

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Isis García-Martínez
Council Vice President



Council Members
Katharine Cue-Fuente
Jose F. Caragol
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Meeting Agenda September 10, 2019 7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilwoman Katharine Cue-Fuente

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.
- 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.

1. PRESENTATIONS

2. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Item PZ 4 is postponed until September 24, 2019.

3. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the minutes of the Council Meeting held on August 27, 2019. (OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has assumed the elevator maintenance at the subject buildings on an emergency basis due to Schindler Elevator Corp.'s early termination, and issue a purchase order to South Shore Elevator Service Corp, for elevator maintenance services at Rosa & Daisy Gardens (300 Units), Villa Teresita (33 Units), Villa Aida Annex (32 Units), The Gardens (18 Units), Hialeah Parking Garage (City Hall), and Palm Center Parking Garage during fiscal year 2019-2020, in a total cumulative amount not to exceed \$28,800. (CONSTRUCTION & MAINTENANCE DEPT.)
- C. Request permission to waive competitive bidding, since it is advantageous to the City, and renew the contract between the City of Hialeah and Action Cleaning Services AP, Inc., for citywide janitorial services, for a three (3) year period commencing on October 1, 2019 and ending on September 30, 2022, in an amount not to exceed \$515,609.04. (CONSTRUCTION & MAINTENANCE DEPT.)
- D. Request permission to utilize Miami-Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to THP Acquisition LLLP, d/b/a Parts House, since it is advantageous to the City, for the purchase of automotive parts and accessories for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$95,000. (FLEET MAINTENANCE DEPT.)
- E. Request permission to utilize Miami-Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order Hunt Incorporated d/b/a Thermo King of Miami, since it is advantageous to the City, for air conditioner repairs for rescue vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- F. Request permission to utilize Miami-Dade County Bid No. 8318-5-/17-5 – *Petroleum Products - Prequalification*, effective through December 31, 2022, and issue a purchase order

to Tropic Oil Company, since it is advantageous to the City, for the purchase of oil and lubricants for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$95,000. (FLEET MAINTENANCE DEPT.)

- G.** Request permission to utilize State of Florida Contract No. 21100000-15-1 - *Agriculture and Lawn Equipment*, effective through June 30, 2020, and issue a purchase order to Ring Power Corporation, for the purchase of heavy equipment parts and service during fiscal year 2019-2020, in a total cumulative amount not to exceed \$60,000. (FLEET MAINTENANCE DEPT.)
- H.** Request permission to utilize Miami-Dade County Bid No. 5745-2/14-2 –*Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to K.V.P Enterprises, Inc., d/b/a Expert Diesel, since it is advantageous to the City, for the purchase of engine parts for the City’s heavy equipment during fiscal year 2019-2020, in a total cumulative amount not to exceed \$135,000. (FLEET MAINTENANCE DEPT.)
- I.** Request permission to utilize Miami-Dade County Bid No. 5745-2/14-2 –*Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to CSPI, Inc., d/b/a Cummins Power South LLC, since it is advantageous to the City, for the purchase of Cummins equipment parts and accessories for City trucks during fiscal year 2019-2020, in a total cumulative amount not to exceed \$75,000. (FLEET MAINTENANCE DEPT.)
- J.** Request permission to utilize City of Miami contract awarded pursuant to Bid No. FB-00399 - *Purchase of OEM and OE Parts and SVCS*, effective through February 28, 2023, and issue a purchase order to IEH Auto Parts LLC, d/b/a Auto Plus Auto Parts, for the purchase of Ford and AC Delco parts during fiscal year 2019-2020, in a total cumulative amount not to exceed \$135,000. (FLEET & MAINTENANCE DEPT.)
- K.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. RTQ –00676 - *Gasoline and Diesel*, effective through October 31, 2023, and issue a purchase order to Mansfield Oil Company of Gainesville, Inc., since it is advantageous to the City, for the purchase of gas and diesel for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$930,000. (FLEET MAINTENANCE DEPT.)
- L.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 8318-5/17-5 – *Petroleum Products- Prequalification*, effective through December 31, 2022, and issue a purchase order to Urbietta Oil, Inc., since it is advantageous to the City, for the for the purchase of fuel for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$1,200,000. (FLEET MAINTENANCE DEPT.)
- M.** Request permission to waive competitive bidding, since it is advantageous to the City in that this is the only vendor repairing big equipment, and issue a purchase order to Tio & Sobrino Collision Works Inc., d/b/a T & S Collision Center, for the repair of big equipment during fiscal year 2019-2020, in a total cumulative amount not to exceed \$35,000. (FLEET AND MAINTENANCE DEPT.)
- N.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to Total Truck Parts, Inc., since it is advantageous to the City, for the purchase of aftermarket Original Equipment Manufacturer (OEM) parts for City

