

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
March 23, 2021
7:00 p.m.

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

A. Marbelys Fatjo, City Clerk, led the invocation.

4. **PLEDGE OF ALLEGIANCE**

A. The Pledge of Allegiance to be led by Council Member De la Rosa.

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 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.

- A. Request permission to approve the minutes of the City Council Meeting held on March 9, 2021.
(OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to H & R Paving, Inc., vendor providing the lowest quotation and only vendor of the

three providing a quote that offers the rental of paving machines, for the purchase of asphalt and for the rental of paving machines on an as needed basis, with the cost of the asphalt being \$72.00 per ton and the cost of the paving machine rental being \$950.00 per day, to continue the resurfacing of roadways throughout the City, in a total cumulative amount not to exceed \$1,700,000.00.
(STREETS)

- C. Proposed resolution approving the expenditure in an amount not to exceed \$32,000.00 from the Law Enforcement Trust-Fund-*State* for the purchase of two (2) canines for the Hialeah Police Department Canine Unit from Metro Dade K-9 Services, lowest quoted vendor, upon such costs having been approved by the Chief of Police, and providing for an effective date.
(POLICE DEPARTMENT)
- D. Request permission to issue a purchase order to SRT Supply, LLC, sole source vendor for this order, for the purchase of a custom rifle rated rolling shield for SWAT Team operations, designed by Paraclete of Point Blank Enterprises, in a total cumulative amount not to exceed \$41,064.24.
(POLICE DEPARTMENT)
- E. Request permission to issue a purchase order to B&T USA, LLC, sole importer and seller of B&T AG Law Enforcement products for the United States, for the purchase of fifteen (15) APC9 Pro Glock Lower (full auto) rifles, to include, side folding stock, 3 x 33 round magazine, cleaning kit and sling, in a total cumulative amount not to exceed \$35,250.00.
(POLICE DEPARTMENT)
- F. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lou's Police Distributors, Inc., only vendor out of 518 which were notified using the govspend.com application to obtain quotes, for the purchase of fifty (50) Remington 870 less-lethal shotgun, 12 gauge 18" barrel with orange stock and rifle sights, to be utilized in a crowd control or riot situation, in a total cumulative amount not to exceed \$22,450.00.
(POLICE DEPARTMENT)
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Insight Public Sector, Inc., vendor providing the lowest quotation, for a Net Motion Mobility XE Full Access Software upgrade of all servers and mobile data terminals (MDTs), mobile virtual private network (VPN) clients, ensuring a secure and encrypted connection, in a total cumulative amount not to exceed \$37,062,80, cost which covers software maintenance, upgrades, and support through March 26, 2021.
(INFORMATION TECHNOLOGY DEPARTMENT)
- H. Request permission to increase Purchase Order No. 2021-737, issued to Ferguson Enterprises, LLC, for the purchase of parts and materials, including pipes and valves, by an additional amount of \$70,000.00, for a new total cumulative amount not to exceed \$195,000.00. On October 13, 2020, the City Council approved (Item NN) the utilization of Collier a contract between this vendor and Collier County, contract that is effective through April 2, 2021, for underground utility parts.
(DEPARTMENT OF PUBLIC WORKS)
- I. Request permission to increase Purchase Order No. 2021-734, issued to Fortiline, Inc., for the purchase of parts and materials, including pipes and meters, by an additional \$70,000.00, for a new total cumulative amount not to exceed \$195,000.00. On October 13, 2020, the City Council approved (Item LL) the utilization of a Boyton Beach contract awarded pursuant to Bid No. 041-1412-19/MFD – Annual Supply of Pipe Fittings and Accessories, contract that is effective through October 4, 2021.
(DEPARTMENT OF PUBLIC WORKS)

J. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is one of the suppliers that the City's Department of Public Works uses for pipes, materials and meters, and issue a purchase order to Fortiline, Inc., for the purchase of fifty (50) 2-inch water meters which are needed due to the new construction of warehouses in the annex area, in a total cumulative amount not to exceed \$20,227.50.
(DEPARTMENT OF PUBLIC WORKS)

K. Request permission to increase Purchase Order No. 2020-1282, issued to Downrite Engineering Corp., for the final payment (contract closeout) for the construction of a new pump station on Northwest 99th Avenue, by an additional amount of \$11,500.00, for a new total cumulative expense amount not to exceed \$566,500.00. On January 28, 2020, the City Council approved (Item M), approved the issuance a purchase order to this vendor for the construction of the pump station.
(DEPARTMENT OF PUBLIC WORKS)

L. Request permission to waive competitive bidding, since it is advantageous to the City in that when the City's Construction and Maintenance Department needs to repair or replace a Carrier unit (HVAC) the equipment is purchased directly from the manufacturer for cost savings, as well as for compatibility with the existing field conditions, and increase two (2) purchase orders: (1) Purchase Order No. 2021-148 (General Government), by an additional amount of \$15,000.00, and (2) Purchase Order No. 2021-692 (Affordable Housing), by an additional amount of \$10,000, both purchase orders issued to Carrier Enterprise, LLC, for the purchase of HVAC equipment, components and supplies, for a new total cumulative expense amount not to exceed \$40,000.

