

**Carlos Hernández**  
Mayor

**Jesus Tundidor**  
President

**Monica Perez**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Oscar De la Rosa**  
**Jacqueline Garcia-Roves**  
**Paul B. Hernandez**  
**Carl Zogby**

City Council Meeting  
Agenda  
**September 14, 2021**  
7:00 p.m.

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1. **CALL TO ORDER**

2. **ROLL CALL**

3. **INVOCATION**

4. **PLEDGE OF ALLEGIANCE**

A. The Pledge of Allegiance to be led by Council Member Garcia-Roves

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 Facebook page (@CityofHialeah).
- 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. 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 August 24, 2021.  
(OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City in that the Miami Herald is a newspaper of general circulation in the City of Hialeah as required by state law, and increase Purchase Order No. 2021-876, issued to the Miami Herald, for the cost of legal and classified advertisements for fiscal

year 2020-2021, by an additional amount of \$65,000, to pay for the cost of pending invoices and upcoming advertisements through the end of fiscal year 2021, for a total cumulative amount not to exceed \$145,000.  
(OFFICE OF THE CITY CLERK)

C. Request permission to increase Purchase Order No. 2021-1243, issued to GRM Information Management Services, Inc., vendor currently under contract with the City for the service of off-premise storage of City records, by an additional amount of \$6,200, for a new total cumulative amount not to exceed \$33,100.  
(OFFICE OF THE CITY CLERK)

D. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexplora, LLC. to provide a games program of selection of strategy and mind games to enhance 21<sup>st</sup> century life skills for the students of the afterschool program, for a term commencing on January 1, 2022 and ending on April 30, 2022, in an amount not to exceed \$12,000.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1"; and providing for an effective date.  
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

E. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexplora, LLC. to provide zumba classes to the kids participants of the City's Summer Camp Programs, for a term commencing on June 1, 2022 and ending on July 31, 2022, in an amount not to exceed \$8,400.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1"; and providing for an effective date.  
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

F. Proposed resolution, approving a Service Agreement between the City of Hialeah and J&M Vera, Inc. to provide bus transportation services to the City's Step Ahead Program, for a term commencing on August 23, 2021 and ending on July 8, 2022; 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.  
(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

G. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-572, issued to Gen Recruiting Solutions, LLC, to continue providing recruiting and staffing services to the City, by an additional amount of \$3,000.00, for a total cumulative amount not to exceed \$28,000.00. On August 27, 2019, the City entered into a contract with this vendor for a term of one year ending on August 26, 2020.  
(HUMAN RESOURCES DEPARTMENT)

H. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-915, issued to Law Enforcement Psychological and Counseling Associates, Inc., for psychological screening services for the hiring of police recruits and certified police officers, by an additional amount of \$10,000.00, for a total cumulative amount not to exceed \$40,000.00.  
(HUMAN RESOURCES DEPARTMENT)

I. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2021-783, issued to Miami-Hialeah Medical Group, Inc., for pre-employment testing services for new hires, by an additional amount of \$2,000.00, for a total cumulative amount not to exceed \$16,000.00.  
(HUMAN RESOURCES DEPARTMENT)

J. Request permission to waive competitive bidding since it is advantageous to the City in that the City has encountered additional work that will require an increase in the quoted amount, and increase Purchase Order

No. 2021-2005, issued to VCS Tech Systems, LLC, by an additional amount of \$3,200.00, for the replacement of Keri Systems Access Control System for the Fire Administration Building, for a total cumulative amount not to exceed \$38,878.00. On June 8, 2021 the City Council approved awarding the replacement of the Keri Systems Access Control System for the Fire Administration Building to this vendor, vendor providing the lowest quotation out of the three (3) vendors Keri Systems provided the City with.  
(INFORMATION TECHNOLOGY DEPARTMENT)

**K.** Request permission to issue a purchase order to Sirsi Corporation, for year three (3) of a five (5) year ILS Subscription Agreement ending on September 30, 2024, for support and maintenance of the Library's Symphony SaaS ILS, covering the period of October 1, 2021 through September 30, 2022, in a total cumulative amount not to exceed \$39,868.91. On August 13, 2019, the City Council approved a resolution to enter into a Software as a Service (SaaS) Master Agreement with this vendor for five years.  
(LIBRARY)