trucks and buses during fiscal year 2019-2020, in a total cumulative amount not to exceed \$115,000. (FLEET MAINTENANCE DEPT.)

- O.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 9535-1/21-1 – *Tools & Accessories- Pre-Qualification*, effective through April 30, 2022, and issue a purchase order to SID Tool Co., Inc., d/b/a MSC Industrial Supply Co, since it is advantageous to the City, for the purchase of tools, parts and accessories during fiscal year 2019-2020, in a total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.)
- P.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 8889-4/14-4 – *Tire Retreading Services-Prequal*, effective through October 31, 2019, and issue a purchase order to Fedan Corp., since it is advantageous to the City, for the purchase of recap tires for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.)
- Q.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & Sup Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to Florida Transportation Systems, Inc., since it is advantageous to the City, for the purchase of automotive parts and accessories for City buses during fiscal year 2019-2020, in a total cumulative amount not to exceed \$115,000. (FLEET MAINTENANCE DEPT.)
- R.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to Electric Sales and Service, Inc., since it is advantageous to the City, for the purchase of starters and alternators for City trucks and vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.)
- S.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. FB-00399 – *Purchase of OEM and OE Parts and SVCS*, effective through February 28, 2023, and issue a purchase order to Palmetto Ford Truck Sales, Inc., for the purchase of Ford and Sterling truck parts for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.)
- T.** Request permission to utilize City of Miami Contract No. 25172500-2-WSCA-15-ACS - *Tires, Tubes and Services*, effective through March 31, 2024, and issue a purchase order to Tiresoles of Broward, Inc., for the purchase of tires and road call service for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$235,000. (FLEET & MAINTENANCE DEPT.)
- U.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has been doing business with the City for the past eighteen (18) years, and issue a purchase order to Milans Machine Shop & Welding, Inc., for the service of fabricating obsolete parts, tools, equipment and welding during fiscal year 2019-2020, in a total cumulative amount not to exceed \$35,000. (FLEET AND MAINTENANCE DEPT.)
- V.** Request permission to utilize Miami-Dade County contract awarded pursuant to Bid No. 9535-1/21-1 – *Tools & Accessories - Pre-Qualification*, effective through April 30, 2022, and issue a purchase order to W.W Grainger Inc., since it is advantageous to the City, for the purchase of tools and accessories during fiscal year 2019-2020, in a total cumulative amount not to exceed

\$35,000. (FLEET MAINTENANCE DEPT.)

