

**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**  
**June 27, 2023**  
**7:00 p.m.**

**1. CALL TO ORDER**

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**2. ROLL CALL**

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**3. INVOCATION**

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

**4. PLEDGE OF ALLEGIANCE**

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

**5. MEETING GUIDELINES**

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*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](http://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**

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## **7. COMMENTS AND QUESTIONS**

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## **8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA**

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## 9. BOARD APPOINTMENTS

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- 9A. **RESOLUTION:** Proposed resolution re-appointing **Diego Perez** as a member of the Planning and Zoning Board for a two (2)-year term beginning on June 29, 2023 and ending on June 28, 2025.

*(COUNCIL MEMBER RODRIGUEZ)*

## 10. CONSENT AGENDA

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*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 June 13, 2023 at 7:00 p.m.

*(OFFICE OF THE CITY CLERK)*

- B. **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 amount not to exceed \$70,000.00 for the rehabilitation of the single-family dwelling owned and occupied by Antonio and Irma Hernandez located at 2851 West 76<sup>th</sup> Street, Unit 202, 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.

*(DEPARTMENT OF GRANTS AND HUMAN SERVICES)*

- C. Request permission to issue a purchase order to J. & M. Vera School Bus Service, Inc., for the service of transportation for scheduled summer field trips for the Young Leaders with Character Program, in a total expense amount not to exceed \$1,020.00, funded by the Nita M. Lowey 21<sup>st</sup> Century Community Learning Centers Grant. The approval of this item requires the waiving of competitive bidding, since it is advantageous to the City in that this vendor was chosen through Hialeah Request for Quotation No. 2021-22-004 published through BidNet to secure transportation services from a vendor off the Miami-Dade Schools pool of private bus services, and the vendor is able to provide a fee that would allow for services that are aligned with the budgeted line-item amount for transportation services, as well as comply with safety transportation requirements from the funder.

The funding for the expenditure will be drawn against the 21<sup>st</sup> Century Grant (AA) Fund - Contractual Services Account No. 134.3120.569340.

*(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)*

- D. Request permission to issue a purchase order to J. & M. Vera School Bus Service, Inc., for the service of transportation for scheduled summer field trips for the Creative Learning and Play

Program, in a total expense amount not to exceed \$8,515.00, funded by The Children's Trust. The approval of this item requires the waiving of competitive bidding, since it is advantageous to the City in that this vendor was chosen through Hialeah Request for Quotation No. 2021-22-004 published through BidNet to secure transportation services from a vendor off the Miami-Dade Schools pool of private bus services, and the vendor is able to provide a fee that would allow for services that are aligned with the budgeted line-item amount for transportation services, as well as comply with safety transportation requirements from the funder.

The funding for the expenditure will be drawn against the Children's Trust Fund - Contractual Services Account No. 116.3120.569.340.

*(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)*

- E. Report of Scrivener's Error** – On June 13, 2023, the City Council approved City of Hialeah Resolution No. 2023-060 with an error in the header of the resolution. The resolution was approved with the incorrect expenditure amount of \$105,000.00. The resolution is being amended to reflect the correct expenditure amount of \$160,000.00 as follows:

Resolution authorizing the Mayor and the City Council of the City of Hialeah, Florida, authorizing the Mayor and City Clerk as attesting witness on behalf of the City, to enter into a Professional Services Agreement in the amount of \$160,000.00, a copy of which is attached hereto and made a part of hereof as Exhibit "1", with Anser Advisory LLC, a foreign limited liability company, for the development of a non-ad valorem special assessment funding alternative for the City's fire services.

*(LAW DEPARTMENT)*

- F.** Request permission to utilize Contract No. 16-17-063 – *Civil Engineering Services for Miscellaneous Projects* – between the City of Miami and the vendor, contract which is effective through September 2, 2023, and increase two purchase orders issued to Milian, Swain and Associates, Inc., for Civil Engineering Services for miscellaneous projects and services related to engineering, economics and administrative support to the Department of Public works, (1) Purchase Order No. 2023-1633, by an additional amount of \$90,000.00, for a new total amount not to exceed \$238,833.80, and (2) Purchase Order No. 2023-1634 by an additional amount of \$90,000.00, for a new total amount not to exceed \$238,833.80, for a new total cumulative expense amount not to exceed \$477,667.60.

