

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
April 27, 2021
7:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

A. The invocation to be led by Marbelys Fatjo, City Clerk.

4. PLEDGE OF ALLEGIANCE

A. The Pledge of Allegiance to be led by Council Member Hernandez.

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

- A. Presentation by Jose Arrojo, Executive Director of the Miami-Dade County Commission on Ethics and Public Trust**, regarding outside employment in relation to Administrative Item 10 H.

On April 13, 2021 the presentation was postponed by the administration until April 27, 2021 due to the absence of the sponsor and co-sponsor of the item at the City Council Meeting of April 13, 2021.

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 April 13, 2021.
(OFFICE OF THE CITY CLERK)
- B.** Request permission to issue a purchase order to Tidal Basin Government Consulting, LLC, vendor under contract with the City for emergency management administrative support services, for the payment of

the following invoices: COHIALEAH-01-35, COHIALEAH-01-36, COHIALEAH-01-37, COHIALEAH-01-38, COHIALEAH-01-39 and COHIALEAH-01-40, for emergency management support services related to Hurricane Irma, in a total cumulative amount not to exceed \$6,558.75. On June 25, 2019, the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – Emergency Management Administrative Support Services to this vendor for a period of three (3) years, with the option to renew the agreement for up to two (2) consecutive one-year terms.
(EMERGENCY MANAGEMENT DEPARTMENT)

C. Request permission to issue a purchase order to Tidal Basin Government Consulting, LLC, vendor under contract with the City for emergency management administrative support services, for the payment of the following invoices: COHIALEAH-03-04, COHIALEAH-03-05 and COHIALEAH-03-06, for disaster recovery services related to Hurricane Irma closeout (DR4337), in a total cumulative amount not to exceed \$45,110.00. On June 25, 2019, the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – Emergency Management Administrative Support Services to this vendor for a period of three (3) years, with the option to renew the agreement for up to two (2) consecutive one-year terms.
(EMERGENCY MANAGEMENT DEPARTMENT)

D. Request permission to issue a purchase order to Tidal Basin Government Consulting, LLC, vendor under contract with the City for emergency management administrative support services, for the payment of the following invoices: COHIALEAH-02-01, COHIALEAH-02-02, COHIALEAH-02-03, COHIALEAH-02-04, COHIALEAH-02-05, COHIALEAH-02-06, COHIALEAH-02-07, COHIALEAH-02-08, COHIALEAH-02-09 and COHIALEAH-02-10, for disaster recovery services related to COVID-19 (DR4486 project), and issue a purchase order to Tidal Basin Government Consulting, LLC, in the amount of \$23,353.75, with all invoices totaling an expense amount of \$123,353.75, and further request an allocation of an additional \$100,000.00 to this vendor for ongoing emergency management administrative support services. On May 28, 2020, the City Council approved Task Order No. COH2019-01EM to supplement the current agreement with this vendor as it applies to the Disaster Recovery Services – COVID-19 project for \$100,000, in a total cumulative expense amount of \$223,353.75. On June 25, 2019, the City Council awarded Hialeah Request for Proposal No. 2018/19-8500-36-001 – Emergency Management Administrative Support Services to this vendor for a period of three (3) years, with the option to renew the agreement for up to two (2) consecutive one-year terms.
(EMERGENCY MANAGEMENT DEPARTMENT)

E. Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Human Resources Department is presently using the services of this vendor, and increase Purchase Order No. 2021-573, issued to Cano Occupational Health, LLC, doing business as Health Care Center of Miami, for pre-employment examination for new hires, by an additional amount of \$10,000.00, for a new total cumulative expense amount not to exceed \$35,000.00.
(HUMAN RESOURCES DEPARTMENT)

F. Request permission to utilize County of Fairfax, Virginia Contract No. 4400006644 – *Technology Products, Services, Solutions and Related Products and Services*, effective through April 30, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts which the City of Hialeah is registered to utilize, and issue a purchase order to Insight Public Sector, Inc., for the purchase of five (5) new Panasonic CF-20 Tough Books, ten (10) replacement stylus, three (3) replacement batteries and for the purchase of an extended warranty on thirty-two (32) existing devices for an additional two (2) years, in a total cumulative amount not to exceed \$35,215.94.
(INFORMATION TECHNOLOGY DEPARTMENT)