Vendor	Purchase Order	Current Amount	Increase Requested	Total (if approved)
Carrier Enterprise, LLC	2021-148	\$10,000	\$15,000	\$25,000
Carrier Enterprise, LLC	2021-692	\$5,000	\$10,000	\$15,000

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

M. Request permission to waive competitive bidding, since it is advantageous to the City in that during the re-piping and insulation replacement of the chiller supply lines for the first and fourth floors of City Hall, it was discovered that there were additional repairs required, and increase Purchase Order No. 2021-519, issued to Weathertrol Maintenance Corp, for additional repairs required to stop the water leaks, as well as the removal and installation of additional insulation, by an additional amount of \$6,777.40, for a new total cumulative amount not to exceed \$21,777.40.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

N. Request permission to utilize two contacts, (Contract No. 1) NASPO Value Point Contract No. 4322000-WSCA-15-ACS - *Computer Equipment, Desktops, Laptops, Tablets, Servers and Storage including Related Peripherals & Services*, effective through July 31, 2021, between the State of Florida and Hewlett-Packard Company, and (Contract No. 2) Synnex National Cooperative Purchasing Alliance 01-97 - *Advanced Technology Solutions Aggregator*, effective through July 31, 2022, and issue a purchase order to Southern Computer Warehouse, Inc., for the purchase of equipment and services, in a total cumulative amount not to exceed \$40,000, to be allocated through various City Departments.
(INFORMATION TECHNOLOGY DEPARTMENT)

O. Request permission to issue a purchase order to Southwest Florida Water Management District, entity which was the first to respond to the Miami-Dade County, Emergency Operation Center for assistance to the City of Hialeah's emergency request for water pumps to lower the water levels on highly impacted areas due heavy rains, flooding and high water table caused by Storm Eta, in a total cumulative amount not to exceed \$16,359.32.

(STREETS)

P. Request permission to utilize a contract between City of Orange, Texas and this vendor, effective through June 3, 2023, and issue a purchase order to Inframark, LLC, for operations and maintenance support to maximize cost effective, efficient, compliant water distribution and wastewater collection system operating services, in a total cumulative amount not to exceed \$1,740,374.88, which includes a \$200,000 contingency at a the sole authority of the City to cover unanticipated events, including upcoming rainy season. Further request permission to ratify previous payments made to this vendor as approved by the Mayor while negotiations between the City's Department of Public Works and this vendor were underway, in the total amount of \$379,926.32, for a total cumulative expense amount not to exceed \$2,120,274.20.

(DEPARTMENT OF PUBLIC WORKS)

Q. Request permission to issue a purchase order to AECOM Inc., for the project closeout of Construction Engineering Inspection (CEI) Services in overseeing the construction of the improvements to Northwest 142nd Street from Northwest 97th Avenue to Northwest 107th Avenue, in a total cumulative amount not to exceed \$255,388.83. On October 10, 2017 (Item U), the City Council approved this project to this vendor.

(DEPARTMENT OF PUBLIC WORKS)

R. Proposed resolution accepting a matching grant from the State of Florida Department of Transportation of 50% of eligible project costs not to exceed \$75,000.00 for fiscal year 2021, for a term commencing upon execution of the agreement and ending on December 31st, 2022, to fund on-demand ride-sharing service; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the public transportation grant agreement attached hereto and incorporated herein as Exhibit "1"; and authorizing the Mayor or his designee on behalf of the City to execute all other necessary documents in furtherance thereof; providing for an effective date.

(TRANSIT)

S. Proposed resolution approving an On-Demand Transportation Services Agreement between the City of Hialeah, Florida and Beefree, LLC doing business as Freebee, to provide and operate flexible, door-to-door, on-demand transportation services within designated service areas to the residents and visitors of the City of Hialeah, in an amount not to exceed \$98,921.00 per freebee vehicle operating seventy hours per week, for a total cumulative amount not to exceed \$296,763.00, payable in twelve equal monthly installments, for a term not to exceed one year commencing upon delivery and deployment of the freebee vehicles, with the option to renew the agreement for four consecutive one-year terms, contingent upon annual appropriation by the City Council; further authorizing the Mayor and the City Clerk, as attesting witness on behalf of the City, to execute the On-Demand Transportation Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1"; and providing for an effective date.