- W.** Request permission to utilize the contract awarded pursuant to Bid No. FB-00399 - *Purchase of OEM and OE Parts and SVCS*, effective through February 28, 2023, and issue a purchase order to Pat's Pump & Blower, L.L.C., for the purchase of water pump parts and services for the Aquatech sewer cleaner during fiscal year 2019-2020, in a total cumulative amount not to exceed \$45,000. (FLEET & MAINTENANCE DEPT.)
- X.** Request permission to utilize State of Florida Contract No. 21100000-15-1 - *Agriculture and Lawn Equipment*, effective through June 30, 2020, and issue a purchase order to Kelly Tractor Co, for the purchase of caterpillar parts and service during fiscal year 2019-2020, in a total cumulative amount not to exceed \$95,000. (FLEET & MAINTENANCE DEPT.)
- Y.** Request permission to issue a purchase order to Second Generation Sullivans, Inc., d/b/a Interstate Batteries of Miami and the Florida Keys, sole source vender, for the purchase of vehicle batteries for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- Z.** Request permission to utilize the Miami-Dade County contract awarded pursuant to Bid No. RTQ-01063 – *Fire Rescue Equipment & Accessories- Preq*, effective through May 31, 2024, and issue a purchase order to Hall-Mark Fire Apparatus, LLC, since it is advantageous to the City, for the purchase of emergency equipment parts and accessories for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$125,000. (FLEET MAINTENANCE DEPT.)
- AA.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Gus Machado Ford, Inc., for the purchase of Ford parts at cost plus eight percent (8%) for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$75,000. (FLEET MAINTENANCE DEPT.)
- BB.** Request permission to utilize the Miami-Dade County contract awarded pursuant to Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, effective through March 31, 2020, and issue a purchase order to Rechten International Trucks, Inc., since it is advantageous to the City, for the purchase of truck parts and accessories for City trucks during fiscal year 2019-2020, in a total cumulative amount not to exceed \$95,000. (FLEET MAINTENANCE DEPT.)
- CC.** Request permission waive competitive bidding and utilize the pricing of City of Hialeah Bid No. 2013/14-3220-12-010 – *Allison Transmission Rebuild*, awarded for a period of one year with the option to renew for an additional contract period, since it is advantageous to the City, and issue a purchase order to Rainbow Transmission & Auto Center Inc., for the rebuilding of Allison transmissions for City trucks and buses during fiscal year 2019-2020, in a total cumulative amount not to exceed \$60,000. (FLEET MAINTENANCE DEPT.)
- DD.** Request permission to waive competitive bidding and utilize the pricing of City of Hialeah Bid No. 2011/12-3220-36-038 – *Furnish and Install Emergency Vehicle Equipment - Fire and Police Fleet Maintenance*, awarded for a period of thirty-six (36) months with the option to renew the contract for an additional contract period, since it is advantageous to the City, and issue a purchase order to Rainbow Window Tinting, Inc d/b/a Rainbow Emergency Equipment, since it is advantageous to the City, for the purchase of emergency equipment and supplies for City vehicles during fiscal year 2018-2019, in a total cumulative amount not to exceed \$220,000. (FLEET MAINTENANCE DEPT.)

- EE.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Miami Lakes AM, LLC, d/b/a Miami Lakes Chevrolet, for the purchase of Chevrolet parts and accessories for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$60,000. (FLEET AND MAINTENANCE DEPT.)
- FF.** Request permission to waive competitive bidding, since it advantageous to the City based on the vendor's response time during the twenty (20) years the vendor has been servicing the City, and issue a purchase order to Robert L. Hughes Company Incorporated, for repair and certification of City of Hialeah fuel stations during fiscal year 2019-2020, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- GG.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to SHI International Corp., to purchase a three (3) year subscription for Cb Defense ThreatSight by Carbon Black, to be paid over a three year period as follows: \$7,670.00 for year one, \$7,670.00 for year two, and \$7,670.00 for year three, in a total cumulative expense amount not to exceed \$23,010.00. (INFORMATION TECHNOLOGY DEPT.)
- HH.** Request permission to waive competitive bidding and utilize the pricing of Hialeah Bid No. 2013-14-8500-36-013 – *Uniforms* for the remainder of the fiscal year 2018-2019, since it is advantageous to the City, and increase the expense amount of \$65,000, by an additional amount of \$10,000, to Royal "T" Screen Printing Corp., for the purchase of uniforms, for a new total cumulative expense amount not to exceed \$75,000.00 to be allocated through various City departments. On August 12, 2014, the City Council approved the award of Hialeah Bid # 2013/14-8500-36-013 – *Uniforms* to this vendor, for a period of three (3) years with option to renew for a one (1) year period. (PURCHASING DIV.)
- II.** Proposed resolution approving an Interlocal Agreement between the City of Hialeah, Florida and Miami Dade County for surface water quality sampling and analysis, for a term commencing upon execution of the Interlocal Agreement and ending on September 30, 2024, in an amount not to exceed \$124,884.00; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute said Interlocal Agreement, a copy of which is attached hereto in substantial form and made a part hereof as Exhibit "1"; providing for an effective date. (STREETS)
- JJ.** Request permission to waive competitive bidding, since it is advantageous to the City in that during the construction of NW 102nd Avenue between 142nd and 145th Place, the consultant informed the City of an unforeseen utility conflict with the already designed drainage system and as a result, the project's drainage design, cut and fill calculations, and lighting system needed to be redesigned and recalculated to avoid having to relocate the existing force main, and increase Purchase Order No. 2019-801, issued to R.J. Behar & Company, Inc., by an additional amount of \$12,424.50, for a new total cumulative amount not to exceed \$105,817.50. (STREETS DEPT.)
- KK.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2019-1574, issued to Eureka Farms LLC, to purchase Green Island Ficus Plants, by an additional amount of \$30,000, for a new total cumulative amount not to exceed \$110,000. (STREETS)
- LL.** Request permission to waive competitive bidding, since it is advantageous to the City in that