- G.** Request permission to issue a purchase order to Replay Systems, Inc., sole source vendor, for support and maintenance to the VPI V4 and VPI V5 Voice Logging Recorder Systems manufactured by the vendor, through October 31, 2020, as well as for support and maintenance to the NICE Inform Voice Logging Recorder System, through February 18, 2022, both systems used by the E911 Communications Center, in a total cumulative amount not to exceed \$32,930.00.
(INFORMATION TECHNOLOGY DEPT.)
- H.** Report of Scrivener’s Error – Consent Item E of the City Council Meeting of November 10, 2020, was approved with the agenda letter from Sergio Velazquez, Chief of Police, to the Mayor and Council Members incorrectly containing the following: “After \$5,355 from fund balance”. Although the item was approved with a request for an appropriation from fund balance, there was enough funding available for the purchase.
(OFFICE OF MANAGEMENT AND BUDGET)
- I.** Request permission to utilize League of Oregon Cities Contract No. PS21115, effective through March 15, 2027, and issue a purchase order to Vortex Aquatic Corporation, for the purchase of a new splash zone for the Bucky Dent Pool, nineteen (19) play features, six (6) decks, four (4) steps, one (1) slide, and forty (40) structure posts and transport, in a total cumulative amount not to exceed \$227,118.20, cost which includes all equipment necessary for the project.
(DEPARTMENT OF PARKS AND RECREATION)
- J.** Proposed resolution approving the expenditure in an amount not to exceed \$296,544.00 from the Law Enforcement Trust Fund – *State* for the purchase of twelve (12) Chevrolet Silverado Motor Vehicles pursuant to a competitive bid utilizing Florida Sheriff Association and Florida Association of Counties Bid FSA20-VEL28.0 and providing for an effective date.
(POLICE DEPARTMENT)
- K.** Proposed resolution approving a Professional Services Agreement between the City of Hialeah, Florida and the Law Enforcement Survival Institute, LLC to provide tactical resilience and ethical policing training to the Hialeah Police Department, for a term not exceeding one year, in an amount not to exceed \$16,000.00; further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form and made a part hereof as Exhibit “1”; and providing for an effective date.
(POLICE DEPARTMENT)
- L.** Proposed resolution authorizing the Mayor or his designee to negotiate the terms and conditions of an agreement with PineTree Capitol, LLC d/b/a Emphasis Benefits, a Florida corporation, for the negotiation and placement of the Open Access Plus (OAP) Health Insurance Plan, self funded PPO Health Insurance Plans, GAP health insurance coverage, stop loss health insurance coverage, pharmacy benefits for the City’s self funded PPO Health Insurance Plans, and the Medicare Advantage PPO Health Insurance Plan for calendar years 2022 and 2023; further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute an agreement in a form acceptable to the City Attorney; and providing for an effective date.
(RISK MANAGEMENT)
- M.** Proposed resolution accepting the award of a grant from Miami-Dade County through the 2021 Street Tree Matching Grant Program administered by the County’s Parks, Recreation and Open Spaces Department, in the amount of \$24,224.00 for the procurement, planting and maintenance of street trees pursuant to the City of Hialeah 2021 Tree Canopy Improvement Project; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Tree Planting

Agreement with Miami-Dade County commencing upon execution of the agreement and ending on June 25, 2021, whereby the City agrees to provide matching funds in an amount not to exceed \$24,224.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date.

(STREETS)

- N.** Request from Fireworks Lady and Co. LLC, located at 8600 Northwest South River Drive, Suite 75, Miami, Florida 33166, for permission to install a seasonal tent for the sale of fireworks and sparklers, with set up taking place on Saturday, June 26, 2021 and take down on Monday, July 5, 2021, and with sales scheduled to take place from Saturday, June 26, 2021 through Sunday, July 4, 2021, to be held at Villa Verde Plaza located at 3100-3198 West 76th Street, Hialeah, Florida, in accordance with recommendations from the Fire Department.

(OFFICE OF THE CITY CLERK)

- O.** Request from Fireworks Lady and Co. LLC, located at 8600 Northwest South River Drive, Suite 75, Miami, Florida 33166, for permission to install a seasonal tent for the sale of fireworks and sparklers, with set up taking place on Saturday, June 26, 2021 and take down on Monday, July 5, 2021, and with sales scheduled to take place from Saturday, June 26, 2021 through Sunday, July 4, 2021, to be held at Westland Mall located at 1625 West 49th Street, Hialeah, Florida, in accordance with the recommendations from the Fire Department.