The funding for Purchase Order No. 2023-1633 will be drawn against Water & Sewer Division Fund – Professional Services Account No. 450.9510.533.310, after a transfer is made in the amount of \$90,000.000 from the Water & Sewers Division Fund - Capital Outlay - Building Account No. 450.9500.536.620. Purchase Order No. 2023-1634 will be drawn against Water & Sewers Division Fund – Professional Services Account No. 450.9520.535.310, after a transfer is made in the amount of \$90,000.00 from the Water & Sewers Division Fund - Capital Outlay - Building Account No. 450.9500.536.620.

*(DEPARTMENT OF PUBLIC WORKS)*

- G.** Request permission to utilize Contract No. 2020-31161- *for the purchase of FLYGT/Xylem Pump Equipment, Parts, Software, Services and related items*, between the City of Miami Beach and this vendor effective through May 12, 2025, and increase Purchase Order No. 2023-1555, issued to Xylem Water Solutions U.S.A., Inc., sole source supplier of FLYGT pumps in the State of

Florida, for the supply of new pumps, repairs, parts and/or replacement of FLYGT submersible pumps and attributes for the purpose of maintaining and operating the City's sewer pump stations, by an additional amount of \$150,000.00, for a new total cumulative expense amount not to exceed \$350,000.00.

The funding for this expenditure will be drawn against the Water & Sewer Division Fund - Capital Outlay - Infrastructure Account No. 450.9520.535.630.

*(DEPARTMENT OF PUBLIC WORKS)*

- H.** Request permission to utilize Florida Sheriffs Association Bid No. FSA20-VEL28.0 - *Pursuit, Administrative, and Other Vehicles*, effective through September 30, 2023, and issue a purchase order to AutoNation Inc., for the purchase of one (1) 2023 - Chevrolet Silverado 2500 Regular Cab 2WD, work truck to replace the existing Transit Service truck (a 1995 Ford work truck), in a total expense amount not to exceed \$45,604.00.

The funding for this expenditure will be drawn against the CITT Surtax – Hialeah Circulator Fund – Capital Outlay – Vehicles Account No. 130.3220.544.645.

*(TRANSIT)*

- I.** Request permission to utilize Contract No. 43230000-NASPO-16-ACS - *Cloud Solutions*, between the State of Florida Department of Management Services and the vendor, effective through September 30, 2026, and issue a purchase order to Carahsoft Technology Corp., for the purchase of discovery and project planning services to maximize Microsoft 365, in a total expense amount not to exceed \$45,279.57.

The funding for this expenditure will be drawn against the General Fund – Capital Outlay - Software Account No. 001.0201.519.641.

*(INFORMATION TECHNOLOGY DEPARTMENT)*

- J.** Request permission to utilize Contract No. 47QSWA18D008F- *GSA, Multiple Award Schedule Contract, 8F*, effective through August 21, 2028, and issue a purchase order to Carahsoft Technology Corp., for software maintenance services, information technology training, and professional services, in a total expense amount not to exceed \$27,849.00.

The funding for this expenditure will be drawn against the General Fund – Contractual Services Account No. 001.0201.519.340.

*(INFORMATION TECHNOLOGY DEPARTMENT)*

- K.** Request permission to award City of Hialeah Invitation to Bid No. 2022-23-8500-00-022 – *City of Hialeah 2050 Master Plan*, to Plusurbia Design, sole source bidder, and further request permission to issue a purchase order to the vendor, for the development of a twenty-five (25) year vision plan, in a total expense amount not to exceed \$1,212,458.00, of which \$350,000.00 has already been included in the fiscal year 2022-2023 budget and the remaining \$862,458.00 to be allocated in the fiscal year 2023-2024 and fiscal year 2024-2025 budgets (\$431,229.00 each fiscal year).

The funding for this expenditure will be drawn against the General Fund – Professional Services Account No. 001.4400.515.310.

*(PLANNING AND ZONING)*

- L. Request permission to increase Purchase Order No. 2023-955, issued to Sentry Industries, Inc., for serving and applying sodium hypochlorite to the City's pools, by an additional amount of \$35,000.00, for a new total cumulative amount not to exceed \$85,000.00. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that it is necessary to continue uninterrupted services going into the summer break while the City's Parks and Recreation Department and the Purchasing Division continue working on finalizing the piggy backing process.

The funding for this expenditure will be drawn against the General Fund – Repair & Maint - Pools Account No. 001.3130.572.464.

