

Esteban Bovo, Jr.
Mayor

Monica Perez
President

Jacqueline Garcia-Roves
Vice President



Council Members
Bryan Calvo
Vivian Casàls-Muñoz
Luis Rodriguez
Jesus Tundidor
Carl Zogby

City Council Meeting Agenda May 23, 2023 7:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

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

4. PLEDGE OF ALLEGIANCE

A. The Pledge of Allegiance is to be led by Council Member Casàls-Muñoz.

5. MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.

- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, 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.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.
- The public can view public meetings on the City's YouTube page (www.youtube.com/cityofhialeahgov).
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform 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.

6. PRESENTATIONS

A. *The City of Hialeah recognizes employees for twenty-five years of service:*

Personnel of the Hialeah Police Department:

1. Orlando Salvat, Police Commander
2. Gisela Garrido, Police Sergeant
3. Marvin Alvarez, Police Sergeant
4. Azael Acay, Police Officer
5. Andres Gutierrez, Police Officer

Personnel of the Hialeah Fire Department:

1. Raymond Malin, Deputy Fire Chief
2. Justo Diaz De Arce, District Fire Chief
3. Stephen Lyon, District Fire Chief
4. Carlos Catellanos, Fire Lieutenant
5. Todd Hyde, Firefighter

Personnel of the Department of Public Works:

6. Eneidy Diaz, Accountant
7. Jose Carballeira, Supervisor of Water & Sewers

Personnel of the Fleet Maintenance Department:

8. Reinaldo Acosta, Mechanic II

Personnel of the Education and Community Services Department:

9. Marta Miranda, Recreation Leader I (Part-time)

B. *The City of Hialeah recognizes employees for thirty years of service:*

Personnel of the Hialeah Police Department:

1. Ricardo Fernandez, Jr., Police Lieutenant

Personnel of the Hialeah Fire Department:

2. Willians Guerra, Fire Chief
3. Karl Odin, Deputy Fire Chief
4. Juan Ferrando, Fire Engineer
5. Craig Hardie, Firefighter
6. Isaiah Williams, Firefighter
7. Robert Williams III, Firefighter

7. COMMENTS AND QUESTIONS

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

9. BOARD APPOINTMENTS

10. 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 May 9, 2023 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

- B. RESOLUTION:** Proposed resolution approving the expenditure in an amount not to exceed \$31,940.00 from the Law Enforcement Trust Fund - *Federal Capital Equipment Account* for the purchase of ballistic shields from Federal Eastern International, LLC and requesting an exemption from competitive bidding for the purchase of the equipment by utilizing the competitively bid governmental Contract #46151500-NASPO-21-ACS upon such costs having been approved by the Chief of Police, and providing for an effective date.

(POLICE DEPARTMENT)

- C. RESOLUTION:** Proposed resolution authorizing and ratifying the use of State Housing Initiatives Partnership (SHIP) Program funds expended through the City's Safe Home Program in an amount not to exceed \$125,000.00 for the rehabilitation of the single-family dwelling owned and occupied by Hercules Ferrandi and Maria Ferrandi located at 50 East 54 Street, as allowed by the City's local Housing Assistance Plan (LHAP); authorizing the Mayor or his designee, and the City Clerk, as attesting witness, to execute any and all agreements in furtherance of the project on behalf of the City; and providing for an effective date.

(GRANTS AND HUMAN SERVICES DEPARTMENT)

- D. RESOLUTION:** Proposed resolution authorizing the donation of Police Canine "Hunter" and authorizing the Mayor to execute the agreement attached as Exhibit "A"; providing for implementation; providing for an effective date.

(POLICE DEPARTMENT)

- E. RESOLUTION:** Proposed resolution authorizing the donation of their respective primary service firearm to retired officer Ricardo Fernandez, retired officer Ariel Hernandez and retired officer Orlando Baldo, and; providing for an effective date.