(OFFICE OF THE CITY CLERK)

- P.** Request from Red Nose Entertainment Corp., located at 3619 Northwest 101st Street, Miami, Florida, for an extension to a Special Events Permit granted by the City Council on April 13, 2021 (Consent Item F) to host a circus with no animals, including the installation of a seasonal tent, with the event taking place from Friday, April 16, 2021 through Sunday, May 2, 2021, at the parking lot of Westland Mall, located at 1675 West 49th Street, Hialeah, Florida, as approved, to be extended until Sunday, May 9, 2021.

(OFFICE OF THE CITY CLERK)

- Q.** Proposed resolution approving a Statewide Mutual Aid Agreement between the State of Florida Division of Emergency Management and the City of Hialeah, Florida, for reciprocal emergency aid and assistance in case of emergencies; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Statewide Mutual Aid Agreement, a copy of which is attached and incorporated herein as Exhibit "A"; and further authorizing the Mayor to execute any and all documents in furtherance thereof; and providing for an effective date.

(DEPARTMENT OF EMERGENCY MANAGEMENT)

- R.** Request permission to utilize Lake County Contact No. 17-0606D - *Fire Equipment Parts-Supplies-Service*, and issue a purchase order to Fisher Scientific Company L.L.C., for the purchase of forty-six (46) Scott SCBA Air-Cylinders, in a total cumulative amount not to exceed \$48,445.00.

(FIRE DEPARTMENT)

- S.** Request permission to increase Purchase Order No. 2021-578, issued to K. V. P., Enterprises, Inc., doing business as Expert Diesel, for the purchase of engine parts for the City's heavy equipment, by an additional \$75,000.00, for a new total cumulative amount not to exceed \$210,000.00. On October 13, 2020, the City Council approved Consent Item R, utilizing a contract awarded pursuant to Miami Dade County Bid No. FB-00399 – *Purchase of Original Equipment Manufacturer (OEM) and Original Equipment (OE) Parts and Services*, to purchase engine parts from this vendor.

(FLEET AND MAINTENANCE DEPARTMENT)

T. Report of Scrivener’s Error – Consent Item T of the City Council Meeting of March 9, 2021, was approved with an error in the vendor name on the agenda letter from Alexis Riveron, Building Official, to the Mayor and City Council. The item was approved for the purchase of one (1) Ford Explorer XLT-RWD and five (5) Chevy Colorado Double Cab-2WT, from Duval Fleet Services, Inc. The item is being amended to reflect the purchase of the Ford Explorer from *Duval Ford, LLC* and the five (5) Chevy Colorado vehicles from *Stark Motorcars, LLC, doing business as Duval Chevrolet*.
(BUILDING DIVISION)

U. Request permission to waive competitive bidding, since it is advantageous to the City, and increase two purchase orders, both issued to Heritage Landscape Supply Group Inc., doing business as FIS Outdoor, (1) Purchase Order No. 2021-1294, for the purchase of 14-14-14 fertilizer with Siteone, by an additional amount of \$2,460.40, due to an increase in the price, for a new total cumulative amount not to exceed \$17,460.40, and (2) Purchase Order No. 2021-896, for irrigation needs, by an additional amount of \$2,539.60, for a new total cumulative amount not to exceed \$7,539.60.
(PARKS AND RECREATION)

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)

ITEM IS POSTPONED UNTIL MAY 11, 2021

<i>On April 13, 2021, the second reading of the item was postponed until April 27, 2021, per the administration’s request.</i>
<i>On March 23, 2021, the second reading of the item was postponed until April 13, 2021, per the administration’s request.</i>
<i>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.</i>

10 B. Second reading and public hearing 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)

On April 13, 2021, the City Council tabled the item until April 27, 2021.

The item was approved on first reading by the City Council on March 23, 2021. Second reading and public hearing was scheduled for April 13, 2021.