**L.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Mystic Gardens Lawn Contractors Inc., vendor providing the lowest quotation, for the purchase and installation of twelve (12) Green Buttonwood Trees, in a total cumulative amount not to exceed \$4,680.00.  
(STREETS)

**M.** Report of Scrivener's Error – On May 25, 2021, the City Council approved Consent Item W, approving an expenditure in an amount not to exceed \$43,000.00 to be funded from account number 131.9540.533.630, to encase and protect a City twelve inch water main from damage due to proposed improvements by the Florida Department of Transportation on East 32<sup>nd</sup> Street along East 8<sup>th</sup> Avenue. The item was approved with the incorrect account number reflected on the agenda item letter from the Director of Public Works to the Mayor and City Council Members. The agenda item letter is being amended to reflect the correct account number as 450.9510.533.630.  
(OFFICE OF MANAGEMENT AND BUDGET)  
(DEPARTMENT OF PUBLIC WORKS)

**N.** Report of Scrivener's Error – On May 25, 2021, the City Council approved Consent Item Y, approving an expenditure in an amount not to exceed \$68,932.10 from account number 131.9540.533.630, to extend an eight-inch water main along East 16<sup>th</sup> Street between East 4<sup>th</sup> Avenue and East 5<sup>th</sup> Avenue. The item was approved with the incorrect account number reflected on the agenda item letter from the Director of Public Works to the Mayor and City Council Members. The agenda item letter is being amended to reflect the correct account number as 450.9510.533.630.  
(OFFICE OF MANAGEMENT AND BUDGET)  
(DEPARTMENT OF PUBLIC WORKS)

**O.** Report of Scrivener's Error – On February 11, 2020, the City Council approved Consent Item G, approving an expenditure sum of \$490,406.00 each year for the next three years in monthly installments to Sedgwick Claims Management Services, Inc., for administrative services for the City of Hialeah's Self-Insurance Program in the areas of Auto Liability, General Liability, Auto Physical Damage, Police and Fire Professional Liability, and Workers' Compensation for the City. The item was approved with the incorrect monthly payment amount of \$40,867.00 reflected on the agenda item letter from the Director of Risk Management to the Mayor and City Council Members. The agenda item letter is being amended to reflect the amount of the monthly payments to \$40,867.17.  
(RISK MANAGEMENT)

**P.** Request permission to issue a purchase order to Z Roofing and Waterproofing, Inc., for the re-roofing of the O'Quinn Park Recreation Building, in the amount of \$48,700.00, and further request a ten percent contingency in the amount of \$4,870.00, to cover any unforeseen issues that may arise during the scope of the work, for a total cumulative expense amount not to exceed \$53,570.00.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- Q. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to South Shore Elevator Service Corp, for the yearly elevator monthly maintenance and yearly inspections as required by Miami-Dade County, and any necessary emergency repairs that may arise during the 2022 fiscal year, in a total cumulative amount not to exceed \$135,280.00.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)
- R. Request permission to increase the allowance allocated to G&R Electric Corp. for emergency fire alarm repairs, by an additional \$4,200.00 due to the fire alarm communication systems having been upgraded to wireless technology and therefore, the monthly cost increased from \$35.00 a month to \$50.00 a month, for a new total expense amount not to exceed \$37,830.00. Further request permission to increase the allowance allocated to this vendor to cover the cost of citywide emergency fire alarm repairs, by an additional amount of \$50,000.00 since the emergency repairs required to satisfy the annual fire alarm certifications and elevator inspections exceeded the original projected amount of \$25,000.00, for a new total expense amount not to exceed \$75,000.00. On September 22, 2020 the City Council awarded Hialeah Invitation to Bid No. 2019/20-8500-36-0022 – *Fire Alarm Monitoring, Maintenance and Annual Testing* to this vendor for a period ending on September 30, 2023.  
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)
- S. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Crown Castle Fiber LLC, vendor providing the lowest quotation, to provide dedicated internet circuits with service level agreements for the Department of Public Works building for a period of sixty (60) months, for a monthly payment of \$599.00 and a total cumulative expense amount not to exceed \$35,940.00.  
(INFORMATION TECHNOLOGY DEPARTMENT)
- T. Request permission to issue a purchase order to Zoll Medical Corporation, sole source vendor, for the purchase of four (4) Zoll AED three fully automatic package with PlusRX, four (4) Standard Wall Cabinets, and four (4) four-year rescue ready advanced response package for City Hall, in a total cumulative amount not to exceed \$13,175.80.  
(PURCHASING DIVISION)
- U. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Kronos (US), Inc., for Telestaff annual subscription software services, which provides Webstaff access to administrative staffing (Telestaff) functions through the internet for Fire Communications operations, in a total cumulative amount not to exceed \$9,120.00.  
(FIRE DEPARTMENT)
- V. Request permission to utilize a contract between Miami-Dade County and this vendor 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., doing business as MSC Industrial Supply Co, for the purchase of tools, parts and accessories, during 2022 fiscal year, in a total cumulative amount not to exceed \$30,000.  
(FLEET & MAINTENANCE DEPARTMENT)