*(DEPARTMENT OF PARKS AND RECREATION)*

- M. Request permission to increase Purchase Order No. 2023-307, issued to Cano Health, LLC, for pre-employment examinations services for new hires, by an additional amount of \$15,000.00, for a new total cumulative expense amount to not exceed \$40,000.00.

The funding for this expenditure will be drawn against the General Fund – Professional Services Account No. 001.4100.513.310.

*(HUMAN RESOURCES DEPARTMENT)*

- N. **RESOLUTION:** Proposed resolution adopting the City's One-Year Action Plan for Federal Funds for fiscal year 2023 – 2024, attached as "Exhibit A", which includes the administrative budgets for the Community Development Block Grant (CDBG) Program in the amount of \$2,505,439; the Home Investment Partnerships (HOME) Program in the amount of \$1,681,285; the Emergency Solutions Grant (ESG) in the amount of \$232,957; authorizing the execution of all applicable documents related to the appropriation and allocation of these program funds; authorizing submission of the One-Year Action Plan to HUD; authorizing amendment of the Consolidated Plan to reflect the activities within the Action Plan; and further authorizing the Mayor and City Clerk to execute intradepartmental agreements for sub-recipients of ESG and CDBG funds.

*(DEPARTMENT OF GRANTS AND HUMAN SERVICES)*

- O. Request permission to award City of Hialeah Invitation to Bid No. 2022-23-3230-00-053 – *Affordable Housing Standby Diesel Generators*, to Americas Generators, Inc., lowest responsive and responsible bidder, and issue a purchase order to this vendor, for the purchase standby diesel generators to be installed at the City's Villa Rosa & Daisy Affordable Housing Buildings, in a total expense amount not to exceed \$201,820.00.

The funding for this expenditure will be drawn against the CDBG Fund – Capital Outlay – Emergency Generator – Affordable Housing Account No. 103.8329.541.642.

*(CONSTRUCTION AND MAINTENANCE DEPARTMENT)*

- P. Request permission to issue a purchase order to Minnesota Life Insurance Company, for Basic Life Insurance and Accidental Death and Dismemberment Insurance Coverage for City employees and retirees, in a total cumulative expense amount not to exceed \$205,000.00 as follows: \$0.10 per

\$1,000.00 (Basic Life) for active employees, \$0.90 per \$1,000.00 (Basic Life) for retired employees, and \$0.028 per \$1,000.00 (Accidental Death and Dismemberment) for the next three (3) years. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City, in that the City's health insurance broker marketed life insurance underwriters and this carrier provided the lowest quotation.

Further request permission to increase Purchase Order No. 2023-292, issued to Minnesota Life Insurance Company, vendor currently under contract with the City, to cover the cost of Basic Life Insurance and Accidental Death and Dismemberment Insurance Coverage for City employees and retirees for the months of May and June of 2023, by an additional amount of \$16,792.19 due to an influx of employees, for a new total cumulative expense amount not to exceed \$202,439.98. On May 12, 2020, the City Council approved Consent Item B awarding City of Hialeah Bid No. 2019-20-0240-36-002 to the vendor for a period of three (3) years.

The funding for this expenditure will be drawn against the Health Insurance Fund – Life Insurance Account No. 520.8500.519.236.

*(RISK MANAGEMENT DEPARTMENT)*

- Q. Request permission to reject the proposal of the lowest bidder, Stone Concepts Miami, Inc., as non-responsive, and award City of Hialeah Invitation to Bid No. 2022-23-3230-00-044 – *JFK Library Exterior Concrete Walkway*, to G P E Engineering & General Contractor Corp., lowest responsive and responsible bidder, and issue a purchase order to G P E Engineering & General Contractor Corp., for the John F. Kennedy Library (JFK) exterior concrete walkway, in the amount of \$199,977.16, and further request a ten percent (10%) contingency in the amount of \$19,997.71 to cover any unforeseen issues that may arise during the scope of the work, for a total cumulative expense amount not to exceed \$219,974.87.

The funding for this expenditure will be drawn against the CDBG Fund – Capital Outlay – Building – JFK Library Renovation Account No. 103.8325.541.625.