(POLICE DEPARTMENT)

- F.** Request permission to extend the current Service Agreement with the Mowrey Elevator Co., Inc., for an additional six (6) months ending on September 30, 2023, and increase two purchase orders issued to this vendor as follows:

1) Purchase Order No. 2023-421, for city-wide callback services, by an additional amount of \$25,000.00, for a new total amount of \$50,000.00

(2) Purchase Order No. 2023-422, for city-wide monthly maintenance services, by an additional amount of \$11,210.82, for a new total amount of \$22,421.64,

for a total cumulative expense amount not to exceed \$72,421.64. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that the City's Construction and Maintenance Department is working with the Purchasing Division to finalize the Request for Proposal documents in order to competitively bid this service. On October 11, 2022 (Consent Item Q), the City Council approved a first extension to the service agreement for a period of six (6) months ending on March 31, 2023.

The funding for the expenditure will be drawn against the General Fund – Contractual Services – Charge Back to Other Department Account No. 001.3230.591.341.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- G.** Request permission to extend the current Service Agreement with the South Shore Elevator Service Corp, for an additional six (6) months ending on September 30, 2023, and increase two purchase orders issued to this vendor as follows:

1) Purchase Order No. 2023-391, for Affordable Housing elevator callback services, by an additional amount of \$60,000.00, for a new total amount of \$120,000.00.

(2) Purchase Order No. 2023-423, for Affordable Housing monthly maintenance elevator services, by an additional amount of \$18,000.00, for a new total amount of \$36,000.00.

for a total cumulative expense amount not to exceed \$156,000.00. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that the City’s Construction and Maintenance Department is working with the Purchasing Division to finalize the Request for Proposal documents in order to competitively bid this service. On October 11, 2022 (Consent Item J), the City Council approved a first extension to the service agreement for a period of six (6) months ending on March 31, 2023.

The funding for the expenditure will be drawn against the General Fund – Contractual Services – Charge Back to Other Department Account No. 001.3230.591.341.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- H.** Request permission to issue a purchase order to Branching Out, Inc., vendor providing the lowest quotation, for the removal of existing fuel underground tanks and dispensers at Fire Station No. 4, located at 5520 Northwest 37 Avenue, City of Hialeah Fire Station No. 4, in a total expense amount not to exceed \$38,250.00. The approval of this item requires the waiving of competitive bidding, since it is advantageous to the City in that this vendor provided the City with the lowest quotation.

The funding for the expenditure will be drawn against the General Fund - Contractual Services Account No. 001.3220.591340.

(FLEET AND MAINTENANCE DEPARTMENT)

- I.** Request permission to increase Purchase Order No. 2023-323, issued to Visual Escape LLC, for the payment of invoices for service during the months of March, April, May and June, for landscaping services for the City’s passive park, Garden of the Arts, by an additional amount of \$25,000.00, for a new total cumulative expense amount not to exceed \$50,000.00. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that the City’s Parks and Recreation Department is currently working with the Purchasing Division on finalizing the bid process for this service.

The funding for the expenditure will be drawn against the General Fund – Contractual Services – Landscape Account No. 001.3130.572.342.

(PARKS AND RECREATION DEPARTMENT)

- J. RESOLUTION:** Proposed resolution ratifying and approving the Memorandum of Understanding between the Hialeah Civil Service Employees Association/AFSCME, Local 161 and the City of Hialeah providing an amendment to the Collective Bargaining Agreement effective through September 30, 2023 pertaining to the classifications and pay ranges of certain 911 Public Safety Communications Division positions.

(ADMINISTRATION)

(HUMAN RESOURCES DEPARTMENT)

- K.** Request permission to utilize City of Fort Lauderdale contract awarded pursuant to Invitation to Bid No. 12542-312 - *Asphaltic Concrete*, effective through July 31, 2023, and issue a purchase order to Weekley Asphalt Paving, Inc., for the purchase of asphaltic concrete for citywide roadway resurfacing on an as needed basis, in a total expense amount not to exceed \$275,000.00.

The funding for this expenditure will be drawn against Capital Outlay – Roadway Resurfacing Account No. 120.3210.541.646.