(TRANSIT)

10. ADMINISTRATIVE ITEMS

- 10 A.** Second reading and public hearing of proposed ordinance amending Chapter 78 entitled "Solid Waste", of the Code of Ordinances, Article I. entitled "In General", in particular Section 78-1 to update defined terms; amending Article III. entitled "Collection and Disposal", to rescind in its entirety Section 78-75; amending Article VI. entitled "Collection Services by Private Collectors Non-Exclusive Franchise", to authorize solid waste collection services by private collectors, to provide for collection container regulations including labeling, location and maintenance obligations; providing the City with the right to remove and impound abandoned collection containers; requiring any person collecting, removing, transporting or procuring collection services contracts as an intermediary to obtain a non-exclusive franchise upon application and payment of a fee; providing for minimum service standards; providing for administrative remedies; amending Article VII. entitled "Roll-Off Regulations", updating the application process; providing an authorization fee of \$150.00 per roll-off container; providing for minimum standards for roll-off containers; 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)

The item was approved on first reading by the City Council on March 9, 2021. Second reading and public hearing was scheduled for March 23, 2021.

- 10 B.** Second reading and public hearing of proposed ordinance amending Chapter 30 entitled "Elected Officials", Article II. - Public Meetings, of the Code of Ordinances of the City of Hialeah, creating a new Section 30-32 entitled "Attendance and Absenteeism" to provide for attendance at regularly scheduled City Council Meetings and during a declared emergency; imposing a penalty upon a Council Member following a third absence unless good cause is shown; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the Code; providing for an effective date.
(SPONSOR: COUNCIL MEMBER DE LA ROSA)
(CO-SPONSER: COUNCIL PRESIDENT TUNDIDOR)

On March 9, 2021, the item was approved on first reading as amended by the City Council. Second reading and public hearing was scheduled for March 23, 2021.

- 10 C.** First reading of proposed ordinance amending Chapter 2 entitled "Administration", Article III. - Boards, Commissions and Committees, Division I - Generally, of the Code of Ordinances of the City of Hialeah, and in particular Section 2-583 - Removal of Board Members; imposing a penalty upon a Planning and Zoning Member following a third absence unless good cause is shown; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the Code; providing for an effective date.
(COUNCIL MEMBER HERNANDEZ)

- 10 D.** First reading of proposed ordinance amending Chapter 42 entitled "Floods and Water Management" of the Code of Ordinances of the City of Hialeah, and in particular Article II, entitled "Flood Damage Prevention", providing for a statutory authorization; revising the findings of fact; revising the application of this article, compliance and its interpretation; providing for a warning and liability disclaimer; revising the definitions; providing that the disposal of any rainwater, stormwater runoff or other liquids by causing or allowing same to flow on, over or across any adjoining property, sidewalk, easement or right-of-way, either public or private is

prohibited; revising the procedure to apply for a development permit; revising the duties and responsibilities of the floodplain administrator; revising the provisions for flood hazard reduction, including the specific standards; further revising the procedure for the issuance of a variance, variance notification, and calculation of substantial improvement and damage; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the Code; providing for an effective date.
(STREETS)

10 E. First reading of proposed ordinance approving a covenant in favor of Miami Dade County to maintain, operate and preserve a Stormwater Management System serving N.W. 97 Avenue from N.W. 166 Street to N.W. 170 Street, dedicating pervious area containing 11,488 square feet, more or less, for stormwater retention as provided in the Stormwater Management Plan for CF 829, along N.W. 154 Street, west of N.W. 102 Avenue, and more particularly described in the form covenant, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; authorizing the execution of the covenant 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.
(STREETS)

10 F. First reading of proposed ordinance approving a covenant in favor of Miami Dade County to maintain, operate and preserve a Stormwater Management System serving N.W. 97 Avenue from N.W. 166 Street to N.W. 170 Street, dedicating pervious area containing 16,515 square feet, more or less, for stormwater retention as provided in the Stormwater Management Plan for CF 828, along N.W. 154 Street, west of N.W. 102 Avenue, and more particularly described in the form covenant, a copy of which is attached hereto and made a part hereof as “Exhibit 1”; authorizing the execution of the covenant 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.
(STREETS)

11. BOARD APPOINTMENTS

12. UNFINISHED BUSINESS

13. NEW BUSINESS

14. ZONING

PLANNING AND ZONING

PZ 1. Second reading and public hearing 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 March 9, 2021, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for March 23, 2021.