## 10. ADMINISTRATIVE ITEMS

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- 10 A. Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article III. “Plans and Plats”, Division 3. Subdivision Plats; creating Section 98-350 "Subdivision by Waiver of Plat for HPD Hialeah Park District", of the Code of Ordinances of the City of Hialeah, by adding waiver of plat requirements, procedures, and review criteria for the HPD Hialeah Park District; providing that such exception is subject to the subdivision provisions of Chapter 28 of the Miami-Dade

County Code; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

<i>On August 10, 2021, the City Council postponed the item until August 24, 2021.</i>
<i>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>

- 10 B.** Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. “Zoning District Regulations”, Division 34. "HPD Hialeah Park District"; amending Section 98-1630.10 - "Purpose", Section 98-1630.11 - "Geographic Area", Section 98-1630.13 - "Permitted Uses, Limitations and Prohibitions", Section 98-1630.15 - "Site Development Plan Approval; and creating Section 98-1630.16 - "Hialeah Park District - Phase I Development Standards"; hereby approving the Pattern Book entitled "The Residences at Hialeah Park", as prepared by Civica Architecture and Albert O. Gonzalez Architect, P.A., and dated July 2021, which shall be on file with the City Clerk; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

<i>On August 10, 2021, the City Council postponed the item until August 24, 2021.</i>
<i>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>

- 10 C.** Second reading and public hearing of proposed ordinance amending Chapter 78 (entitled "Solid Waste") of the Code of Ordinances; amending Section 78-158 (entitled “Abandoned Collection Containers; Impoundment”) to clarify that roll-off containers do not need to have a lid or cover; amending Section 78-161 in Article VI (entitled “Collection Services by Private Collectors Authorized through Non-Exclusive Franchises”) to clarify a franchisee’s obligation to allow the copying of its financial records during an audit by the City; amending Section 78-164 in Article VI to clarify that certain restrictions on the days and hours of waste collection only apply within 300 feet of residential properties; amending Article VII (entitled “Roll-Off Container Regulations”) to clarify the requirements applicable to the collection of recovered materials and to conform with state law; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for inclusion in code; providing a severability clause; and providing for an effective date.

(ADMINISTRATION)

<i>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>
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- 10 D.** Second reading and public hearing of proposed ordinance authorizing the sale of real property located at 2540 Palm Avenue, Hialeah, Florida, identified by folio number 04-3107-004-0110; approving the terms of the Vacant Land Contract with J & Y Investment, Corp. and the City of Hialeah, attached hereto as Exhibit “1”; accepting the offer price of \$276,596.00 and all other offer terms; authorizing the Mayor, and the City Clerk, as attesting witness, on behalf of the City to execute the contract, Special Warranty Deed, seller’s affidavits, closing statements and such other customary documents, in a form acceptable to the City Attorney, as are necessary to close the sale; approving payment for professional legal services rendered by Gardner, Bist, Bowden, Dee, Lavia, Wright, Perry & Harper, P.A. in connection with the sale

in an amount not to exceed \$10,000.00 and all other closing costs as provided by the terms of the contract from the proceeds of sale; repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.  
(ADMINISTRATION)

*On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.*

- 10 E.** Second reading and public hearing of proposed ordinance approving a Final Plat of Excellent New Homes Hialeah; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.  
**Property located at 715 East 56 Street, Hialeah, Florida.**  
(ZONING)