(STREETS)

- L.** Request permission to award City of Hialeah Invitation to Bid No. 2022-23-3211-12-017 – *French Drain Installation Project*, to Quality Paving Corp., lowest and responsible bidder, and issue a purchase order to this vendor, for services of furnishing, installing and testing all appurtenances associated with the French Drain Installation Project and restoration work, in a total cumulative expense amount not to exceed \$400,000.00.

The funding for the expenditure will be drawn against the Stormwater Utility Fund – Drainage/Const. Repair Account No. 475.3211.530.643.

(STREETS)

- M.** Request permission to utilize Sourcewell Contract No. 011822-LXP– *Public Safety Training Equipment*, effective through March 23, 2026, and issue a purchase order to Lexipol, LLC, for the purchase of annual policy manual services and daily training bulletins with supplemental publication services and fire operations procedures (SOP) for the City’s Fire Department, in a total expense amount not to exceed \$70,510.26, of which \$16,471.41 will be paid by September 30, 2023 for fiscal year 2022-2023 and \$54,038.85 will be paid by September 30, 2024 for fiscal year 2023-2024.

The funding for the expenditure will be drawn against the Fire Rescue Transportation Fund – Contractual Services Account No. 109.2000.522.340.

(FIRE DEPARTMENT)

- N.** Request permission to increase Purchase Order No. 2023-312, issued to K.V.P. Enterprises, Inc. (formerly Expert Diesel), for the purchase of Original Equipment Manufacturer (OEM) Cummins parts for all heavy-duty engines, including all fire apparatus and City transit buses, by an additional amount of \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00. On October 25, 2022, the City Council approved the usage of a pool of vendors established pursuant to Miami-Dade County Bid No. FB - 00399 – *Purchase of Original Equipment Manufacturer (OEM) and Original Equipment (OE) Parts and Services*, effective

through May 31, 2023, for the purchase of parts and services for forklifts, vehicles, heavy equipment, trailers, small engines, landscaping, etc.

The funding for the expenditure will be drawn against the General Fund – Inventory – Auto Parts Account No. 001.0000.141.120.

(FLEET MAINTENANCE DEPARTMENT)

- O.** Request permission to issue a purchase order to Springbrook, LLC, sole source vendor and developer of the billing system used by the City’s Department of Public Works, for the annual support and maintenance for web payments, pay by phone and utility billing systems, in a total expense amount not to exceed \$163,943.81.

The funding for the expenditure will be drawn against the Water & Sewers Division Fund - Repair & Maintenance Equipment Account No. 450.9500.536.462.

(DEPARTMENT OF PUBLIC WORKS)

- P.** Request permission to issue two purchase orders to Consolidated Pipe & Supply Company, Inc., sole source vendor of Zenner meters, with the first purchase order in the amount of \$34,900.00 to purchase five hundred (500) 5/8-inch Zenner water meters, and the second purchase order in the amount of \$63,834.00 for the purchase of forty (40) 1-inch water meters, one hundred (100) 2-inch water meters and twenty (20) 3-inch meters, for a total cumulative expense amount not to exceed \$98,734.00.

The funding for this expenditure is to be withdrawn from the Water & Sewers Division Fund – Inventory – Meters & Meter Boxes Account No. 450.0000.141.004.

(DEPARTMENT OF PUBLIC WORKS)

- Q.** Request permission to utilize Clay County Request for Proposed No. 18-19-2 – *Various Equipment and Amenities for Parks and Playgrounds*, effective through May 24, 2023, and issue a purchase order to Musco Sports Lightning, LLC, for the purchase and installation of new sports lighting system at Ten Hendricks Stadium and Milander Park general field, in a total expense amount not to exceed \$652,500.00

The funding for this expenditure will be drawn against the Park, Recreation and Open Space Fund – Capital Outlay – Infrastructure Account No. 342.3130.572.630.

- R.** Request permission to increase Purchase Order No. 2023-241, issued to Beefree, LLC, to pay for the cost of Freebee service for the remainder of the fiscal year, inclusive of the service area expansion cost, by an additional amount of \$186,142.24, for a total cumulative amount not to exceed \$433,444.74.

