

Carlos Hernández
Mayor

Jesus Tundidor
President

Monica Perez
Vice President



Council Members
Katharine Cue-Fuente
Oscar De la Rosa
Jacqueline Garcia-Roves
Paul B. Hernandez
Carl Zogby

City Council Meeting
Agenda
February 23, 2021
7:00 p.m.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

A. Invocation to be led by Marbelys Fatjo, City Clerk.

4. **PLEDGE OF ALLEGIANCE**

A. The Pledge of Allegiance to be led by Council Vice President Perez

5. **MEETING GUIDELINES**

The following guidelines apply to today's City Council Meeting:

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 (March 20, 2020), suspending the "Florida's Government in the Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and that the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of Emergency issued on March 9, 2020 (EO20-52) as a result of the COVID-19 pandemic affecting the State of Florida. The nation and the State of Florida remain in a state of emergency. The Governor has extended the declaration every 60 days, as required by law, since the execution of Executive Order 20-52. The latest extension made through the execution of Executive Order 20-276 (November 3, 2020).

- Notwithstanding the continuing statewide threat of COVID-19 to the health, safety and welfare of our citizens, Executive Order 20-69, issued specifically to allow local governments to use communications media technology to hold public meetings during the public health emergency, has expired as of 12:01 a.m. November 1, 2020 (EO 20-246). As such, all public meetings in this City of any deliberative body must comply with the in-person quorum requirement of the Sunshine Law. This means, at a minimum, there must be present, in-person, the minimum number of board members required to meet quorum based on the composition of the deliberative body at the location of the meeting. All other members of the deliberative body exceeding quorum may choose, in coordination with the secretary of the respective board conducting the public meeting, to appear using communication media technology.
- Except for the requirement to meet physical quorum and as otherwise amended by this document, all other minimum guidelines and procedures adopted by City of Hialeah Emergency Order dated April 8, 2020 and Hialeah, Fla. Resolution 2020-048 (April 14, 2020) shall continue to govern the conduct of public meetings of the City Council of the City of Hialeah, Florida and the public meetings of all other boards or committees for the City of Hialeah, Florida using communications media technology, held during the duration of the public health emergency as a result of COVID19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.
- A limited number of members of the public will be allowed to be present at the location of the meeting considering the physical spacing limitations of the location to observe social distancing. As such, only 15 members of the public will be allowed to attend in person any scheduled meeting of the Council held in Chambers on a first-come-first serve basis. Based upon anticipated in-person attendance of any meeting, the City will provide additional space at City Hall to accommodate the public and provide both viewing and participation capabilities. In addition, all public meetings continue to be broadcast live for members of the public to view on the City's Facebook page. As an additional alternative, members of the public may hear the meeting live through telephonic conferencing.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to virtualmeeting@hialeahfl.gov by 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. Email comments and questions shall not exceed three (3) minutes when read. Only the first three minutes of e-mail comments and questions received by the deadline will be read into and form part of the public record.
- Any person 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 by joining the meeting using Zoom or any other similar web-based meeting platform being used as identified in the notice. The person interested in joining the meeting to participate for this purpose must register with the City Clerk by completing a registration form, providing the information required and submitting the completed form to the City Clerk no later than 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. All registered participants 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.

- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- All existing laws or rules of procedure applicable to public meetings (i.e. three-minute limit on speaking, three in favor and three in opposition on any item on the agenda, lobbyist registration requirements), that are not in conflict with these procedures and can be observed under the circumstances remain in effect and to the greatest extent practicable should be observed.
- Public comments and questions, whether on general matters of public concern or on a matter on the agenda, will be heard at the beginning of the meeting and once heard no other public participation will be permitted.
- Persons making public comments must identify themselves by first and last name and provide their address for the record, prior to speaking.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

6. PRESENTATIONS

7. COMMENTS AND QUESTIONS

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

9. 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 minutes of the City Council Meeting held on February 16, 2021.
(OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is an authorized Detroit Diesel engines-Allison transmissions local service dealer, and

increase Purchase Order No. 2021-328, issued to Stewart & Stevenson FDDA LLC, doing business as Florida Detroit Diesel-Allison, for the purchase of truck parts and service, by an additional amount of \$20,000.00, for a new total cumulative amount not to exceed \$35,000.00.
(FLEET MAINTENANCE DEPARTMENT)