this vendor was awarded the design contract for the roadway and drainage improvements to NW 97th Avenue from 154th to 170th Street and during the permitting process, Miami-Dade County requested additional improvements which were not included in the original scope of work of the design contract, and issue a purchase order to SRS Engineering, Inc., in the amount of \$82,170.50, for a new total cumulative amount not to exceed \$277,170.50. On March 14, 2017 the City Council approved the award of the design of NW 97th Avenue from NW 154th to 170th Street to SRS Engineering, Inc., for a total cumulative expense amount not to exceed \$195,000. (STREETS)

- MM.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Exec Information Services, Inc., to purchase a PS.Net Public Safety Information System used for the management of operation information and historical activity data maintained by Hialeah Police Department, in a total cumulative amount not to exceed \$32,200. (POLICE DEPT.)
- NN.** Request permission to waive competitive bidding, since it is advantageous to the City in that the City has been doing business with this vendor for the past ten (10) years, and issue a purchase order to Power Truck Repair, Inc., to repair leaf springs, king pins and front ends on Fire and Water & Sewer trucks and heavy equipment during fiscal year 2019-2020, in a total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.)
- OO.** Request permission to issue a purchase order to American Battery Company, sole source vendor, for the purchase of automotive batteries for City vehicles and trucks, in a total cumulative amount not to exceed \$95,000. (FLEET MAINTENANCE DEPT.)
- PP.** Request permission to utilize City of Miami Contract No. 25172500-2-WSCA-15-ACS - *Tires, Tubes and Services*, effective through March 31, 2024, and issue a purchase order to The Goodyear Tire & Rubber Company, for the purchase of tires for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$235,000. (FLEET & MAINTENANCE DEPT.)
- QQ.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Tranny Tech Inc., for repairs on transmissions for City vehicles during fiscal year 2019-2020, in a total cumulative amount not to exceed \$50,000. (FLEET AND MAINTENANCE DEPT.)
- RR.** Report of Scrivener's Error – Ordinance No. 2019-048 of the City Council Meeting of June 11, 2019 was passed and adopted with an error. The header of the ordinance was passed and adopted as follows:

“Allow an interior south side setback of 6 feet”

The ordinance should be corrected as follows:

“to allow an interior south side setback of 5.5 feet.”

(LAW DEPT.)

4. ADMINISTRATIVE ITEMS

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- 4A. First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, Article II. “Carnivals, Shows and Exhibits”, retitled as “Special Events”; and amending §18-26 “Definitions”; §18-27 “Prohibited and Restricted Conduct”; §18-28 “Financial Statement”; §18-29 “Permit; Operating Standards”; and §18-30 “Additional Rules”; to provide for the permitting of organized special events and assemblies on government or private property of fifteen (15) persons or more; repealing all prior 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)
- 4B. First reading of proposed ordinance amending Chapter 70 entitled “Retirement and Pension”, Article IV. Employees General Retirement System, Division 5 entitled “Benefits”, deleting §70-240 in its entirety and replacing it with a new §70-276 entitled “Optional Continuance of Group Insurance” in a new Division 8. entitled “Other Post Employment Benefits”; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties hereof; providing for inclusion in the code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)
- 4C. First reading of proposed ordinance amending Chapter 70 entitled “Retirement and Pension”, Article IV. Employees General Retirement System, Division 4 entitled “Membership”, Division 5 entitled “Benefits” and Division 7 entitled “Deferred Retirement Option Program”; implementing the changes to the retirement plan contained in Resolution No. 2019-064, resolving the Impasse in Collecting Bargaining Negotiations between the City and IAFF for firefighter members, in particular revising §70-208 entitled “Purchase of Membership Service Credit Time”; revising §70-210 entitled “Member Contributions to Retirement Plan”; revising §70-238 entitled “Service Retirement Allowance”, revising §70-260 entitled “Eligibility;” Repealing all ordinances or parts of ordinances in conflict herewith ; providing for penalties hereof; providing for inclusion in the code; providing for an interpretation and savings clause; providing for a severability clause and providing for an effective date. (ADMINISTRATION)
- 4D. First reading of proposed ordinance approving a Final Plat of Atlantico at Aquabella; 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 generally at the southeast intersection of NW 97th Avenue and NW 170th Street, Hialeah, Florida.** (ZONING)