*On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.*

- 10 F.** Second reading and public hearing of proposed ordinance authorizing and providing for the issuance of a Taxable Refunding Revenue Note, Series 2021 in an amount not to exceed \$29,000,000 for the purpose of refunding certain outstanding obligations; approving the selection of Truist Bank, formerly known as Branch Banking & Trust Company (BB&T), N.A., as the responsive and responsible lender offering the lowest cost financing proposal pursuant to Request for Proposal No. 2020-2021-8500-00-005; authorizing all other actions necessary to the consummation of the transaction contemplated by this ordinance; authorizing certain City officials to execute such note and all necessary documents on behalf of the City; repealing for a severability clause; and providing an effective date.  
(ADMINISTRATION)

*On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.*

- 10 F 1.** Proposed resolution authorizing and providing the issuance of a Taxable Refunding Revenue Note, Series 2021 in an amount not to exceed \$29,000,000 for the purpose of refunding certain outstanding obligations; providing that the Series 2021 Note shall be a limited obligation of the City payable from non-ad valorem revenues budgeted, appropriated and deposited as provided herein; providing for the rights, securities and remedies for the owner of the Series 2021 Note; authorizing certain City officials to execute such Series 2021 Note and all necessary documents on behalf of the City and to take all actions required in connection with the sale, issuance and delivery of such Series 2021 Note; authorizing the execution and delivery of an Escrow Deposit Agreement; making certain covenants and agreements in connection therewith; repealing all resolutions in conflict herewith; providing for a severability clause; and providing for an effective date.

- 10 G.** First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, Article II- Carnivals, Shows and Exhibits, specifically amending § 18-29 “Permit; Operating Standards” increasing the time period for carnivals within the Hialeah Park District (HPD) from thirty to sixty days and requiring City Council approval for carnivals lasting in excess of 60 days up to 120 days subject to mitigation of impacts and implementation of public safety measures; repealing all 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)

- 10 H.** First reading of proposed ordinance amending Chapter 94 of the Code of Ordinances of the City of Hialeah entitled “Water and Sewers”, and in particular, Hialeah Code § 94-163 entitled “Water and Wastewater Payment in Lieu of Franchise Fees” to reduce the limits of the rate scale from a minimum rate of 7.5% and a maximum rate of 10% to a new minimum rate of 3% and a new maximum rate of 6%; repealing all ordinance or parts of ordinances in conflict herewith; providing for inclusion in code; providing for severability clause and providing for an effective date.

(ADMINISTRATION)

(DEPARTMENT OF PUBLIC WORKS)

- 10 I.** Proposed resolution approving an Interim Agreement with One Palm Venture, LLC pursuant to Section 255.065, Florida Statutes, related to construction and operation of affordable and workforce housing, related public parking improvements, and improvement of the City’s Triangle Park in substantial conformity with the agreement attached as Exhibit “A”; authorizing the Mayor and the City Clerk, as attesting witness, to execute the Interim Agreement on behalf of the City; authorizing City Officials to take all actions required as contemplated by the Interim Agreement and in furtherance of the project; and providing for an effective date.

(ADMINISTRATION)

## **11. BOARD APPOINTMENTS**

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## **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.** Second reading and public hearing of proposed ordinance rezoning properties located at 821 and 831 SE 8 Avenue from R-1 (One-Family District) to B-1 (Highly Restricted Retail District) and property located at 820 SE 8 Court from R-1 (One-Family District) to P (Parking); granting a variance permit to allow a mixed development with 100% of the units having an area of approximately 650 square feet, where only 10% of the units may have an area of less than 850 square feet; allow interior south side setback of 0 feet and 5 feet interior rear setback, where 15 feet setback is required on property lines abutting low density residential; allow 40 parking spaces, where 70 are required and allow 15% pervious area, where 30% is required. **Properties located at 821 and 831 SE 8 Avenue and 820 SE 8 Court, Hialeah, zoned R-1 (One-Family District).**; all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(e)(2), 98-2189(16)a. and 98-2056(b)(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.



