bucky Dent Park tower site for Citywide communications, in a total cumulative amount not to exceed \$182,000. (FIRE DEPT.)
- N. Request permission to utilize Miami Dade County Bid No. 2121-2/13-2, a competitively bid governmental contract, and increase purchase order # 2015-31, since it is



advantageous to the City, issued to Hall-Mark Fire Apparatus, LLC., to purchase automotive parts and accessories for City vehicles, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)

- O. Request permission to utilize U.S. Communities Government Purchasing Alliance quote, and issue a purchase order, since it is advantageous to the City due to time constraints, to Kompan, Inc., for the purchase and installation of a new playground with a shade system for Bright Park, for a new total cumulative amount not to exceed \$55,394.87. (PARKS AND RECREATION.)
- P. Request permission to utilize U.S. Communities Government Purchasing Alliance quote, and issue a purchase order, since it is advantageous to the City due to time constraints, to Kompan, Inc., for the purchase and installation of a new playground with a shade system for Babcock Park, for a new total cumulative amount not to exceed \$55,394.87 (PARKS AND RECREATION.)
- Q. Request permission to increase purchase order #2015-583, issued to The Player's Connection of Florida, LLC., to purchase patron uniforms for the Sedano's sponsored Basketball League, as well as additional patron uniforms for fiscal year 2015 by an additional amount of \$8,000, for a total cumulative amount not to exceed \$23,000. (PARKS AND RECREATION.)
- R. Request permission to purchase the BSI Tax Factory software, which will replace ALL TAX Taxing program, the original tax software included in the Infor Human Capital Management purchase, through Infor. Infor has given the City of Hialeah a credit for the amount of \$8,980.00 that will go towards the purchase of BSI Tax Factory software. The total cost of the software including the first year of maintenance is \$27,774.53 of which \$7,197 will be paid directly to Business Software, Inc., for the annual maintenance, and a payment of \$11,597.53 will be made to Infor Public Sector, Inc., The City Council approved the purchase and implementation of Infor's Human Capital Management software for HR and payroll during the meeting of May 27, 2014 as Item V. (INFORMATION TECHNOLOGY)
- S. Request permission to issue a purchase order, since it is advantageous to the City, issued to Trimline Graphics International, Inc., for the purchase Citywide bus ads (graphic production, installation and removal), for in a total cumulative amount not to exceed \$5,000. (This consists of a new purchase order from the Transit Department for \$5,000, the advertiser will pay the City directly for those cost and the fees and will deposit in a revenue account. Trimline Graphics International, Inc. has an existing purchase order from Fleet Maintenance for \$15,000, issued as the lowest quote to place decals on Police and other vehicles throughout the fleet, both purchase orders amount to \$20,000). (TRANSIT DEPT.)
- T. Request from Apex Events for an event permit, for the Lexus F Sport Consumer Ride & Drive Event to be held at the Hialeah Park & Casino, 2200 East 4 Avenue, Hialeah FL, parking lots 1 and 2, on March 7 and 8 2015, with set up on March 6, 2015 subject to the recommendations of the Police and Fire Departments. (OFFICE OF THE CITY CLERK)



- U. Proposed resolution supporting the Town of Miami Lakes in its efforts to convert the 154th street overpass into a passive park, which would connect to the passive park designed for the Hialeah Annexed Area, and urging the Florida Department of Transportation ("FDOT") and the Florida Legislature to obtain and allocate the necessary funding for this project. (ADMINISTRATION)
- V. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a first amended agreement with Pivotal Utility Holdings, Inc., doing business as, Florida City Gas, a copy of which is attached hereto and made a part hereof as exhibit "1", to become the official energy conservation partner for a term, commencing on the first amendment effective date and ending on December 31, 2015, with an option to renew for a term not to exceed one year upon agreement of the parties, in exchange for an annual sponsorship fee of \$15,000.00 and other promotional and educational services, including, but not limited to, participation in energy conservation week. (ADMINISTRATION)
- W. Proposed resolution approving a professional services agreement with Carras Community Investment, Inc. to provide consulting services necessary for the creation of a Community Redevelopment Area, including the preparation of a finding of necessity study, creation of the community redevelopment agency and development implementation of the community redevelopment area plan in conformity with applicable Florida regulations, in an amount not to exceed \$184,000.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto and made a part hereof as Exhibit "1". (ADMINISTRATION)
- X. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into an interlocal agreement with the Town of Miami Lakes for three years with an option to renew for a two year term, to provide maintenance, repair and bus storage services to the Town of Miami lakes, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; providing for an effective date. (ADMINISTRATION)
3. Second reading and public hearing of proposed ordinance of the Mayor and the City Council of the City of Hialeah, Florida amending Chapter 70 Entitled "Retirement and Pension", Article IV. Employees General Retirement System, Division 1. Generally of the Code of Ordinances and in particular, revising Hialeah Code § 70-204 entitled "Termination of Membership; effect of reemployment" to allow for retroactive application of the right to restoration of credited service upon reemployment within ten years from the date of severance to any member reemployed on or after January 1, 2012; repealing all ordinances in conflict herewith; Providing for penalties; providing for inclusion in the code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)