The funding for this expenditure will be drawn against CITT Surtax - Hialeah Circulation Fund - Contractual Services Account No. 130.3220.544.340.

(TRANSIT)

- S.** Request permission to enter into a three (3) year Service Agreement with this vendor, and issue a purchase order to Williams Scotsman, Inc., for the replacement and leasing of a trailer that serves

as the Hialeah Transit Office, in a total expense amount not to exceed \$67,415.00. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that the City's Transit Department has utilized the services of this vendor for the past fifteen (15) years and the vendor is the City's current trailer distributor.

The funding for this expenditure will be withdrawn against CITT Surtax - Hialeah Circulator Fund – Capital Outlay – Buildings Account No. 130.3220.544.620.

(TRANSIT)

- T. RESOLUTION:** Proposed resolution amending the City's Action Plan for federal funds for the Program Years 2018, 2019, 2020, 2021 and 2022 for Community Development Block Grant (CDBG) Program in the amount of \$2,905,484.16; authorizing the (1) execution of all applicable documents related to the appropriation and allocation of these program funds; (2) submission of the amended one-year action plan to HUD for the program years impacted; further authorizing the Mayor and City Clerk to execute intradepartmental agreements for sub-recipient of these funds; and providing for an effective date.

(GRANTS AND HUMAN SERVICES DEPARTMENT)

- U.** Request permission to issue a purchase order to Waste Connections of Osceola County, LLC, owner and operator of the JED Landfill in Osceola County, Florida, a sole source non-hazardous special waste landfill permitted to meet or exceed federal design and operating criteria included in Resource Conservation and Recovery Act Regulations, for the testing, hauling and disposal of non-hazardous special waste from the cleaning of storm drains on an as-needed basis, at a rate of \$50.00 per ton, in a total cumulative amount not to exceed \$100,000.00.

The funding for this expenditure will be drawn against Stormwater Utility Fund – Utility – Waste Disposal Account No. 475.3211.530.434.

(STREETS)

11. ADMINISTRATIVE ITEMS

- 11 A. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Hialeah Code of Ordinances Chapter 2, entitled "Administration", Article VII. "City Property", §2-902 "Disposal of City Property."; authorizing the gift of service firearms to qualified retired City of Hialeah law enforcement officers upon retirement and authorizing the gift of the City of Hialeah Police canine to its handler upon retirement; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ADMINISTRATION)

On March 28, 2023, the City Council approved the proposed ordinance on first reading.

12. UNFINISHED BUSINESS

13. NEW BUSINESS

14. ZONING

PLANNING AND ZONING

PZ 1. ORDINANCE: Second reading and **public hearing** of proposed ordinance granting a Variance Permit to allow the expansion of a non-conforming use by allowing a 125% building footprint increase of an existing duplex approved in 1948; approve front setback of 17.67 feet, where 25 feet are required; allow rear setback of 20 feet, where 25 feet are required; and allow lot coverage of 31.3%, where 30% is the maximum allowed, subject to the condition that the property will be platted before the issuance of a Certificate of Occupancy and that the applicant will be responsible for the infrastructure upgrade that might be required for the proposed building expansion; all contra to Hialeah Code of Ordinances §§ 98-545, 98-547 and 98-2056 (b)(2). **Property located at 501 East 59 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.

On May 9, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 23, 2023.

On April 25, 2023, the item was postponed by the City Council until May 9, 2023. First reading was scheduled for May 9, 2023.

Registered Lobbyist: Frank De La Paz, 11000 Southwest 104th Street, Unit 2804, Miami, Florida 33116, on behalf of Suniel Arzola.

On April 12, 2023, the Planning and Zoning Board recommended approval with the condition that the property is platted before the issuance of a Certificate of Occupancy, and that the applicant will be responsible for the infrastructure upgrade that might be required for the proposed building expansion.

Planner's Recommendation: Approve a variance to allow the expansion of a non-conforming use by allowing 125% building footprint increase of an existing duplex approved in 1948, approve front setback of 17.67 feet and rear setback of 20 feet and 31.3% lot coverage subject to the condition that the property will be platted before the issuance of a certificate of occupancy and that the applicant will be responsible for the infrastructure upgrade that might be required for the proposed building expansion.