<i>On August 24, 2021, the City Council tabled the item until September 14, 2021, per the applicant's request.</i>
<i>On August 10, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for August 24, 2021.</i>
<i>On July 13, 2021, the item was postponed until August 10, 2021.</i>
<i>Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of SJM Hialeah 8<sup>th</sup> Avenue, LLC.</i>
<i>On May 12, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Victor &amp; Yarelys Marquez, 821 SE 8<sup>th</sup> Avenue, 831 SE 8<sup>th</sup> Avenue &amp; 820 SE 8<sup>th</sup> Court, Hialeah, Florida.</i>

**PZ 2.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking District); and granting a variance permit to allow 70 parking spaces, where 136 parking spaces are required for an existing church and school; allow 7% pervious area, where 30% is required; and variance permit to partially waive landscape manual requirement of providing the landscape island every 10 parking spaces; all contra to Hialeah Code of Ordinances §§ 98-2189 (4)i, 98-2056(b)(1) and City of Hialeah Landscape Manual dated July 9, 2015 ¶(D)(8) and as provided in § 98-2233. **Property located at 660 East 41 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>
<i>Registered Lobbyist: Frank De la Paz, 9361 Bird Road, Miami, Florida 33165, on behalf of Iglesia Evangelica Luterana Jesus Rey de Gloria Corp.</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item subject to a Declaration of Restrictions (DOR) and Unity of Title.</i>
<i>Planner's Recommendation: Approval subject to Declaration of Restrictions (DOR) and Unity of Title.</i>
<i>Property Owner: Remedios Cruz, 5050 NW 7<sup>th</sup> Street, Apt 104, Miami, Florida 33126 Sandra Pardo Hernandez, 1309 SW 154 Court, Miami Florida 33194 Noelia Gomez, 9947 NW 123 Street, Hialeah Gardens, Florida 33018 Sandra Lucia Mohguia Viva, 3006 SW 24 Avenue, Miami, Florida 33145.</i>

**PZ 3.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a secondhand (merchandise) dealer and precious metal dealer located at a distance of 1,110 feet from another secondhand (merchandise) dealer and precious metal dealer, where a distance of 2,500 feet is required; allow 9 parking spaces, where 12 parking spaces are required and allow reduced landscape buffers of 3 feet, 4 feet and 5 feet, where 7 feet is the minimum required; all contra to Hialeah Code of

Ordinances §§ 98-1111(21) and 98-2189(7) and City of Hialeah Landscape manual dated July 9, 2015 ¶ (D)(7). **Property located at 3190 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>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>
<i>Registered Lobbyist: Manny Reus, Architect, 18501 Pines Blvd, Pembroke Pines, Florida 33029, on behalf of Chaled XXII, LLC</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Chaled XXII, LLC. / La Estrella De Oro Joyeria #3 Corp., 5000 West 12<sup>th</sup> Avenue, Hialeah, Florida 33012.</i>

**PZ 4.** Second reading and public hearing of proposed ordinance granting a variance permit to allow total lot coverage of 37.1% where 30% is the maximum allowed; contra to Hialeah Code of Ordinances §§ 98-2056(b)(2). **Property located at 2474 West 4 Court, Hialeah, 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>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Fernando Rodriguez, 90 West 61 Street, Hialeah, Florida 33012.</i>

**PZ 5.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a Temporary Waiver of Plat provided that the property will be platted within 18 months of the approval of this ordinance. **Property located at 11250 West 36 Avenue, Hialeah, 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>On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.</i>
<i>Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of Butters Acquisitions, LLC.</i>
<i>On August 11, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>

*Property Owner: Martinez Family Investments, Limited (Jose Martinez and Alicia Martinez), 2700 SW 130 Avenue, Miami, Florida 33175.*

**PZ 6.** 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 flight academy including 20 flight simulators with maximum capacity of 60 pilots, including instructors within a 67,654 square feet bay, and variance permit to allow 82 parking spaces, where 339 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(9). **Property located at 1125 SE 8 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.

*On August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 14, 2021.*

*Registered Lobbyists: Hugo P. Arza, Esq. and Alejandro J. Arias, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131 on behalf of Pam Am Flight Academy, Inc.*

*On August 11, 2021, the Planning and Zoning Board recommended approval of this item with the condition that that the variance to allow 82 parking spaces, where 339 are required is only allowed for the proposed use and will be voided automatically if the flight academy use is discontinued.*

*Planner's Recommendation: Approval with conditions.*

*Property Owner: Lincoln GP Advisory Group, Inc., 1125 SE 8<sup>th</sup> Street, Hialeah, Florida.*

**PZ 7.** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit pursuant to Hialeah Code of Ordinances § 98-181 to allow the sale and consumption of alcohol within the facility located in the Alwod Artist Live/Work Overlay District, "Leah Art District". **Property located at 901 East 10 Avenue, Bay # 24, consisting of 4,300 square feet, 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.