- C. Request permission to issue a purchase order to CivicPlus, LLC, developer of the City's website and vendor under contract with the City, to issue payment for the annual maintenance of the City's website, from January 31, 2021 through January 30, 2022, in a total cumulative amount not to exceed \$46,403.56. On January 23, 2018, the City Council awarded the purchase and implementation of a new website and mobile application for the City to this vendor utilizing GSA Contract No. 35F-0124U – *General Purpose Commercial Information Technology Equipment, Software, and Services*.
(INFORMATION TECHNOLOGY DEPARTMENT)
- D. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-573, issued to Cano Occupational Medicine, LLC, doing business as Health Care Center of Miami, for pre-employment examination services for new hires, by an additional amount of \$10,000.00, for a new total cumulative amount not to exceed \$25,000.00.
(HUMAN RESOURCES DEPARTMENT)
- E. Proposed resolution authorizing the placement of property insurance through the services of Arthur J. Gallagher Risk Management Services, Inc., an Illinois corporation, to insure City property, including but not limited to, buildings, contents, property, equipment, and vehicles through layered insurance coverage for a combined and total maximum loss limit of \$25 million against damages caused by natural disasters and by all other perils, and a 5% deductible for a named windstorm and hail storm, subject to a \$750,000 deductible, placement of cyber insurance with limits of \$5 million, fiduciary liability insurance with limits of \$2 million, excess workers compensation insurance, and fuel tank insurance for a total premium of \$1,078,858 commencing on March 10, 2021 and expiring on March 9, 2022; and placement of City's required flood coverage at an amount not to exceed \$25,000 at appropriate renewal periods.
(RISK MANAGEMENT DEPARTMENT)
- F. Request permission to award Hialeah Invitation to Bid No. 2020/21-3230-00-006 – *Fire Alarm Replacement at McDonald Park and Pump Station 200*, to G. & R. Electric Corp., sole responsive bidder, for the replacement and repairs of fire alarms at McDonald Park Aquatic Center and the Department of Public Works' Pump Station 200, in the amount of \$54,050.00, and further request a contingency allowance in the amount of \$5,405.00 to cover any unforeseen issues that may arise during the work, as well as for the reimbursement of permit fees, in a total cumulative expense amount not to exceed \$59,455.00.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)
- G. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor provided the lowest quotation, and issue a purchase order to Acosta Tractors Inc, for mobilization, clearing, grubbing and excavation for the construction of a new park located on West 92nd Street and West 33rd Lane, in a total cumulative amount not to exceed \$72,469.00.
(DEPARTMENT OF PARKS AND RECREATION)
- H. Proposed resolution vehemently opposing Florida House Bill 403 and Florida Senate Bill 266, proposing to allow home based businesses in any area zoned for residential use and preempting to

the State all manner of regulation of home-based businesses to the detriment of the constitutional power of Local Home-Rule; providing for transmittal; and providing for an effective date.

(COUNCIL MEMBER HERNANDEZ)

(MAYOR HERNANDEZ)

- I. Proposed resolution approving an Off-System Construction and Maintenance Agreement between the State of Florida, Department of Transportation, and the City of Hialeah, Florida, a copy of which is attached hereto and made a part hereof as Exhibit “1”, for improvements to West 52 Street (NW 106 Street) from West 24 Way (N.W. 116 Way) to N.W. 87 Avenue in Hialeah, Florida, at no cost to the City, subject to the obligation to repair and maintain the roadway improvements in perpetuity; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the agreement; and providing for an effective date.
(STREETS)

- J. Request permission to utilize National Joint Powers Alliance Contract No. 030117-LTS, effective through April 14, 2022, and issue a purchase order to Miracle Recreation Equipment Company, for the purchase and installation of eight (8) new cantilever shade systems for the Bucky Dent Softball complex, including labor, materials and freight, in a total cumulative amount not to exceed \$124,910.56.
(DEPARTMENT OF PARKS AND RECREATION)

- K. Request permission to utilize National Joint Powers Alliance Contract No. 030117-LTS, effective through April 14, 2022, and issue a purchase order to Miracle Recreation Equipment Company, for the purchase and installation of two (2) shade structures which includes a play structure for ages 2-12 and a play structure for ages 5-12, playground mulch, three (3) benches and four (4) freestanding items, including the addition of a concrete curb to separate the park from trees, in a total cumulative amount not to exceed \$161,234.07, price which includes labor, materials, installation and freight.
(DEPARTMENT OF PARKS AND RECREATION)