5. BOARD APPOINTMENTS

6. UNFINISHED BUSINESS

7. NEW BUSINESS

8. COMMENTS AND QUESTIONS

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- a. Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance granting a variance permit to allow a duplex on each substandard lots (Lots 6 and 7) having a frontage of 40 feet and lot area of 5,160 square feet, where 75 feet and 7,500 square feet are required respectively; on Lot 6 allow an interior west side setback of 0 feet and an interior east side setback of 5 feet, where 7.5 feet is the minimum required; and allow a rear setback of 13 feet, where 25 feet is the minimum required; and on lot 7 allow an interior east side setback of 0 feet and an interior west side setback of 5 feet, where 7.5 feet is the minimum required; and allow a rear setback of 13.58 feet, where 25 feet is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-544, 98-546 and 98-547(a), **Property located at 436 East 16 Street, Hialeah, Florida.** Property zoned R-2 (One and Two Family Residential District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved on first reading by the City Council on August 27, 2019.</i>
<i>Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155th Street, Miami Lakes, Florida 33016.</i>

<i>On August 14, 2019 the Planning and Zoning Board approved the item with the condition that a 6 feet CBS wall is provided on the east and west property lines.</i>
<i>Planner's Recommendation: Approve with the condition that a 6 feet CBS wall is provided on the east and west property lines.</i>
<i>Owners of the Property: Juan Barroso, 2100 Coral Way, Suite 502, Miami, Florida 33145.</i>

PZ 2. Second reading and public hearing of proposed granting a variance permit to allow loading area and surface parking on the exterior of the block, where loading areas are required to be located in the interior blocks; allow blank walls fronting West 40 Avenue, West 108 Street and West 104 Street and NW 107 Avenue, where blank walls at the street level and above the ground floor of buildings are not permitted; allow 0% building frontage, where 65% is the minimum frontage required; and allow 459 parking spaces, where 615 are required; all contra to Hialeah Code of Ordinances §§ 98-1607.1(c)(3), 98-1607.1(c)(4), 98-1607.1(f)(1), and § 98-2189(24). **Property located at West 40 Avenue and NW 107 Avenue, and between West 104 Street and West 108 Street, Hialeah, Florida.** Zoned BDH (Business Development District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved on first reading by the City Council on August 27, 2019.</i>
<i>Registered Lobbyist: Felix Lasarte, 3250 NE 1 Avenue, Suite 334, Miami, Florida.</i>
<i>On August 14, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: CCP Central LLC, 700 NW 1st Avenue , Suite 1620, Miami, Florida 33136</i>

PZ 3. Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 2018-25 (March 19 2018), as the property was sold and the approvals pursuant to the ordinance should be rescinded; and granting a variance permit to allow for no residential uses (a wellness center), where residential uses are required; allow parking in the front setback, where parking in the front setback is not allowed; allow a 10 foot parking setback, where 65 feet is the minimum required; allow a 10 foot setback wall to screen front surface parking lot, where 5 feet is required; and allow 28% building frontage, where 50% is required along the front; all contra to Hialeah Code of Ordinances §§ 98-877, 98-881(1)a.2., 98-881(1)(a) and 98-881(1)a.3. Property zoned CR, (Commercial Residential District). **Property located at 800 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.