*(CONSTRUCTION AND MAINTENANCE DEPARTMENT)*

- R. Request permission to issue a purchase order to Rainbow Window Tinting Inc., for the procurement and installation of emergency lights, sirens, and radios for six (6) recently purchased police rated vehicles, in a total expense amount not to exceed \$65,194.32. The approval of this item requires the waiving of competitive bidding, since it is advantageous to the City in that there are only six vehicles being outfitted and utilizing this vendor will prepare the vehicles to serve the residents as soon as possible.

The funding for this expenditure is to withdrawn from the General Fund – Capital Outlay – Vehicles Account No. 001.1000.521.645.

*(POLICE DEPARTMENT)*

- S. **RESOLUTION:** Proposed resolution approving an amendment to a software as a Service Agreement between Tyler Technologies, Inc. and the City of Hialeah dated June 19, 2018, approved by Hialeah, Fla. Resolution 2018-046 (May 24, 2018) to provide additional data conversion and professional implementation services in furtherance of the City's obligation under the Consent Agreement dated January 30, 2020 with Miami-Dade County DERM in an amount not to exceed \$100,000.00 for the services added; and further authorizing the Mayor and the City Clerk, as

attesting witness, on behalf of the City, to execute the Amendment, in substantial conformity with the Amendment attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date.

*(BUSINESS TAX)*

- T. **RESOLUTION**: Proposed resolution approving a Service Agreement between the City of Hialeah and Mi Vision, LLC to provide the City with consulting and professional services involving the City’s educational, therapeutic, arts and recreational services and programming available to children and administered by the Education and Community Services and Parks and Recreations Department, for the City of Hialeah’s education and for a term commencing on July 1, 2023 and ending on July 31, 2024 in an amount not to exceed \$30,000.00; and authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the Service Agreement attached hereto in substantial form and made a part hereof as Exhibit “1”; and providing for an effective date.

*(OFFICE OF THE MAYOR)*

- U. **RESOLUTION**: Proposed resolution approving the naming of a portion of West 8 Avenue from West 26 Street to West 29 Street as “Patria y Vida Avenue”, with the cost of signage to be paid by the City, in honor of the Revolutionary Act of the Cuban people that took place on July 11, 2021.

*(OFFICE OF THE MAYOR)*

*On June 21, 2023, the Hialeah Historic Preservation Board approved the proposed naming and adopted Hialeah Historic Preservation Board Resolution No. 2023-003.*

- V. **RESOLUTION**: Proposed resolution approving the naming of the paved plaza located at the entrance of Walker Park, 800 West 29 Street, as “Patria y Vida Plaza”, with the cost of signage to be paid by the City, in honor of the late Jose Marti and as a symbolic representation of the Revolutionary Act of the Cuban people that took place on July 11, 2021.

*(OFFICE OF THE MAYOR)*

*On June 21, 2023, the Hialeah Historic Preservation Board approved the proposed naming and adopted Hialeah Historic Preservation Board Resolution No. 2023-004.*

- W. **RESOLUTION**: Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to enter into a Third Amendment to the On-Demand Transportation Services Agreement between the City of Hialeah, Florida and Beefree, LLC, doing business as “Freebee”, a copy of which is attached hereto and made a part hereof as Exhibit “1” 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.

*(TRANSIT)*

- X. **RESOLUTION**: Proposed resolution approving a supplemental appropriation pursuant to Hialeah, Fla. Charter Section 3.08(e)(1) and a specific appropriation pursuant to Hialeah, Fla. Charter Section 3.08(d) in the amount of \$133,200; approving the selection of and award of a contract to Treasures, LLC, a Florida Limited Liability Company as the successful bidder pursuant to Invitation to Bid (ITB) No. 2022-23-3210-00-050; and approving the expenditure not to exceed



\$133,200.00 to pay for tree planting services pursuant to the ITB; and providing for an effective date.

(STREETS)  
(DEPARTMENT OF PARKS AND RECREATION)

- Y. Request permission to ratify the issuance of Purchase Order No. 2023-2250, issued to Jormak Equipment and Consulting Inc., for full hydrant replacement, maintenance and repair services for hydrants that are found out of compliance under the City’s ISO study, in a total expense amount not to exceed \$125,000.00. The approval of this item requires the waiving of competitive bidding since it is advantageous to the City in due to timing and there are not many vendors available.

The funding for this expenditure will be drawn against the Water & Sewer Division Fund – Capital – Outlay – Infrastructure Account No. 450.9510.533.630.