*Item was approved by the City Council on first reading on January 27, 2015*



4. First reading of proposed ordinance of the Mayor and the City Council of the City of Hialeah, Florida amending Chapter 86 entitled "Taxation", Article II. Occupational License Tax, and in particular, revising Hialeah Code § 86-43 entitled "Schedule of Tax by Business Classification", increasing the business tax paid by certain business classifications; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)
5. First reading of proposed ordinance of the Mayor and the City Council of the City of Hialeah, Florida approving the release of a Declaration of Restrictive Covenants dated August 29, 1996 and recorded in Official Records Book 17355 at Page 4968, in the Public Records of Miami Dade County, Florida; and further authorizing the Mayor and the City Clerk, as attesting witness, to execute the release of restrictive covenants on behalf of the City of Hialeah attached hereto as Exhibit "1"; property is located at 3750-54 northwest 54th Street, Hialeah, Florida. ( ADMINISTRATION)
6. Board Appointments –
7. Unfinished Business – Draft Letter/Notification to Planning and Zoning applicants with items on the City Council Agenda.
8. New Business –
9. Comments and Questions –

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**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.**

### **ZONING**

- PZ 1.** Second reading and public hearing of ordinance rezoning property from B- 1 (Highly Restricted Retail District) to R-3-5 (Multiple Family District) and granting a variance permit to allow a lot coverage of 71%, where a maximum of 30% is allowed, and to allow 34 parking spaces, where 39 are required, contra to Hialeah code §§ 98-2056(b) (2) and 98-2189(19) (b). **Property located at 1190 Southeast 8 Avenue, Hialeah, Florida.** Repealing all ordinances or part of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Spinal Cord Living- Assistance Development, Inc. (SCLAD) c/o Pedro Rodriguez)

<i>This item was approved by City Council on first reading on January 27, 2015.</i>
<i>The item was approved by the Planning and Zoning Board on January 14, 2015.</i>

- PZ 2.** First reading of proposed ordinance granting a variance permit to allow a single family home on a substandard-sized lot having a frontage of 40 feet, where at least 75 feet are required, and a total area of 5,400 square feet, more or less, where a total area of at least 7,500 square feet is required, and to allow a proposed rear setback of 19 feet, where a 25 feet are required, contra to Hialeah Code §§ 98-499 and 98-348(a). **A vacant lot located at 758 East 30 Street, 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. (*Applicant: Laura Safonts*)
- PZ 3.** First reading of proposed ordinance granting a variance permit to allow a single family home on a substandard-sized lot having a frontage of 54.30 feet, where at least 75 feet are required, and a total area of 5,158 square feet, more or less, where a total area of at least 7,500 square feet is required, contra to Hialeah Code § 98-499. **A vacant lot located at 660 West 23 Street, 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. (*Applicant: Alari Holdings, LLC.*)
- PZ 4.** First reading of proposed ordinance granting a variance permit to allow a lot coverage of 38.7%, where a maximum of 30% is allowed, to allow existing westside setback of 5.30 feet, where 7.5 feet are required for first unit, to allow existing westside setback of 7.2 feet, where 7.5 feet are required for second unit, to allow existing rear setback of 7.2 feet, where 25 feet are required for second unit, and to allow a second residential unit with a floor area of 595 square feet, where a minimum of 1,500 square feet are required, contra to Hialeah Code §§ 98-2056(b)(2), 98-546, 98-547(a) and 98-548. **Property located at 333 East 13 Street, 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. (*Applicant: Yanm Morales Pla*)

### **FINAL DECISIONS**

- FD 1.** Proposed resolution overriding the final decision of the planning and zoning board, Decision No. 14-14 and approving the adjustment requested on property located at **2692 Palm Avenue, Hialeah, Florida;** and providing for an effective date. (*Applicant Irma Torres & Jose Torres-J & P Auto Parts Inc.*)

<i>Motion to override denial, approved for first reading on Feb 10, 2015.</i>
<i>Item was removed from table on January 27, 2015</i>
<i>Item was tabled until January 27, 2015 by City Council on January 13, 2015.</i>
<i>Item was denied by the Planning and Zoning Board on December 10, 2014.</i>

- FD 2.** Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 15-01 that granted an adjustment **on property located at 1399 West 82**



**Street, Hialeah, Florida;** and providing for an effective date. (*Applicant Frances Gonzalez REM Hector P. Gonzalez Jr.*)

**NEXT CITY COUNCIL MEETING: Tuesday, February 24, 2015 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: February 24, 2015 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, 3<sup>rd</sup> 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).