- 10 C.** Second reading and public hearing of proposed ordinance providing for the early voting time and location as allowed by state law, specifically, Sections 101.657(1)(a)-(1)(d), Florida Statutes; designating JFK Library as an early voting site for the November 2, 2021 City of Hialeah Primary Election; beginning on Monday, October 25, 2021, from 7:00 a.m. to 7:00 p.m., on Tuesday, October 26, 2021, from 7:00 a.m. to 7:00 p.m., on Wednesday, October 27, 2021, from 7:00 a.m. to 7:00 p.m.; on Thursday, October 28, 2021, from 7:00 a.m. to 7:00 p.m.; Friday, October 29, 2021, from 7:00 a.m. to 7:00 p.m., on Saturday, October 30, 2021, from 9:00 a.m. to 4:00 p.m., and on Sunday, October 31, 2021, from 9:00 a.m. to 4:00 p.m.; and providing for early voting at JFK Library for the General Election, if a General Election is held, and in particular, on Friday, November 12, 2021, from 7:00 a.m. to 7:00 p.m., on Saturday, November 13, 2021, from 9:00 a.m. to 4:00 p.m. and on Sunday, November 14, 2021, from 9:00 a.m. to 4:00 p.m.; 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.

(OFFICE OF THE CITY CLERK)

On April 13, 2021, the City Council approved the item as amended. Second reading and public hearing was scheduled for April 27, 2021.

On November 24, 2020 the City Council tabled the item, and requested that the Office of the City Clerk request from the Miami-Dade County Department of Elections a cost estimate for the following early voting schedule: Monday through Friday 7:00 a.m. to 7:00 p.m., and Saturday and Sunday from 9:00 a.m. to 4:00 p.m.

- 10 D.** Second reading and public hearing of proposed ordinance amending Chapter 98, “Zoning”, Article I., entitled “In General”, by adding a new Section 98-7 “Approval of Governmental Facilities”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in code; and providing for an effective date.

(ADMINISTRATION)

On April 13, 2021, the City Council approved the item as amended. Second reading and public hearing was scheduled for April 27, 2021.

- 10 E.** Second reading and public hearing of proposed ordinance revising the Hialeah, Fla., Land Development Code to reflect pertinent changes to the Hialeah Code and relevant changes in State Law enacted since the date of the last revision; repealing all ordinances or parts of ordinances in conflict therewith; providing penalties for violation hereof; providing for inclusion in the Hialeah, Fla. Land Development Code and the Hialeah Code; providing for a severability clause and providing for an effective date.

(ADMINISTRATION)

On April 13, 2021, the City Council approved the item as amended. Second reading and public hearing was scheduled for April 27, 2021.

- 10 F.** Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. entitled “Zoning District Regulations”, Division 26, TOD Transit Oriented Development District, Section 98-1560(1) Sunset and Amendments, of the Code of Ordinances of the City of Hialeah, to retroactively reinstate the TOD Transit Oriented Development District; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; providing for an effective date.
(ADMINISTRATION)

On April 13, 2021, the City Council approved the item as amended. Second reading and public hearing was scheduled for April 27, 2021.

- 10 G.** First reading of proposed ordinance amending Chapter 26 entitled “Code of Ethics”, Article I. – In General, of the Code of Ordinances of the City of Hialeah, Florida adding Section 26-4 entitled “Prohibited Outside Employment” prohibiting outside employment by the Mayor, Department and Division Heads, and Management employees; repealing all 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-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

On April 13, 2021, the item was tabled by the City Council until April 27, 2021.

- 10 H.** First reading of proposed ordinance amending Chapter 98 entitled “Zoning” Article V. “Zoning District Regulations” Division 29. Hialeah Heights, § 98-1601. MH - Industrial District, of the Code of Ordinances of the City of Hialeah eliminating automotive uses; providing for vested rights; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.
(ADMINISTRATION)

ITEM IS POSTPONED UNTIL MAY 11, 2021

On April 13, 2021, the City Council approved the item as amended. Second reading and public hearing is scheduled for April 27, 2021. Due to advertisement requirements mandated by state law, this item will need to be re-advertised. After the publishing of the advertisement, first reading of the proposed ordinance will be held on May 11, 2021.