- L. Request permission to waive competitive bidding, since it is advantageous to the City in that the Department of Public Works has used the services of this vendor for the past few years and the vendor is now familiar with the department’s after hours and emergency procedures, and issue a purchase order to Sunshine Communication Services, Inc., for after-hours emergency telephone services, in the total cumulative amount not exceed \$35,000.00. Further request permission to ratify the Mayor’s decision to authorize previous payments made to this vendor in the total amount of \$11,974.75, for a total cumulative expense amount not to exceed \$46,974.75.
(DEPARTMENT OF PUBLIC WORKS)

- M. Request permission to ratify the Mayor’s decision to authorize the Department of Public Works to issue payment to Hazen and Sawyer, P.C., vendor which has been supporting the Department of Public Works in the management of the sanitary sewage pump station rehabilitation program for several years, for professional services involving the modeling of sewer flows from a proposed development (1025 Metro Mixed Use) on East 25th Street (Pump Station 106).
(DEPARTMENT OF PUBLIC WORKS)

- N. Request permission to issue a purchase order to Opex Business Machines Corporation, sole source vendor, for the maintenance of the Department of Public Works’ payment processing machine, in a total cumulative amount not to exceed \$22,455.00.
(DEPARTMENT OF PUBLIC WORKS)

O. Request permission to enter into a Joint Participation Agreement with the Florida Department of Transportation, for the relocation of water valves and sanitary manholes in the Florida Department of Transportation corridor of State Road 932 (West 49th Street) from West 3rd Avenue to East 10th Avenue, including the utility work of the construction project, in a total cumulative amount not to exceed \$37,235.00.

(DEPARTMENT OF PUBLIC WORKS)

P. Request permission to ratify the Mayor’s decision to enter into a Joint Participation Agreement with the Florida Department of Transportation on January 20, 2021, for the adjustment of water value boxes and manholes along State Road 826 Frontage Road between Northwest 122nd Street and Northwest 138th Street, as well as ratify the payment made to the Florida Department of Transportation in the amount of \$15,675.00. In order to meet the work program deadlines of the Florida Department of Transportation, all executed documents and full payment had to be delivered to the Florida Department of Transportation district office prior to February 12, 2021, deadline that was met.

(DEPARTMENT OF PUBLIC WORKS)

10. ADMINISTRATIVE ITEMS

10 A. Second reading and public hearing of proposed ordinance accepting the dedication of land improved with a lift station of approximately 5,570 square feet, subject to and approving the terms of the Special Warranty Deed attached as Attachment “1”, from Countyline 2 LLC, a Delaware limited liability company; 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.

(DEPARTMENT OF PUBLIC WORKS)

<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 26, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 9, 2021.</i>

10 B. Second reading and public hearing of proposed ordinance approving a Fixed Capital Outlay Certification, in substantial conformity with the form attached hereto and made a part hereof as Exhibit “A”, pursuant to F.S. §287.05805, granting a security interest to the State of Florida in the amount of \$500,000.00 for improvements to the Goodlet Adult Center located within Goodlet Park located at **900 W 44th PL, Hialeah, Florida 33012**, for a period of five (5) years from the date of completion of the facility improvements, in accordance with the requirements, terms and conditions of Contract No. XQ902 between the State of Florida, Department of Elder Affairs and the City of Hialeah, attached hereto and made a part hereof as Exhibit “B”; authorizing the Mayor and City Clerk, as attesting witness, to execute the Fixed Capital Outlay Certification and all necessary documents on behalf of the City; authorizing all other actions necessary in furtherance of the transactions contemplated by this ordinance; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 26, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 9, 2021.</i>

public hearing was scheduled for February 9, 2021.

- 10 C.** Second reading and public hearing of proposed ordinance to allow the City of Hialeah to sell vacant unimproved property, approximately 7,250 square feet in size, located at 2540 Palm Avenue, Hialeah, Florida, identified by folio number 04-3107-004-0110; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute a Listing Agreement for the sale of the property with a real estate broker; repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.
(ADMINISTRATION)

On February 16, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 23, 2021.

On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.

11. BOARD APPOINTMENTS

- 11 A.** Proposed resolution re-appointing **Ferny Coipel** to the Historic Preservation Board of the City of Hialeah for a three (3)-year term beginning on February 14, 2021 and ending on February 13, 2024.
(MAYOR HERNANDEZ)

12. UNFINISHED BUSINESS

13. NEW BUSINESS

14. ZONING

PLANNING AND ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit pursuant to Hialeah Code of Ordinances § 98-181 to allow the sale and consumption of alcohol within the facility located in the Alwod Artist Live/Work Overlay District, “Leah Art District”. **Property located at 901 East 10 Avenue, Bay # 24, 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.