(DEPARTMENT OF PUBLIC WORKS)

- Z. Request permission to issue a purchase order to G P E Engineering & General Contractor Corp., to furnish and install new control panels at Pump Station No. 133 due to the damages caused by a car accident, in a total expense amount to not exceed \$122,999.50, cost which the City will seek reimbursement for from the person responsible for the car accident. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that the vendor provided the City with the lowest quotation.

The funding for this expenditure will be drawn against the Water & Sewer Division Fund – Capital – Outlay – Infrastructure Account No. 450.9510.533.630.

(DEPARTMENT OF PUBLIC WORKS)

## 11. ADMINISTRATIVE ITEMS

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- 11 A. **ORDINANCE:** Second reading and **public hearing** of proposed ordinance accepting the dedication of a portion of West 60 Street and West 24 Avenue to the City of Hialeah for right-of-way purposes from El Mercado Plaza, LLC, a Florida Limited Liability Company, pursuant to the Right-of-Way Deed attached hereto and made a part hereof as Exhibit “1”; 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.

(ADMINISTRATION)

*On June 13, 2023, the City Council approved the item on first reading as amended. Second reading and public hearing was scheduled for June 27, 2023.*

- 11 B. **ORDINANCE:** Second reading and **public hearing** of proposed ordinance accepting a Non-Exclusive Access Easement, as legally described and depicted in the Access Easement Agreement attached as Exhibit “1”, to allow the City to install and maintain a catch basin and drain field at 3190 Palm Avenue, Hialeah, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and

providing for an effective date.

(ADMINISTRATION)

*On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing was scheduled for June 27, 2023.*

## 12. UNFINISHED BUSINESS

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## 13. NEW BUSINESS

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## 14. ZONING

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### PLANNING AND ZONING

**PZ 1. ORDINANCE:** Second reading and **public hearing** of proposed ordinance vacating, closing and abandoning for public use of the right-of-way located on **SE 10<sup>th</sup> Court between SE 10<sup>th</sup> Avenue and SE 12<sup>th</sup> Street**. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability clause; and providing for an effective date.

*On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.*

*Registered Lobbyist: Hugo P. Arza, Esq., Alejandro J. Arias, Esq., and Alessandria San Roman, Esq., 701 Brickell Avenue, Suite 3300, Miami FL 33131, on behalf of Prestige Builders Construction Management, LLC.*

*On May 24, 2023, the Planning and Zoning Board recommended approval.*

*Planner's Recommendation: Approval.*

*Property Owner: Hialeah Market Station, LLC, a Florida limited liability company – 100%, 16400 Northwest 59<sup>th</sup> Avenue, Miami Lakes, Florida 33014.*

**PZ 2. ORDINANCE:** Second reading and **public hearing** of proposed ordinance rezoning property from M-1 (Industrial District) to TOD (Transit Oriented Development District); and granting a variance permit to allow 8.5 feet setback along SE 12 Street for stairways to access the building, where 20 feet is required, and allow a 1-foot setback along SE 10 Avenue, where 20 feet built-to-line is required. Contra to Hialeah Code of Ordinances § 98-1544(d)(3)(i); 98-1553(d)(3)(i). **Properties located at 1171 SE 10 Court and 1055 SE 12 Street, Hialeah, zoned M-1 (Industrial District);**

Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
<i>Registered Lobbyist: Hugo P. Arza, Esq., Alejandro J. Arias, Esq., and Alessandria San Roman, Esq., 701 Brickell Avenue, Suite 3300, Miami FL 33131, on behalf of Prestige Builders Construction Management, LLC.</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Hialeah Market Station, LLC, a Florida Limited Liability Company, 16400 Northwest 59<sup>th</sup> Avenue, Miami Lakes, Florida 33014.</i>

**PZ 3. ORDINANCE:** Second reading and **public hearing** of proposed ordinance rezoning property from R-1 (One-Family District) to R-3-2 (Multiple-Family District); granting a variance permit to allow 0 feet setback, where 25 feet are required for the encroachment of a 200 square feet pergola into the front setback, and 20 feet setback, where 25 feet are required for the encroachment of a patio wall on the ground floor and balconies above into the front setback; contra to Hialeah Code of Ordinances § 98-589; **property located at 1797 West 1 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 severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
<i>Registered Lobbyist: Daniel Alonso, 1235 Coral Way, Miami Florida 33145, on behalf of Luis O. Lago.</i>
<i>Registered Lobbyist: Cesar Mestre, Esq., 8105 Northwest 155<sup>th</sup> Street, Miami Lakes, Florida 33016, on behalf of Thirty Palms Inc.</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended approval with the condition that maximum density capped at 14 units/acre.</i>
<i>Planner's Recommendation: Approval with the condition that maximum density is capped at 14 units/acre.</i>
<i>Property Owner: Luis O. Lago, 15991 Southwest 143<sup>rd</sup> Lane, Miami, Florida 33196</i>