Property Owners: Suniel Arzola, 1140 West 32nd Street, Hialeah, Florida 33012

PZ 2. LU 1 NEEDS TO BE CONSIDERED PRIOR TO THE CONSIDERATION OF ITEM PZ 2.

ORDINANCE: Second reading and **public hearing** of proposed ordinance rezoning properties from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Properties located at 901 East 27 Street, 921 East 27 Street, 931 East 27 Street, 941 East 27 Street, 951 East 27 Street, 957 East 27 Street, 967 East 27 Street, 971 East 27 Street, 981 East 27 Street, 991 East 27 Street, 902 East 28 Street, 912 East 28 Street, 922 East 28 Street, 932 East 28 Street, 952 East 28 Street, 962 East 28 Street, 972 East 28 Street, 982 East 28 Street, 992 East 28 Street and 2740 East 10 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.

On May 9, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 23, 2023.

Registered Lobbyist: Jorge L. Navarro, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Taves Capital Group, LLC.

Registered Lobbyist: Carlos Diaz, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Taves Capital Group, LLC.

On April 26, 2023, the Planning and Zoning board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owners: Please refer to Exhibit B to the City of Hialeah Application for Rezoning/Variance Hearing, for a list of the owner(s) of each subject property.

PZ 3. LU 2 NEEDS TO BE CONSIDERED PRIOR TO THE CONSIDERATION OF ITEM PZ 3.

ORDINANCE: Second reading and **public hearing** of proposed ordinance rezoning properties from R-1 (One-Family District), R-3-4 (Multiple-Family District) and C-1 (Restricted Retail Commercial District) to TOD (Transit Oriented Development District); allow a variance permit to allow a maximum building height of 10 stories, where 8 stories is the maximum allowed; contra to Hialeah Code of Ordinances §98-1544(c)(2); **properties located at 965 East 24 Street, 975 East 24 Street, 981 East 24 Street, 991 East 24 Street, 997 East 24 Street, 934 East 25 Street and 954 East 25 Street, Hialeah, zoned R-1 (One-Family District), R-3-4 (Multiple-Family District) and 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.

On May 9, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 23, 2023.

Registered Lobbyist: Jorge L. Navarro, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Saber South Hialeah, LLC.

<i>Registered Lobbyist: Carlos Diaz, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Saber South Hialeah, LLC.</i>
<i>On April 26, 2023 the Planning and Zoning board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: (1) Saber South Hialeah, LLC, 975 East 24 Street, (2) Saber South Hialeah II, LLC, 965 East 24th Street and (3) Elizabeth Delgado, 981, 991 and 997 East 24th Street.</i>

PZ 4. ORDINANCE: ~~Second reading and public hearing of proposed ordinance granting a Variance Permit to allow 3 parking spaces, where 16 parking spaces are required; allow back-out parking in a commercial area, where back-out parking is only allowed in Low-Density Residential; and allow a waiver of landscape requirements; contra to Hialeah Code of Ordinances §98-2189(15), 98-2190 and City of Hialeah Landscape Manual, latest edition dated July 9, 2015. Property located at 242 West 23 Street, 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.~~

WITHDRAWN – The applicant withdrew the application.

<i>On April 25, 2023, the item was postponed until May 23, 2023, per the applicant's request.</i>
<i>On April 11, 2023, the City Council approved the item on first reading. Second reading and public hearing was scheduled for April 25, 2023.</i>
<i>Registered Lobbyist: Sara Do Nascimento Santos, 7211 Venetian Street, Apt. 1, Miramar, Florida 33023, on behalf of Puig Maier LLC.</i>
<i>On March 29, 2023, the Planning and Zoning Board recommended approval with the condition that the automated lab operate with a maximum staffing of two employees, and provided that if the lab ceases operation, then the parking variance will be rescinded and the property will be operated as industrial.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Property Owners: Jorge Commelinid and Marco Fabian, 1172 South Dixie Highway, Suite 379, Coral Gables, Florida 33146, and Claudio A. Barrell, 10275 Collins Avenue, Suite 734, Bal Harbour, Florida 33154</i>

PZ 5. ORDINANCE: 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-4 grade elementary school with a maximum capacity of 100 students in conjunction with a 43 children daycare; **Property located at 1905 West 35 Street, 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.