On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.

On January 26, 2021, the item was postponed until February 9, 2021, per the applicant’s request.

<i>On January 12, 2021, the item was postponed until January 26, 2021, per the applicant's request.</i>
<i>On December 8, 2020, the City Council approved the item on first reading, as amended. Second reading and public hearing was scheduled for January 12, 2021.</i>
<i>Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Isabel Restaurant Inc., 901 East 10 Avenue, Hialeah, FL.</i>
<i>On November 18, 2020, the Planning and Zoning Board recommended approval with the condition that alcohol for consumption on premises will only be sold with full meals and that improvements will be made to the façade of the subject bay to reflect consistency with the ALWOD district, prior to applying for the alcoholic beverages license.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Flamingo East LTD, Jack Glottman, Deborah Glottman, 290 West 165 Street, PH 2, Miami, Florida 33029, Isabel Restaurant Inc., 901 East 10 Avenue, Bay 24, Hialeah, FL 33013, and Fabio Marte, 18175 SW 5 Court, Pembroke Pines, Florida 33029.</i>

PZ 2. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances §98-181 to allow a K-5 grade school with an enrollment of 40 students within a facility that also includes a daycare with an enrollment of 83 students; **property located at 1995 West 60 Street consisting of 4,400 square feet with a street addresses within the site of 1917 and 1919 West 60 Street, Hialeah, Zoned C-2 (Liberal Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 26, 2021, the item was postponed until February 9, 2021, per the applicant's request.</i>
<i>On January 12, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for January 26, 2021.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Little Children's Learning Academy, 1917 West 60th Street, Hialeah, Florida 33012.</i>
<i>On December 9, 2020, the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval.</i>

Owners of the Property: RIC Inc, 16765 NW 80 Court, Miami Lakes, Florida 33016 and Artveo Garcin, 5431 West 8th Lane, Hialeah, Florida 33012.

PZ 3. Second reading and public hearing of proposed ordinance granting a variance permit to allow a duplex on a substandard lot having a frontage of 50 feet and total lot area of 6,000 square feet, where 75 feet frontage and 7,500 square feet are required; allow north and south side setbacks of 5 feet, where 7.5 feet is the minimum required; allow rear setback of 20 feet, where 25 feet is the minimum required; and allow 41% lot coverage, where 30% is the maximum allowed, all contra to Hialeah Code of ordinances §§ 98-544, 98-546, 98-547 and 98-2056(b)(2). **Property located at 2455 West 5 Court, Hialeah, zoned R-2 (One-and Two-Family Residential District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 26, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 9, 2021.</i>
<i>On January 13, 2021, the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Maria E. Toledo, 12001 NW 26 Street, Plantation, Florida, 33323. East 13 Street, LLC, 1474-A West 84 Street, Hialeah, Florida 33014.</i>

PZ 4. Second reading and public hearing of proposed ordinance approving a Final Plat of Beacon Logistics, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; 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. **Property located east of NW 107 Avenue and NW 145 Place (West 91 Place), Hialeah, Florida.**

<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 26, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for February 9, 2021.</i>
<i>The Planning and Zoning Board recommended approval of the item on January 13, 2021.</i>

PZ 5. First reading of proposed ordinance rezoning from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District); granting a variance permit to allow a duplex on a substandard lot having a frontage of 50 feet and total lot area of 6,700 square feet, where 75 feet frontage and 7,500 square feet are required; allow interior east side setback of 4.33 feet, where 7.5 is the minimum required; allow rear setback of 20 feet, where 25 is the minimum required; and allow lot coverage of 35.7%, where 30% is the maximum allowed, all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, 98-547(a) and 98-2056(b)(2). **Property located at 301 East 51 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances in conflict

herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

On February 16, 2021, the item was postponed until February 23, 2021, per the applicant's request.

On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.

On January 26, 2021, the City Council tabled the item until February 9, 2021, per the applicant's request.

Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Marcos Gutierrez, 7757 NW 169 Terrace, Miami Lakes, Florida 33016.

On January 13, 2021, the Planning and Zoning Board approved the item.

Planner's Recommendation: Approval.

Owners of the Property: Marcos and Karol Gutierrez, 7757 NW 169 Terrace, Hialeah, Florida 33016.