**PZ 4. 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 23-student kindergarten class in conjunction with an existing 126 children daycare. **Property located at 6900 West 32 Avenue, Units 18 through 25, 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 severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
<i>Registered Lobbyist: Octavio A. Santurio, 6262 Southwest 40<sup>th</sup> Street, Suite 3E, South Miami, Florida 33155, on behalf of Yoanny Llambias (Angels Love + Care, Inc.)</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Flamingo Plaza LLC, 8165 Northwest 155<sup>th</sup> Street, Miami Lakes, Florida 33016.</i>

**PZ 5. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances § 98-161 to allow a pharmaceutical research center conducting clinical trials to test new drugs, already approved drugs, devices and other forms of treatments to operate in conjunction with an existing medical office; **Property located at 900 East 9 Street, Hialeah, zoned C-1 (Restricted Retail Commercial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended approval with conditions prohibiting overnight stays, limitations on the number of employees, hours of operation, and visits by appointment as stated by the applicant. These statements shall be formalized in a Declaration of Restrictions (DOR) to be proffered by the applicant.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Property Owner: Felix Aguilera, 1141 Northwest 30<sup>th</sup> Place, Miami, Florida 33125, Orlidio Carvajal, 21411 Southwest 248<sup>th</sup> Street, Homestead, Florida 33031, and Yonel Perez, 2001 Southwest 129<sup>th</sup> Court, Miami, Florida 33175.</i>

**PZ 6. ORDINANCE:** Second reading and **public hearing** of proposed ordinance approving a Final Plat of NW Hialeah; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees shrubbery and fire hydrants; **property located at 4220 West 91 Place, Hialeah, Florida**. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
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<i>On May 24, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Property Owner: Edward W. Easton, Edward J. Easton, and Edward D. Easton, 10165 Northwest 19<sup>th</sup> Street, Doral, Florida 33172.</i>

**PZ 7. ORDINANCE:** Second reading and **public hearing** of proposed ordinance approving a Final Plat of South Florida Autism Charter School; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees, shrubbery and fire hydrants; **property located at 3751 West 108 Street, Hialeah, Florida.** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
<i>Registered Lobbyist: Kristofer Machado, 98 Southeast 7<sup>th</sup> Street, Suite 1100 on behalf of SFACS Real Estate, LLC.</i>
<i>Registered Lobbyist: Cristina Pires, 1950 Northwest 94 Avenue, 2<sup>nd</sup> Floor, Doral, Florida 33172, on behalf of SFACS Real Estate, LLC.</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Property Owner: Nrai Services, Inc., 1200 South Pine Island Road, Plantation, Florida 33324.</i>

**PZ 8. ORDINANCE:** Second reading and **public hearing** of proposed ordinance approving a Final Plat of RIRC Subdivision; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees shrubbery and fire hydrants; **properties located at 4160 Palm Avenue and 22 West 42 Street, Hialeah, Florida.** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for June 27, 2023.</i>
<i>Registered Lobbyist: Registered Lobbyist: Cesar Mestre, Esq., 8105 Northwest 155<sup>th</sup> Street, Miami Lakes, Florida, on behalf of RIRC Holdings Inc.</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Property Owner: RIRC Holdings Inc., Roberto Correa, and Isabel Correa, 4160 Palm Avenue, Hialeah, Florida 33012.</i>