Registered Lobbyist: Osvaldo Marrero, 13925 E Palomino Drive, Southwest Ranches, Florida 33330.

On August 14, 2019, the item was approved by the Planning and Zoning Board.

Planner's Recommendation: Approval.

*Owners of the Property: J & Y Investments, 167 West 23 Street, Hialeah, Florida 33010
Jorge and Yenin Acevedo, 4901 SW 87 Avenue, Miami, Florida 33165*

PZ 4. First reading of proposed ordinance allowing for the site plan signed and sealed and dated March 14, 2019 by Alan D. Lerner, registered architect, and granting a variance permit to allow a rear setback of 38 feet, where 45 are required; allow a pervious area of 15.43 percent, where 20 percent is required; allow parking at the front and side of the property, where all parking is required in the rear; and allow seven occupational licenses, where no more than two occupational licenses are allowed; all contra to Hialeah Code of Ordinances §§ 98-781(2), 98-781(5), 98-782 and 98-778(2). **Property located at 135 West 49 Street, Hialeah, Florida.** Property zoned RO (Residential Office). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL SEPTEMBER 24, 2019.**

Item was postponed on August 27, 2019 per the applicants request.

Registered Lobbyist: Brian S. Adler, Bilzin, Sumberg, 1450 Brickell Avenue, Suite 2300, Miami, FL.

Item was postponed by the City Council on May 14, 2019, May 28, 2019, June 11, 2019, June 25, 2019 and August 13, 2019.

<p><i>On April 24, 2019 the item was approved by the Planning and Zoning Board with the following conditions:</i></p> <ol style="list-style-type: none"> <i>1. The maximum number of business tax receipts for the facility is limited to seven. Notwithstanding the seven issued business tax receipts, no more than three of the seven doctors shall be located at the facility at any given time.</i> <i>2. Should property be converted to a use other than an endoscopy/gastrointestinal center, the maximum number of business tax receipts shall revert to a maximum of two unless otherwise approved by the City of Hialeah City Commission or otherwise permitted under the City of Hialeah Code.</i> <i>3. The facility shall provide a valet parking or a parking attendant at a minimum during workdays between the hours of 7:00 a.m. to 12:00 p.m.</i> <i>4. The facility shall encourage employees to utilize public transportation, drop-off or carpooling.</i> <i>5. The facility shall maintain and/or provide patients with the name of transportation and or pickup services utilized at the property to encourage patients to use the transportation facilities rather than driving separately to the facility.</i>
<p><i>Planner's Recommendation: Approve rear setback, pervious area and parking location variances and allow a maximum of four occupational licenses.</i></p>
<p><i>Owners of the Property: Torres Hialeah Investment, LLC., 4791 West 4th Avenue, Hialeah, Florida 33012.</i></p>

PZ 5. First reading of proposed ordinance rezoning property from R-1 (One Family District) to CBD (Central Business District); and granting a variance permit to allow a commercial development on the west side of the property with no residential uses, where residential uses are required; allow front setbacks of 41.72 feet, 57.3 feet and a 147 feet, where a 0 foot setback is required; and allow 0% building frontage, where 100% is required; all contra to Hialeah Code of Ordinances §§ 98-972, 98-976(1), and 98-976(4). **Property located on the west side of two adjacent parcels located on the south side of East 21 Street, between East 1 Avenue and East 2 Avenue Hialeah, Florida.** Property zoned R-1 (One Family District). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<p><i>On August 27, 2019 the item was postponed until September 10, 2019 per the applicant's request.</i></p>
<p><i>Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155th Street, Miami Lakes, Florida 33016.</i></p>
<p><i>On August 14, 2019 the item was approved by the Planning and Zoning Board.</i></p>
<p><i>Planner's Recommendation: Approval.</i></p>
<p><i>Owner of the Property: Hialeah 21 ST. LLC, 2200 East 4th Avenue, Hialeah, Florida 33013.</i></p>