<i>On April 25, 2023, the item was postponed until May 23, 2023, per the applicant's request.</i>
<i>On March 28, 2023, the item was postponed until April 25, 2023, per the applicant's request.</i>
<i>On March 14, 2023, the item was postponed until March 28, 2023 due to the need to advertise the new date scheduled for the second reading of the item.</i>
<i>On February 28, 2023, the City Council approved the item on first reading. Second reading and public hearing was scheduled for March 14, 2023.</i>
<i>On February 14, 2023, the item was postponed until February 28, 2023, per the applicant's request.</i>
<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Growing Treasures Private School, Corp.</i>
<i>On January 25, 2023, the Planning and Zoning Board recommended approval with the following conditions: (1) that cars on the proposed pick-up/drop-off lane need to enter through the West 20th Avenue entrance and exit through the one on West 25th Street, (2) a minimum of 2 staff members need to assist in traffic circulation and pick-up/drop-off to make sure cars enter on West 20th Avenue, exit on West 35th Street, and move quickly, (3) bollards need to be installed around the entire perimeter of the playground within 3 months of the approval of the ordinance, (4) expansion of the original daycare into an adjacent bay needs to be legalized if no proof of permit is provided, and (5) school operator needs to make sure that dumpsters are within the walls built for that purpose and not interrupting the area designated for the drop-off pick-up lane.</i>
<i>Planner's Recommendation: Approve with conditions.</i>
<i>Property Owner: Growing Treasures Private School Corp., 1905 West 35th Street, Hialeah, FL 33012 Jacqueline Sonra, 16801 NW 77 Place, Miami Lakes, Florida 33016. Madeline Paredes, 2950 SW 174 Way, Miramar, Florida 33029.</i>

PZ 6. ORDINANCE: First reading of proposed ordinance granting a Variance Permit to allow 36.9% lot coverage, where 30% is the maximum allowed; allow 18 feet rear setback, where 20 feet is the minimum required; and allow 3.25 feet south side setback, where 5 feet 1-inch are required for legalization of additions built without the benefit of a building permit; contra to City of Hialeah, Fla., Ordinance No. 84-170 that allows single-family type units on property zoned R-3-5 (Multiple Family District) and contra to §§ 98-591 and 98-2056(b). **Property located at 6277 West 22 Lane, Hialeah, zoned R-3-5 (Multiple-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On April 25, 2023, the item was tabled by the City Council until May 23, 2023. First reading is scheduled for May 23, 2023.</i>
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<i>On April 12, 2023, the Planning and Zoning Board recommended approval with the conditions that the addition remain a terrace open on three sides and that 30% pervious area is provided.</i>
<i>Planner's Recommendation: Approve lot coverage and setback variances with the conditions that the addition remain a terrace open on three sides and that 30% pervious area is provided.</i>
<i>Property Owners: Argelia Leon, 6277 West 22 Lane, Hialeah, Florida 33016.</i>

PZ 7. ORDINANCE: First reading of proposed ordinance rezoning property from C-2 (Liberal Retail Commercial District) to R-3-5 (Multiple – Family District). Granting a variance permit to allow 15 parking spaces, where 16 parking spaces are required; allow 2.5 feet interior side setback, where 10 feet are required; and allow 22% pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-2189(19)(b), 98-590 and 98-2056(b)(2). **Property located at 3090 Palm Avenue, 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>Registered Lobbyist: Cesar Mestre, Esq., 8105 Northwest 155th Street, Miami Lakes, Florida on behalf of Thirty Palms Inc.</i>
<i>On May 10, 2023 the Planning and Zoning board recommended approval with the condition that legalization process be completed within 18 months including compliance with landscaping regulations and the re-location of the laundry room.</i>
<i>Planner's Recommendation: Approve the rezoning from C-2 (Liberal Retail Commercial District) to R-3-5 (Multiple-Family District) with the condition that the legalization process be completed within 18 months, including compliance with landscaping regulations and the re-location of the laundry room.</i>
<i>Property Owners: (1) Thirty Palms Inc., (2) Cesar Munoz and (3) Marlene Munoz, 144 Hialeah Drive, Hialeah, Florida 33010.</i>