- PZ 6.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 13-25 (April 9, 2013) that allowed six business tax receipts (occupational licenses) and Declaration of Restrictions recorded in OR Book 28594, Pages 4438-4442 in the public records of Miami-Dade County, Florida; to allow for five licenses. Property zoned R-O (Industrial District) to allow professional and para-professional services. **Property located at 4980 Palm Avenue, 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.

On February 16, 2021, the item was postponed until February 23, 2021, per the applicant's request.

On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.

On January 26, 2021, the City Council tabled the item until February 9, 2021, per the applicant's request.

Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Smile Art of Miami, Inc., 4980 Palm Avenue, Hialeah, Florida 33012.

On January 13, 2021, the Planning and Zoning Board approved the item with the recommendations.

Planner's Recommendation: Amend City of Hialeah, Ordinance No. 13-25 to allow five (5) occupational licenses instead of six (6), limit the use of the second practice to a single occupational license excluding medical, dental and other uses with high parking demand, and amend the 2013 DOR accordingly.

Owners of the Property: Palm Ave MC, LLC, and Ryan Loro, 4980 Palm Avenue, Hialeah, Florida 33012.

PZ 7. First reading of proposed ordinance rezoning property from R-1 (One-Family District) to C-1 (Restricted Retail Commercial District); and granting a variance permit to allow landscape buffer of 2.8 feet along East 36 Street for a length of 20 feet, where 7 feet landscape buffer is required; all contra to Hialeah Code of Ordinances § 98-1069(a). **Property located at 3581 East 4 Avenue, Hialeah, zoned R-1 (One Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On February 16, 2021, the City Council tabled the item until February 23, 2021.</i>
<i>On February 9, 2021, the item was not considered by the City Council due to a lack of quorum.</i>
<i>On January 27, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval of rezoning and landscape buffer reduction to 2.8 feet width for a length of 20 feet.</i>
<i>Owners of the Property: Kenny Niebla, 3581 East 4th Avenue, Hialeah, Florida 33013.</i>

PZ 8. First reading of proposed ordinance rezoning property from R-1 (One Family District) to R-3-3 (Multiple Family District); and granting a variance permit to allow a frontage of 50 feet, where 75 feet are required; allow a street side setback of 12 feet, where 15 feet are required; allow lot coverage of 37%, where 30% is required; and allow 6 parking spaces, where 9 parking spaces are required; all contra to Hialeah Code of Ordinances §§ 98-348(a), 98-590, 98-2056(b)(2) and 98-2189 (19)b. **Property located at 902 SE 8 Street, Hialeah, Florida.** providing penalties for violation hereof; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date.

<i>On February 10, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Leonel Diaz Pairol, 782 East 31 Street, Hialeah, Florida 33013.</i>

PZ 9. First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a K-5 grade school with a maximum capacity of 75 students as an expansion of an existing daycare with a capacity of 118 students. **Property located at 2451 West 68 Street, Hialeah, zoned C-1 (Restricted Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date

<i>Registered Lobbyist: Felix Lasarte, The Lasarte Law Firm, 3250 NE 1st Avenue, Suite 334, Miami, Florida, on behalf of Coco Plaza Inc., 8165 NW 155 Street, Miami Lakes, Florida 33016.</i>

On February 10, 2021, the Planning and Zoning Board recommended approval with the condition that two (2) drop-off shifts are established and that two (2) staff members assist with the drop-off process. In addition, the applicant should be responsible for assessing the drop-off process periodically and adjusting it as necessary to ensure that the school internal traffic is not impacting the entrance at West 68th Street or the adjacent gas station

Planner's Recommendation: Approval with conditions.

Owners of the Property: Coco Plaza Inc., 8165 NW 155 Street, Miami Lakes, Florida 33016.

15. FINAL DECISIONS

- FD 1.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2021-01** that granted an adjustment on the property located at **5970 West 12th Lane, Hialeah, Florida**; and providing for an effective date.

On February 10, 2021, the Planning and Zoning Board recommended approval of the item with the condition that the accessory building is strictly used as storage and no plumbing is installed.

Planner's Recommendation: Approve 6 feet rear setback, where 7.5 feet are required for an accessory building with the condition that all other improvements are legalized within 180 days.

Owners of the Property: Yaremi Lezcano, 5970 West 12th Lane, Hialeah, Florida 33012

NEXT CITY COUNCIL MEETING: Tuesday, March 9, 2021 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 25, 2021 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 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).