On February 23, 2021, the item was postponed until March 9, 2021, per the applicant's request for the benefit of the presence of a full City Council.

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 recommended approval of the item.

Planner's Recommendation: Approval.

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

PZ 2. Second reading and public hearing of proposed ordinance rezoning property from M-1 (Industrial District) to C-1 (Restricted Retail Commercial District); granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances §§ 98-181 to allow a Prescribed Pediatric Extended Care (PPEC) with a maximum of 30 patients and 8 staff employees; variance permit to allow 33 parking spaces, where 98 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(7). **Property located at 700 West 29 Street, 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.

On March 9, 2021, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for March 23, 2021.

<i>On March 3, 2021, the Planning and Zoning Board recommended approval with the condition that the property owner commits to restrict uses at the site, improve the site, and control outdoor work, and the commitment of the PPEC operator to transport a significant number of attendees to and from the facility.</i>
<i>Planner's Recommendation: Approval with conditions proffered in a Declaration of Restrictions.</i>
<i>Owners of the Property: Airport Commerce LLC, 696 NE 125 Street, North Miami, Florida 33161.</i>

PZ 3. Second reading and public hearing of proposed ordinance granting a variance permit to allow the re-platting of two properties into three substandard lots and to allow the construction of a single-family home on each substandard lot having approximately a frontage of 40 feet and total lot area of 5,475 square feet, where 75 feet and 7,500 square feet are required respectively; and allow interior side setbacks of 5 feet, where 5 feet 1 inch are required; all contra to Hialeah Code of Ordinances §§ 98-499 and 98-501. **Properties located at 728 East 23 Street, 736 East 23 Street and 7XX East 23 Street, Florida, 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.

<i>On March 9, 2021, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for March 23, 2021.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Marcos Gutierrez, 7757 NW 169 Terrace, Miami Lakes, Florida 33016.</i>
<i>On March 3, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Rada 3 LLC., Ahmed Riesgo, Aldo Riesgo, Mirta Riesgo, 3 Grove Isle Drive, #906, Miami, Florida 33133.</i>

PZ 4. Second reading and public hearing of proposed ordinance granting a variance permit to allow the expansion of a legal nonconforming use and to allow a rear setback of 1.08 feet, where 20 feet are required for a proposed storage addition; allow interior west side setback of 9.79 feet, where 10 feet are required for an existing storage building; contra to Hialeah Code of Ordinances §§ 98-501 and 98-502. **Property located at 815 West 75 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.

<i>On March 9, 2021, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for March 23, 2021.</i>
<i>On March 3, 2021, the Planning and Zoning Board recommended approval of the item.</i>

<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Hialeah Housing Authority, 75 East 6 Street, Hialeah, Florida 33010.</i>

PZ 5. Second reading and public hearing of proposed ordinance granting a variance permit to allow for the temporary waiver of plat provided that the property will be platted within 18 months of the approval of this ordinance; contra to Hialeah Land Development § 10-4(c). **Property located at 9715 NW 138 Street, Hialeah, zoned RH-CD (Mixed Use Multiple Family District) and CDH (Commercial Development 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 March 9, 2021, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for March 23, 2021.</i>
<i>Registered Lobbyist: Hugo P. Arza, Esq., and Alejandro Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131.</i>
<i>On March 3, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Atlas Fam II, LLC, 9715 NW 138th Street, Hialeah, Florida.</i>

PZ 6. Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP) to allow the expansion of the neighborhood business district overlay pursuant to Hialeah Code of Ordinances § 98-1630.8; and granting a variance permit to allow a single use, multifamily residential building, where a vertical mix of uses is required; allow residential use on the ground floor, where residential uses are allowed above the ground level only; allow all units with area of 600 square feet, where area of 850 square feet is the minimum required and only 10% of the units may have an area of 600 square feet; allow 15 feet front setback, where 10 feet built-to-line are required; allow rear setback of 10 feet and interior east side setback of 7 feet, where 15 feet are required; allow surface parking on the front setback, where surface parking is not allowed on front setback; allow 19 parking spaces, where 34 parking spaces are required; and allow 23.9% pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-1630.1, 98-1630.2, 98-1630.3(e)(1), 98-1630.3(e)(4), 98-2189(16)a., and 98-2056(b)(1). **Property located at 241 East 6 Street, Hialeah, Florida; zoned R-3-D (Multifamily 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 March 9, 2021, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for March 23, 2021.</i>
<i>Registered Lobbyist: Hugo P. Arza, Esq., and Alejandro Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131.</i>

<i>On March 3, 2021, the Planning and Zoning Board recommended approved the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: John & Olinda Perez, 241 East 6th Street, Hialeah, Florida.</i>

15. FINAL DECISIONS

- FD 1.** Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2021-04** that granted an adjustment on the property located at **550 SE 1 Street, Hialeah, Florida;** and providing for an effective date.