PZ 6. First reading of proposed ordinance granting a Variance Permit to allow an existing lot coverage of 57% where 50% is the maximum allowed and allow a rear setback of 12.6 feet, where 20 feet is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-690 and 98-689; **Property located at 862 West 79 Street, Hialeah, Florida.** Property zoned R-4 (Townhouses). 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 August 28, 2019 the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Manuel Vecin, 862 West 79th Street, Hialeah, Florida 33012.</i>

PZ 7. First reading of proposed ordinance granting a Variance Permit to allow lot coverage of 34.5 percent, where a maximum of 30 percent is allowed; and allow a front setback of 24.70 feet, where 25 feet is the minimum required; all contra to Hialeah Code of OrdinanceS §§ 98-589 and 98-2056(b)(2); **property located at 51 West 28 Street, Hialeah, Florida.** Property zoned R-3 (Multi-Family District). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On August 28, 2019 the item was approved by the Planning and Zoning Board with the condition that the proposed side door in the playroom to be legalized, is eliminated.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Manuel Vecin, 862 West 79th Street, Hialeah, Florida 33012.</i>

FINAL DECISIONS

FD 1. Recommendation of denial by the Planning and Zoning Board to allow 3.11 interior side setback for an addition to the main house, where 5.9 feet is the minimum required; allow 2.5 feet interior west side setback and 2.5 feet rear setback for a terrace, where 5.9 feet and 7.5 feet respectively are the minimum required and allow 4.70 street side setback, where 15 feet is the minimum required for property located at **590 East 55th Street, Hialeah, Florida.**

<i>On August 27, 2019 the item was postponed until September 10, 2019 per the applicant's request.</i>
<i>On August 13, 2019, the item was tabled by the City Council until August 27, 2019.</i>

<i>On June 12, 2019, the item was denied by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Owners of the Property: Francisco Tabares & Yanet Mora, 590 East 55th Street, Hialeah, Florida 33013.</i>

FD 2. Recommendation of denial by the Planning and Zoning Board to allow side street setback of 1.5 feet, where 15 feet are required, for an existing aluminum accessory building attached to the main house; allow interior side setback of 3.5 feet, where 7.5 feet are required for an existing utility shed and allow 2.8 feet interior side setback for an existing screened porch, where 7.5 feet are required at property located at **4041 West 6th Court, Hialeah, Florida.**

<i>On August 13, 2019 the item was postponed until September 10, 2019 per the applicant's request.</i>
<i>On June 12, 2019, the item was denied by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Owner of the Property: Victor Delgado, 4041 West 6th Court, Hialeah, Florida 33012.</i>

FD 3. Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-16 that granted an adjustment on the property located at **5431 West 9th Court, Hialeah, Florida;** and providing for an effective date.

<i>On August 14, 2019, the item was approved as recommended by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Deny interior 3.5 feet north side setback request, and approve other requested setbacks, with conditions; and approve distance separation between the house and accessory building.</i>
<i>Owner of the Property: Yunaris Loriga & Alain Loriga, 5431 West 9th Court, Hialeah, Florida 33012.</i>

FD 4. Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-17 that granted an adjustment on the property located at **2177 West 6th Court, Hialeah, Florida;** and providing for an effective date.

<i>On August 14, 2019, the item was approved by the Planning and Zoning Board with the condition that the north sidewall of the house remain without openings.</i>

Planner's Recommendation: Approval with conditions.

Owner of the Property: Gilberto Aguila, 5735 West 12th Lane, Hialeah, Florida 33012.

LANDUSE AMENDMENTS

LU 1. Second reading and public hearing of proposed ordinance adopting a text amendment to Future Land Use Element of the City of Hialeah Comprehensive Plan to eliminate Policy 2.3.5 related to the Growth Management Advisory Committee (GMAC); 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.

Item was approved on first reading by the City Council on August 27, 2019.

Resolution was approved by the City Council on June, 25, 2019.

LU 2. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Industrial and Office to Industrial. **Property located at the northeast corner of NW 102 Avenue and West 108 Street, Hialeah, Florida.** Zoned BDH (Business Development District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

Item was approved on first reading by the City Council on August 27, 2019.

Resolution was approved by the City Council on June, 25, 2019.

FIRST BUDGET HEARING: Monday, September 9, 2019 at 7:00 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, September 10, 2019 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 12, 2019 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

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

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

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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).