*On February 23, 2021, the item was postponed until further notice, per the applicant's request.*

*On February 9, 2021, the item was postponed until February 23, 2021, per the applicant's request.*

*On January 26, 2021, the item was postponed until February 9, 2021, per the applicant's request.*

*On January 12, 2021, the item was postponed until January 26, 2021, per the applicant's request.*

*On December 8, 2020, the City Council approved the item on first reading, as amended (**alcohol sales until 11:00 p.m.**). Second reading and public hearing was scheduled for January 12, 2021.*

*Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Isabel Restaurant Inc., 901 East 10 Avenue, Hialeah, FL.*

<i>On November 18, 2020, the Planning and Zoning Board recommended approval with the condition that alcohol for consumption on premises will only be sold with full meals and that improvements will be made to the façade of the subject bay to reflect consistency with the ALWOD district, prior to applying for the alcoholic beverages license.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Flamingo East LTD, Jack Glottman, Deborah Glottman, 290 West 165 Street, PH 2, Miami, Florida 33029, Isabel Restaurant Inc., 901 East 10 Avenue, Bay 24, Hialeah, FL 33013, and Fabio Marte, 18175 SW 5 Court, Pembroke Pines, Florida 33029.</i>

**PZ 8.** First reading of proposed ordinance amending Ordinance No. 2019-011 (February 12, 2019) replacing the proposed site plan and Declaration of Restrictive Covenants previously proffered to provide for 323 residential units, where 216 units were originally approved. **Property located at 955 East 25 Street, Hialeah, zoned TOD (Transit Oriented 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>Registered Lobbyists: Jorge L. Navarro, Esq., and Carlos L. Diaz, Esq., 333 SE 2<sup>nd</sup> Avenue, 44<sup>th</sup> Floor, Miami, Florida, on behalf of Metro Parc Hialeah, LLC.</i>
<i>On August 25, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Metro Parc Hialeah, LLC and Jenny A Ducret (Manager), 301 Almeria Avenue, Suite 330, Coral Gables, Florida 33134.</i>

**PZ 9.** First reading of proposed ordinance amending Ordinance No. 2019-113 (December 10, 2019) replacing the proposed site plan and Declaration of Restrictive Covenants previously proffered to provide for an 8-story/110 unit multifamily building, where a parking garage and ground floor with retail uses was originally approved. **Property located at 962, 972 and 980 East 26 Street, Hialeah, zoned TOD (Transit Oriented 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>Registered Lobbyists: Jorge L. Navarro, Esq., and Carlos L. Diaz, Esq., 333 SE 2<sup>nd</sup> Avenue, 44<sup>th</sup> Floor, Miami, Florida, on behalf of Metro Parc Hialeah, LLC.</i>
<i>On August 25, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Metro Parc Hialeah, LLC and Jenny A Ducret (Manager), 301 Almeria Avenue, Suite 330, Coral Gables, Florida 33134.</i>

**PZ 10.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to B-1 (Highly Restricted Retail District); granting a variance permit to allow a total building site area of

1,430 square feet, where 1,500 square feet is the minimum required; and allow front setback of 10 feet, where 20 feet are required; all contract to Hialeah Code of Ordinances §§ 98-928 and 98-929. **Property located at 740 East 49 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On August 25, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Carmen Vilela and Sahilyn Reyes, 740 East 49 Street, Hialeah, Florida 33013.</i>

**PZ 11.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to R-3-3 (Multiple-Family District); granting a variance permit to allow front setback of 12 feet, where 25 feet are required; allow street side setback of 7.2 feet, where 15 feet are required; and allow total lot coverage of 32%, where 30% is the maximum allowed, all contra to Hialeah Code of Ordinances §§98-589, 98-590 and 98-205(b)(2). **Property located at 2901 East 5 Avenue, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Juan Baroso.</i>
<i>On August 25, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approve rezoning and variances as requested.</i>
<i>Owner of the Property: Juan Baroso, 8005 NW 164 Terrace, Miami Lakes, Florida 33016.</i>

**PZ 12.** First reading of proposed ordinance granting a variance permit to allow a Temporary Waiver of Plat provided that the property will be platted within 18 months of approval of this ordinance. **Property located at 10850 West 36 Avenue, Hialeah, 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>On August 25, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval of temporary waiver of plat for 18 months.</i>
<i>Owner of the Property: L. Michael Osman, Manager of Eruditional, LLC, 1474-A West 84<sup>th</sup> Street, Hialeah, Florida 33014.</i>