<i>On March 3, 2021, the Planning and Zoning Board recommended approval of only 1.32 feet east side setback provided that west side roof area is reduced, the exterior door at the rear is blocked and the metal trailer with the attached metal roof is removed from the backyard.</i>
<i>Planner's Recommendation: Approve only 1.32 feet east side setback provided that west side roof area is reduced, the exterior door at the rear is blocked and the metal trailer with the attached metal roof is removed from the backyard.</i>
<i>Owner of the Property: Nicolas Hernandez, 550 Southeast 1st Street, Hialeah, Florida 33010.</i>

16. LAND USE

- LU 1.** First reading of proposed ordinance amending the Future Land Use Map from Commercial to Major Institutions. **Property located at 1020 West 29th Street, Hialeah, Florida,** 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>Registered Lobbyist: Suzanne A. Dockerty, Esq., 110 Merrick Way, 3-B, Coral Gables, Florida 33134, on behalf of The Most Reverend Thomas G. Wenski, Archbishop of the Archdiocese of Miami.</i>
<i>On March 10, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Thomas G. Wenski, 9401 Biscayne Blvd, Miami Shores, Florida 33138.</i>

- LU 2.** First reading of proposed ordinance amending the Future Land Use Map from Residential Office

to Medium Density Residential. **Properties located at 665 East 49th Street, 673 East 49th Street and Folio No. 04-2132-003-1010, Hialeah**, zoned R-1 (One Family District) and RO (Residential Office 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.

Registered Lobbyist: Hugo P. Arza, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Caribbean Cat Corp & Jodnasi Properties, LLC.

Registered Lobbyist: Alejandro Arias, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Caribbean Cat Corp & Jodnasi Properties, LLC.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item as amended.

Planner's Recommendation: Approve the change from Residential Office to Medium Density Residential.

Owners of the Property: Caribbean Cat Corp (Miriam Torres) and Jodansi Properties, LLC (Michael Montero and Joseph Perez)

LU 3. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Commercial. **Property located at 740 East 49th Street, Hialeah, Florida**, 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.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval of the land use changes with limitation on uses.

*Owners of the Property: Victoriano Gazquez, 400 Kings Point Drive, Suite 1106, Sunny Isles, Florida 33160.
Sahilyn Reyes and Carmen Viela, 5910 West 3rd Lane, Hialeah, Florida 33012.*

LU 4. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Transit Oriented Development District. **Property located at 909 E 24 Street, Hialeah, Florida**, 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.

Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Macallan Rental Investments LLC.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Owners of the Property: Macallan Rental Investments LLC and Nancy Ortiz, 100 South Pointe Drive, Suite 2702, Miami Beach, Florida.

LU 5. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Transit Oriented Development District. **Property located at 879 East 24 Street, Hialeah, Florida,** 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.

Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Macallan Rental Investments LLC.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Owners of the Property: Macallan Rental Investments LLC, Fountain Investments LLC and Nancy Ortiz, 100 South Pointe Drive, Suite 2702, Miami Beach, Florida.

LU 6. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Transit Oriented Development District. **Property located at 1091 East 17 Street, Hialeah, Florida,** 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.

Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Miami Rental Partners, LLC.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Owners of the Property: Miami Rental Partners, Nancy Ortiz and Monica Otero, 100 South Pointe Drive, Suite 2702, Miami Beach, Florida.

LU 7. First reading of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial. **Property located at 183 West 49 Street, Hialeah, Florida,** 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.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Owners of the Property: Osnay Rivero and Yudit Rivero, 798 East 54th Street, Hialeah, Florida 33013.

LU 8. First reading of proposed ordinance amending the Future Land Use Map from Commercial to Transit Oriented Development District. **Properties located at 934 East 25 Street and 954 East 25 Street, Hialeah, Florida**, 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.

Registered Lobbyist: Christopher Collins, 696 NE 125 Street, North Miami, Florida 33161, on behalf of Twenty Fifth Street Venture, LLC.

On March 10, 2021, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Owners of the Property: Yoram Izhak, 696 NE 125 Street, North Miami, Florida 33161.

NEXT CITY COUNCIL MEETING: Tuesday, March 23, 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).