- 10 I.** First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, creating Article XII. – Hotels and Motels, and a new Section 18-613 entitled “Hotel and Motel Rentals” to prohibit hourly rentals, rentals to minors and require identity verification of renters; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.
(SPONSOR: COUNCIL PRESIDENT TUNDIOR)
(CO-SPONSOR: COUNCIL MEMBER DE LA ROSA)

11. BOARD APPOINTMENTS

- 11 A.** Proposed resolution appointing **Lazaro Gamon** as a member of the Planning and Zoning Board for the

remainder of a two (2)-year term beginning on April 27, 2021 and ending on June 28, 2022.
(COUNCIL MEMBER DE LA ROSA)

- 11 B.** Proposed resolution appointing **John Ulloa** as a member of the Planning and Zoning Board for the remainder of a two (2)-year term beginning on June 29, 2021 and ending on June 28, 2022.
(COUNCIL MEMBER GARCIA-ROVES)

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- 13 A.** Discussion of a proposed resolution opposing proposed Senate Bill 76 and corresponding House Bill 305.
(COUNCIL VICE PRESIDENT PEREZ)
- 13 B.** Discussion of a proposed resolution opposing proposed Senate Bill 84.
(COUNCIL VICE PRESIDENT PEREZ)

14. ZONING

PLANNING AND ZONING

- PZ 1.** 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-3 grade school with a maximum enrollment of 56 students in conjunction with an existing daycare with a capacity of 44 children. **Property located at 3101-3141 East 4 Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On April 13, 2021, the City Council approved the item on first hearing. Second reading and public hearing is scheduled for April 27, 2021.</i>
<i>On March 24, 2021, the Planning and Zoning Board recommended approval of the item with the condition that designated staff is made available to facilitate the drop-off and pick-up process and to ensure that traffic flows adequately within the site without overflowing into the right-of-ways.</i>
<i>Planner's Recommendation: Approve with conditions.</i>
<i>Owners of the Property: Eliu Moliner and Elizabeth Moliner, PO Box 22402, Hialeah, Florida 33002.</i>

- PZ 2.** Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah Ordinance

93-01 (adopted January 12, 1993) and the related Unity of Title recorded in Official Records Book 15925 at Page 3448 (May 24, 1993) for properties zoned RO (Residential Office District) located at 4915 and 4935 E 1 Court, which upon repeal reverts from RO (Residential Office District) to R-1 zoning (One-Family District); rezoning property located at 4935 E 1 Court from R-1 (One Family District) to P (Parking District) for proposed surface parking to serve a proposed addition to the building located at 145 E 49 Street; rezoning property located at 4915 E 1 Court from R-1 (One Family District) to RO (Residential Office) and granting a variance to allow a rear setback of 41 feet, where 45 feet are required and allow one parking space at the front setback, where parking is required at the back of the building; rezoning property located at 4950 E 1 Court from R-1 (One Family District) to P (Parking District) to provide parking for a proposed addition to the building located at 145 E 49 Street that will expand into 4935 E 1 Avenue; granting a variance permit at 4935 E 1 Avenue and 145 E 49 Street to allow 0 feet rear setback, where 15 feet are required; granting a variance permit to allow 56 parking spaces where 58 are required for properties located at 4915 E 1 Court, 145 E 49 Street and building addition proposed at 4935 E 1 Avenue; granting a variance permit to allow a total 15% pervious area on the proposed shared development of the properties located at 125 E 49 Street, 145 E 49 Street, 4935 E 1 Avenue and 4950 E 1 Court, where 20% is the minimum required; and granting a variance to allow a combined 6 feet CBS wall with a 2 feet decorative aluminum fence on top, for a total height of 8 feet, where 6 feet is the maximum allowed, all contra to Hialeah Code of Ordinances §§ 98-930, 98-781 and 98-781(5), 98-782, 98-2189(7), 98-2118 and 98-2121 and the Hialeah Florida Landscape Manual, update July 9, 2015, Paragraph (e) Table a. **Properties located at 4915 East 1 Court, zoned RO (Residential Office); 4935 East 1 Court, zoned RO (Residential Office); 125 East 49 Street, zoned B-1 ((Highly Restricted Retail District); 145 East 49 Street, zoned B-1 (Highly Restricted Retail District); 4950 East 1 Court, zoned R-1 (One-Family District); and 4935 East 1 Avenue, Hialeah, zoned B-1 (Highly Restricted Retail 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 April 13, 2021, the City Council approved the item as amended. Second reading and public hearing was scheduled for April 27, 2021.