**PZ 13.** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to R-2 (One and Two Family Residential District); granting a variance permit to allow the construction of a duplex on a substandard lot with frontage of 60.02 feet, where 75 feet are required; and allow lot

coverage of 31.7% where 30% is the maximum allowed; all contra to Hialeah Code of Ordinances §§98-544 and 98-2056(b)(2). **Property located at 1480 West 37 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Manny Reus (architect), 18501 Pines Blvd, Suite 342, Pembroke Pines, Florida 33029, on behalf of Marcial Rodriguez.</i>
<i>On August 25, 2021, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval as amended (remove the rear setback and reduce the lot coverage requests). The following is recommended for approval: Rezoning from R-1 to R-2 and variance permit to allow a duplex on a substandard lot with frontage of 60.02 feet, where 75 are required and variance to allow 31.7% pervious area, where 30% is required.</i>
<i>Owner of the Property: Marcial Rodriguez, 2750 N. 73 Street, Hialeah, Florida 33016.</i>

**PZ 14.** First reading of proposed ordinance granting a Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District overlay pursuant to Hialeah Code of Ordinances § 98-1630.8; and granting a variance permit to allow single use, where mixed use is required; allow 55% of the units with area of 600 square feet, where only 10% of the units may have an area of 600 square feet; waive building mass requirement and setback requirements for the tower and cap of the building; allow 196 parking spaces; where 342 parking spaces are required; and allow pervious area of less than 30%, where 30% is the minimum required. **Property located at 150 East 1 Avenue and 275 East 3 Street, Hialeah, zoned CBD (Central Business District);** contra to Hialeah Code of Ordinances §§, 98-1630.1, 98-1630.2, 98-1630.3(c), 98-1630.3(e)(1) and (2), 98-2189(16)a., and the City of Hialeah Landscape Manual date July 9, 2015, “Table A, Minimum Pervious Area, CBD.” 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 September 8, 2021, the Planning and Zoning Board recommended approval of this item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: City of Hialeah, 501 Palm Avenue, Hialeah, Florida 33010</i>

## 15. FINAL DECISIONS

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**FD 1.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2021-11** that granted an adjustment on the property located at **741 East 6<sup>th</sup> Place, Hialeah, Florida;** and providing for an effective date.

*On August 11, 2021, the Planning and Zoning Board recommended approval of the item with the condition that the proposed exterior east side door and wet bar are removed and that the 280 square feet terrace remains open on its east and north sides.*

*Planner's Recommendation: Approve with the condition that the proposed exterior east side door and wet bar are removed and that the 280 square feet terrace remains open on its east and north sides.*

*Owners of the Property: Francisca Steegers & Rene Steegers, 741 East 6<sup>th</sup> Place, Hialeah, Florida 33010.*

- FD 2.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2021-12** that granted an adjustment on the property located at **670 East 8 Court, Hialeah, Florida;** and providing for an effective date.

*On August 11, 2021, the Planning and Zoning Board recommended approval of the item with the condition that the terrace remains open on three sides and that a solid fence with adjacent lush landscaping is provided at the rear property line.*

*Planner's Recommendation: Approval with the condition that the terrace remains open on three sides and that a solid fence with adjacent lush landscaping is provided at the rear property line.*

*Owners of the Property: Kety Molerio, Odilio Gonzalez, Odilio Gonzalez Jr., 670 East 8<sup>th</sup> Court, Hialeah, Florida 33010.*

## **16. LAND USE**

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- LU 1.** Second reading and public hearing of proposed ordinance adopting a Text Amendment to the Industrial Land Use Classification in Future Land Use Element of the Hialeah, Fla., Comprehensive Plan allowing Multifamily Residential uses subject to Conditional Use Permit on properties with Industrial Land Use Classification that are located within a quarter mile of properties with Mixed Use Hialeah Heights Land Use Classification; 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 August 24, 2021, the City Council approved the item on first reading. Second reading and public hearing scheduled for September 14, 2021.*

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, September 28, 2021 at 6:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, September 28, 2021 at 7:00 p.m.**

**FIRST BUDGET HEARING: Wednesday, September 15, 2021 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).