PZ 8. ORDINANCE: First reading of proposed ordinance granting a variance permit to allow 3 parking spaces, where 11 parking spaces are required for a proposed 1,570 square feet banquet hall to be located within a warehouse condominium bay; contra to Hialeah Code of Ordinances § 98-2189(3). **Property located at 2250 West 10 Avenue, Unit 10, Hialeah, zoned M-2 (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.

<i>On May 10, 2023 the Planning and Zoning board recommended approval of the item with the condition that the parking variance be allowed only for the proposed business and during the hours that the extra parking spaces are available Monday through Sunday starting at 6:00 p.m.</i>

Planner's Recommendation: Approve with conditions.

Property Owners: Fantastic Events Inc and Yudinis Diaz, 2250 West 10 Avenue, Hialeah, Florida 33010.

PZ 9. ORDINANCE: First reading of proposed ordinance approving a Final Plat of Baracoa Palms Subdivision; accepting all dedication of avenues, streets, roads, or other public ways, together with all existing and future planting of trees. **Property located at 4597 and 4599 Palm Avenue, zoned R-3-5 (Multiple-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

Owner: Milander Apartments LLC, 16400 NW 59 Avenue, Miami Lakes, Florida 33014.

15. LAND USE

LU 1. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low-Density Residential to Transit Oriented Development District. **Properties located at 901 East 27 Street, 921 East 27 Street, 931 East 27 Street, 941 East 27 Street, 951 East 27 Street, 957 East 27 Street, 967 East 27 Street, 971 East 27 Street, 981 East 27 Street, 991 East 27 Street, 902 East 28 Street, 912 East 28 Street, 922 East 28 Street, 932 East 28 Street, 952 East 28 Street, 962 East 28 Street, 972 East 28 Street, 982 East 28 Street, 992 East 28 Street and 2740 East 10 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.

On May 9, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 23, 2023.

Registered Lobbyist: Jorge L. Navarro, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Taves Capital Group, LLC.

Registered Lobbyist: Carlos Diaz, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Taves Capital Group, LLC.

On April 26, 2023 the Planning and Zoning board recommended approval of the item.

Planner's Recommendation: Approval.

Property Owners: Please refer to Exhibit B to the City of Hialeah Application for Rezoning/Variance Hearing, for a list of the owner(s) of each property.

LU 2. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low-Density Residential and High-Density Residential to Transit Oriented Development District. **Properties located at 965 East 24 Street, 975 East 24 Street, 9811 East 24 Street, 991 East 24 Street, 997 East 24 Street, Hialeah, zoned R-1 (One-Family District) and R-3-4 (Multiple-Family District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

On May 9, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 23, 2023.

Registered Lobbyist: Jorge L. Navarro, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Saber South Hialeah, LLC.

Registered Lobbyist: Carlos Diaz, 333 Southeast 2nd Avenue, 41st Floor, Miami, Florida 33131, on behalf of Saber South Hialeah, LLC.

On April 26, 2023 the Planning and Zoning board recommended approval.

Planner's Recommendation: Approval.

Property Owners: (1) Saber South Hialeah, LLC, 975 East 24th Street, (2) Saber South Hialeah II, LLC, 965 East 24th Street and (3) Elizabeth Delgado, 981, 991 and 997 East 24th Street.

16. CITY COUNCIL DISCUSSION

17. ADJOURNMENT

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 22, 2023 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, June 13, 2023 at 7:00 p.m.

FIRST BUDGET HEARING FOR 2024 FISCAL YEAR: September 13, 2023 at 7:00 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).