**PZ 9. ORDINANCE:** First reading of proposed ordinance rezoning property from R-1 (One Family District) to RO (Residential Office); granting a variance permit to allow lot width of 65 feet and a total lot area of 6,890 square feet, where 7,500 square feet is the minimum required; allow rear

setback of 24 feet, where 45 feet is required; allow 3 parking spaces at the front setback facing East 3 Place, where all parking shall be located at the rear of the building, and allow 5 parking spaces, where 6 parking spaces are required; all contra to Hialeah Code of Ordinances §§ 98-779, 98-781(2) and 98-2189(16)(a); **property located at 320 NE 8 Avenue, Hialeah, zoned R-1 (One-Family District)**. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On June 13, 2023, the City Council overturned the Recommendation of Denial of the Planning and Zoning Board. First reading is scheduled for June 27, 2023.</i>
<i>Registered Lobbyist: Frank De La Paz, 9361 Bird Road, Miami, Florida 33165 on behalf of Juan C. Carballo.</i>
<i>On May 24, 2023, the Planning and Zoning Board recommended denial.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Property Owner: Juan Carlos Carballo and Gipsy Suarez, 320 Northeast 8 Avenue, Hialeah, Florida 33010.</i>

**PZ 10. ORDINANCE:** First reading of proposed ordinance rezoning property from RO (Residential Office District) to B-1 (Highly Restricted Retail District); and granting a Variance Permit to allow front setback of 16 feet, where 20 feet are required; all contra to Hialeah Code of Ordinances § 98-929; **property located at 291 West 49 Street, Hialeah, zoned 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.

<i>On June 14, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Pablo Guala, MD., 4811 West 4<sup>th</sup> Avenue, Hialeah, Florida 33012.</i>

**PZ 11. Recommendation of Denial:** Recommendation of Denial by the Planning and Zoning Board for the issuance of a Conditional Use Permit (CUP) to allow a supervisory residential care and treatment facility with 6 beds or less, and allow distance separation of 6.9 feet, where 10 feet are required, for a shed to be legalized. **Property located at 340 West 40<sup>th</sup> Place, Hialeah, zoned R-1 (One-Family District)**.

<i>On June 14, 2023, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Property Owner: Angel Fernandez, 5530 Northwest 181<sup>st</sup> Terrace, Miami Gardens, Florida 33055.</i>

**PZ 12. Recommendation of Denial:** Recommendation of Denial by the Planning and Zoning Board for the rezoning from R-1 (One-Family District) to R-3-3 (Multiple-Family District) to allow the construction of a new twenty (20)-unit multifamily building in accordance to the Neighborhood Business District (NBD) regulations and variance permit to allow only residential use, where mixed use is required; allow all units with an area of less than 600 square feet, where 850 square feet is the minimum area required, and only 10% of the units can have an area of 600 square feet; allow 5 feet front setback for the building and 2 feet setback for balconies above the ground floor, where 10 feet built-to-line setback is required; allow 5 feet interior east side setback, where 15 feet are required on property lines abutting low density residential district; allow 20 parking spaces, where 45 parking spaces are required and allow 10 feet front setback for dumpster enclosure, where 10 feet are required. **Property located at 630 SE 8<sup>th</sup> Place, Hialeah, zoned R-1 (One-Family District).**

**WITHDRAWN BY THE APPLICANT.**

<i>On June 14, 2023, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner's Recommendation: Table the item.</i>
<i>Property Owner: UFH LLC, Joaquin Urquiola, 8601 Southwest 129<sup>th</sup> Terrace, Miami, Florida 33156.</i>

**16. FINAL DECISIONS**

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**FD 1. RESOLUTION:** Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2023-08** granting a rear setback of 17 feet, where 20 feet is the minimum required for the legalization of an existing addition. Property located at **4726 East 9<sup>th</sup> Lane, Hialeah, zoned R-1 (One-Family District);** and providing for an effective date.

<i>On May 24, 2023, the Planning and Zoning Board recommended approval with the following conditions:</i>
<ol style="list-style-type: none"> <li><i>1. No direct access from the outside is provided to/from the addition that will be legalized</i></li> <li><i>2. Removal of the two metal sheds</i></li> <li><i>3. 30% pervious area is provided</i></li> <li><i>4. Legalization process is completed within 180 days.</i></li> </ol>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Property Owners: Segundo Roberto Martinez and Yumara Galloso, 4726 East 9<sup>th</sup> Lane, Hialeah, Florida 33013.</i>

**17. CITY COUNCIL DISCUSSION**

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## 18. ADJOURNMENT

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

**NEXT CITY COUNCIL MEETING: Tuesday, August 8, 2023 at 7:00 p.m.**

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

**SECOND BUDGET HEARING FOR 2021 FISCAL YEAR: September 27, 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, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than 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).