On March 24, 2021, the Planning and Zoning Board recommended approval of the item with conditions proffered in a Declaration of Restrictive Covenants

Planner's Recommendation: Approval.

Registered Lobbyist: Joshua Dieguez, Esq., 7950 Northwest 155th Street, Suite 207, Miami, FL 33016.

Owner of the Property: Francisco Dieguez, Jr., MD PA.

- PZ 3.** Second reading and public hearing of proposed ordinance approving a Final Plat of Tom Thumb Food Stores Subdivision I. 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 at 2401 West Okeechobee Road, Hialeah, Florida.**

On April 13, 2021, the City Council approved the item on first hearing. Second reading and public hearing is scheduled for April 27, 2021.

PZ 4. First reading 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 660 square feet, where area of 850 square feet is the minimum required and where only 10% of the units may have an area of 600 square feet; allow 10.41 feet front setback, where 10 feet built-to-line are required; allow 27 parking spaces, where 48 parking spaces are required; allow 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), 98-2189(16)a., and 98-2056(b)(1); allow a privacy fence on the north and west property lines adjacent to dissimilar uses, where a wall is required, contra to the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Paragraph (d)(6) buffers between dissimilar uses. **Properties located at 425 East 8 Street and 443 East 8 Street, Hialeah, zoned R-1 (One-Family District) with CBD (Central Business District) land use.** 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 April 13, 2021, the item was tabled by the City Council until April 27, 2021, per the applicant's request.</i>
<i>Registered Lobbyist: Hugo P. Arza, Esq. and Alejandro Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131.</i>
<i>On March 24, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: East 8 ST, LLC</i>

PZ 5. First reading of proposed ordinance rezoning from R-1 (One-Family District) and RO (Residential Office) to R-3-3 (Multifamily District); 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 residential use on the ground floor, where residential uses are allowed above the ground level only; allow all residential units with an area of 660 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 for the corner portion of the building, where 10 feet built-to-line are required; allow 47 parking spaces, where 63 parking spaces are required; and allow 21.9 % pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinance §§ 98-1630.2, 98-1630.3(e)(1), 98-2189(16)a., and 98-2056(b)(1). **Property located at 665-673 East 49th Street and Folio No. 04-2132-003-1010, Hialeah, zoned R-1 (One-Family District) and RO (Residential Office).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Hugo P. Arza, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Carribean Cat Corp. & Jodnasi Properties, LLC.</i>
<i>On April 14, 2021, the Planning and Zoning Board recommended approval of the item subject to solving parking issues as will be recommended by corridor analysis that is underway.</i>

<i>Planner's Recommendation: Table the item.</i>
<i>Owners of the Property: Caribbean Cat Corp. & Jodnasi Properties, LLC</i>

PZ 6. 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 the construction of two attached duplexes, one duplex on each substandard lot; and allow the replatting of the property into two substandard lots having a frontage of 40 feet and total lot area of 5,400 square feet, where 75 feet frontage and 7,500 square feet are required; allow interior lot 0 feet west side setback, where 7.5 feet is the minimum required; on corner lot allow 0 feet east side setback, where 7.5 feet are required; and allow 13 feet street side setback, where 15 feet are required, all contra to Hialeah Code of Ordinance §§ 98-544 and 98-546. **Property located at 302 East 11th 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>Registered Lobbyist: Juan Jose Leon, 14031 Leaning Pine Drive, Miami Lakes, Florida 33014, on behalf of Pedro Acebo, 302 East 11th Street.</i>
<i>On April 14, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Angel Melians and Noema Melians, 302 East 11th Street, Hialeah, Florida, 33010</i>

15. LAND USE

LU 1. Proposed resolution expressing its intent to adopt the City of Hialeah 20-Year Water Supply Facilities Work Plan update (2020-2040) and related text amendments to the Potable Water Element, Conservation Element, Intergovernmental Coordination Element and Capital Improvement Element of the Hialeah, Fla., Comprehensive Plan (2015-2025); and providing for an effective date.

<i>On April 13, 2021, the item was tabled until April 27, 2021, per the administration's request.</i>
<i>On March 10, 2021, the Planning and Zoning Board recommended approval of the item.</i>

NEXT CITY COUNCIL MEETING: Tuesday, May 11, 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.

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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).